

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Lei Guan)	
	Complainant,)
v.) Case No. GC-2012-0368
)	
Laclede Gas Company,)	
	Respondent.)

LACLEDE GAS COMPANY’S ANSWER TO COMPLAINT

COMES NOW Laclede Gas Company (“Laclede” or “Company”), pursuant to the Commission’s May 9, 2012 Notice of Complaint in the above captioned case, and submits its Answer to the Complaint filed against Laclede by Lei Guan (“Mr. Guan” or the “Customer”). In support thereof, Laclede states as follows:

BACKGROUND

1. Since 2005, Laclede has provided natural gas service to Mr. Guan at his home at 251 Palisades Ridge Court in Eureka, Missouri (the “Property”). During the winter of 2011-12, Laclede’s meter at the Property registered gas usage consistently until March. Between March 11 and April 4, 2012, the meter registered zero usage on 21 of the 24 days, and on the other three days, registered only 1 ccf of usage each day. Based on two long strings of zero usage, Laclede’s contractor for automated meter reading (“AMR”) devices, Landis & Gyr (“L&G”), visited the Property to inspect the AMR in order to determine if it was operating properly. Laclede’s meter at the Property was a 175 Rockwell, and is located outside of Mr. Guan’s home.

2. The 175 Rockwell meter at the Property contained a spring located on the test hand in the meter index. L&G suspects that this spring may increase the incidence of problems with its AMR devices. Accordingly, L&G sought to remove the spring from

these meters. Sensus, the manufacturer of the Rockwell meters, has informed Laclede that this spring does not affect the operation or measurement of its meters and may be removed from the index. In fact, 175 Rockwell meters are currently produced without the spring. As a result, L&G determined as a matter of course to remove these springs where it finds them.

3. Accordingly, in performing its inspection at the Property, the L&G technician found a spring in the 175 Rockwell meter index and removed it. Mr. Guan observed this and demanded that the L&G technician reinstall the spring in the meter index. The L&G technician was not equipped to do so.

4. Mr. Guan believed that the absence of the spring would cause the meter to run faster than it otherwise would. Mr. Guan asked the L&G technician if he could make a copy of his badge. The L&G technician agreed and handed his badge to Mr. Guan. Thereafter, Mr. Guan refused to return the L&G technician's ID badge until the spring was reinstalled.

5. Mr. Guan then called Laclede's call center to demand that the spring be reinstalled. Laclede's customer service representative (CSR) listened to Mr. Guan's complaint and assured him that Laclede would look into the matter. In the course of the conversation, Mr. Guan made a remark that sounded as if Mr. Guan thought he might be entitled to "shoot" the L&G technician because the technician was invading Mr. Guan's property. The CSR placed Mr. Guan on hold and the perceived threat was communicated through channels to L&G, who instructed its technician to leave the Property immediately and proceed to a safe location.

6. Meanwhile, a Laclede supervisor spoke to Mr. Guan and agreed that a Laclede technician would come to his property and replace the entire meter. Because of the perceived threat, Laclede arranged for its technician to be accompanied by Eureka police for the technician's protection.

7. Within an hour of receiving the initial complaint, Laclede's technician arrived at the Property to replace the meter. Mr. Guan asked to see a certificate that the new meter was calibrated correctly. The technician did not have a certificate, but in order to allay Mr. Guan's suspicions, he offered Mr. Guan the opportunity to choose any of the four meters that were on his truck. The meter was changed but Mr. Guan was dissatisfied and refused to allow Laclede access into his home to perform the safety inspection required to restore gas service. Therefore, Laclede was compelled to leave the gas off until the next day when Laclede received access to the Guans' home, and was able to restore gas service.

ANSWER

8. Mr. Guan summarizes the basis of his complaint in four points:

1. Laclede's contractor acted illegally in trying to cause the meter at Mr. Guan's home to run faster than before.
2. Laclede's employee harassed Mr. Guan by bringing the police to his home.
3. Laclede's employee stopped gas supply to his home for more than 24 hours for no reason.
4. Laclede's employee lied to the police and to the Company and provided wrong information to the Commission.

9. In response, Laclede denies Allegation #1, that Laclede or its contractor attempted to cause the meter measurement to increase. First, as stated above, L&G is removing springs from certain meters solely to enhance the performance of its AMR units. The spring has no effect on measurement and in fact is no longer included in newer meters received by Laclede. Second, L&G would have no reason to artificially increase meter measurement, nor would Laclede, whose rate design is essentially decoupled from customer usage. In fact, Laclede's rate design aligns the Company's interest with its customers in conserving gas usage, so it would be counterproductive for Laclede to cause meters to "speed up."

10. Laclede denies Mr. Guan's assumption that the meter would be inaccurate without the spring, or that the L&G technician was "planning to install" a faster moving meter at Mr. Guan's home. This assumption has no basis in fact.

11. Laclede denies Allegation #2, that Laclede's employee harassed Mr. Guan by bringing the police to his home. As stated above, the police were asked to accompany the Laclede technician because of a perceived threat made by Mr. Guan to shoot the L&G technician, which threat could possibly apply to anyone who came onto his property to work on the meter. Upon further review, the "threat" made by Mr. Guan appears more likely to be a misunderstanding based upon the fact that English is probably not Mr. Guan's first language.¹ While Laclede was entirely justified both in perceiving the matter as a threat and in erring on the side of caution in protecting the safety of its employees, the Company regrets the miscommunication and sincerely apologizes to Mr. Guan for

¹ Mr. Guan's command of English and his vocabulary are both excellent. Therefore, when he pronounced a word that clearly sounded like "shoot" while declaring that the L&G technician wrongly invaded his property and disassembled his meter, Laclede's CSR took it seriously. A closer inspection of the conversation indicates that Mr. Guan likely did not mean to say the word "shoot."

any embarrassment he was caused by the presence of law enforcement authorities on his property. Laclede has placed a call to Mr. Guan to discuss the matter but has not yet reached him.

12. Laclede denies Allegation #3, that the Company stopped gas supply to Mr. Guan's home for more than 24 hours for no reason. When Mr. Guan first contacted Laclede around noon on April 11, he was quite upset over the meter issue regarding the spring. Within an hour, Laclede had a service technician on-site to replace the meter which was the source of Mr. Guan's complaint. When Mr. Guan would not provide access to his home for the required inspection, Laclede was required to leave the gas off for safety purposes. The next morning, Mr. Guan called Laclede again, asked to have the gas turned back on, and indicated that someone would be home that day after 2:51 p.m. Laclede's service technician arrived at 2:59 p.m. and proceeded to restore gas service without incident. The interruption in gas service was caused entirely by Mr. Guan's decision to refuse Laclede access to his home to perform the mandatory safety inspection.

13. Laclede denies Allegation #4, that its employee lied to the police or the Company, or that it misled the Commission. As stated above, an apparent miscommunication led the company to believe that Mr. Guan had issued a serious threat to harm a field service technician. Laclede regrets the miscommunication, but denies that anyone at Laclede lied about this incident or would have reason to.

14. Laclede denies any and all other allegations in the complaint not specifically admitted herein.

CONCLUSION

15. In summary, Mr. Guan made a number of errors of fact and law. He was mistaken in his belief that removal of a spring from the meter would cause the meter to increase its gas measurement. He was mistaken in his belief that the meter at the Property is his meter, and that he was entitled to confiscate the L&G technician's ID badge; in fact the meter is the Laclede's property. He was mistaken that Laclede is not entitled to access its meter on his property. Laclede's tariff provides that properly authorized employees and agents of the Company have the right to enter the customer's premises at all reasonable hours to access its equipment.²

16. At the same time, Mr. Guan is certainly entitled to make inquiries about his service and about the meter that measures his gas usage. Laclede appreciates Mr. Guan's concerns and seeks to satisfy them, and to express its regret regarding the miscommunication that led to the involvement of law enforcement authorities. Laclede looks forward to meeting with Mr. Guan to address these matters.

WHEREFORE, Laclede respectfully requests that the Commission accept Laclede's Answer and find that the Company has violated no laws, or rules, decisions or orders of the Commission in this case.

² Laclede understands that customers generally prefer that the Company minimize its access to their property. Ironically, the AMR equipment that was the subject of the visit to Mr. Guan's property is the same equipment that has permitted Laclede to significantly reduce its presence on customer property.

Respectfully submitted,

/s/ Rick Zucker

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing Answer was served on the Complainant, the General Counsel of the Staff of the Missouri Public Service Commission, and the Office of Public Counsel on this 8th day of June, 2012 by United States mail, hand-delivery, email, or facsimile.

/s/ Gerry Lynch