

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 4th day of
February, 2009

STEPHEN D. CHANERL,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2009-0132
)	
LACLEDE GAS CO.)	
)	
Respondent.)	

ORDER DISMISSING COMPLAINT

Issued: February 4, 2009

Effective: February 14, 2009

The Missouri Public Service Commission dismisses the complaint of Stephen D. Chanerl because he has not complied with a Commission order.

Procedure

Mr. Chanerl filed the complaint on October 10, 2008, alleging that his gas bill was inaccurate. On November 13, 2008, Laclede Gas Co. filed its answer. The Commission's staff ("Staff") filed its recommendation against the complaint on November 21, 2008.

Findings of Fact

1. By letter dated December 1, 2008, the Commission solicited Mr. Chanerl's input on the processing of his complaint. The letter asked Mr. Chanerl to reply no later than December 15, 2008. As of the date of this order, Mr. Chanerl has not responded to that letter.

2. By letter dated December 17, 2008, the Commission again solicited Mr. Chanerl's input on the processing of his complaint. The letter asked Mr. Chanerl to reply no later than December 31, 2008. As of the date of this order, Mr. Chanerl has not responded to that letter.

3. By order dated January 2, 2009, the Commission required Mr. Chanerl to show cause why the Commission should not dismiss his complaint and state whether he intended to pursue his complaint. The order required Mr. Chanerl to respond no later than January 23, 2009. As of the date of this order, Mr. Chanerl has not responded to that order.

Conclusions of Law

1. The Commission may dismiss a complaint for failure to comply with an order of the Commission. The Commission's regulations provide:

The commission, on its own motion . . . , may after notice dismiss a complaint for . . . failure to comply with . . . an order of the commission[¹]

and:

A party may be dismissed from a case for failure to comply with any order issued by the commission [²]

Those regulations apply to Mr. Chanerl because he failed to comply with the Commission's order dated January 2, 2009.

2. The Commission's regulations also provide:

A case may be dismissed for good cause found by the commission after a minimum of ten (10) days notice to all parties involved. [³]

¹ 4 CSR 240-2.070(6).

² 4 CSR 240-2.116(3).

³ 4 CSR 240-2.116(4).

That regulation also applies to Mr. Chanerl because failure to comply with the Commission's order is good cause for dismissal.

3. For those reasons, the Commission will dismiss Mr. Chanerl's complaint.

THE COMMISSION ORDERS THAT:

1. The complaint of Stephen D. Chanerl is dismissed without prejudice.
2. This order shall be effective on February 14, 2009.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Clayton, Chm., Murray, Davis,
Jarrett, and Gunn, CC., concur.

Jordan, Regulatory Law Judge,