

FILED

MAY 19 2004

Missouri Public
Service Commission

Case No. GC-2004-0216

V.
Missouri Gas Energy
Respondent.

Come Now the Complainant in accordance with the Commission Order Directing Filing of Complainant Position Statement submits to the Commission the following:

1. Whether Respondent (MGE) was in violation of rules 8.01, 8.08 Defendant failed to comply with General Terms and Conditions for gas service (Section 8) Claims and Complaints Settlements- Residential Only,

8.01 complaint and disputed claims: When a customer advises the company prior to the date of proposed discontinuance of service that all or any part of any billing rendered is in dispute the company shall:

A dispute must be registered with the utility at least twenty-four (24) hours prior the date of proposed discontinuance for a customer to avoid discontinuance of service as provided by these rules

Complainants had registered with the gas utility within 24 hours. Complainant spoke with Respondent on July 12 and 24th of 2002 and wrote the Public Service Commission on July 18, 2002, disputing the (gas) billing account at 4231 Tracy, Complainants gas service was disconnected on July 30, 2002

8.06 Failure to Reach Agreement: If the company does not resolve the complaint to the satisfaction of the customer, the company representative shall advise the customer:

A That each party has right to register an informal complaint with the Commission

B of the address and telephone number where the customer may file an informal complaint with the Commission.

Respondent failed to advise Complainants of their rights

8.08: Discontinuance pending Decision: The company shall not discontinue residential service or issues a notice of discontinuance relative to the matter in dispute pending the decision of the hearing examiner or other Commission personnel except pursuant to the terms of interim determination

2. Whether Respondent (MGE) was in violation of rules, 4 CSR 240-13.050 #1&5

Rule of MPSC 240-13.050 (#1-5) service should not have been discontinued during (#1)
Service may be discontinued for any of the following reasons. A Nonpayment of an undisputed delinquent charge (#5) A utility shall not discontinue residential service pursuant to section (1) unless written notice by first class mail is sent to the customer at least ten days prior to the date of the discontinuance. A notice of discontinuance of service shall not be issued as to that portion of a bill which is determined to be an amount in dispute pursuant to sections 4 CSR 240-13.045 (5) and (6) that is currently the subject of a dispute pending with the utility or complaint before the commission nor shall such a notice be issued as to any bill or portion of a bill which is the subject of a settlement agreement except after breach of the settlement agreement unless the utility inadvertently issues the notice in which case the utility shall take necessary steps to withdraw or cancel this notice

3. Whether Respondent (MGE) was in violation of rules 4 CSR-240-13.045 #1 The rule of MPSC dispute- 4 CSR-240-13.045 (#1) A dispute must be registered with the utility at least twenty-four (24) hours prior the date of proposed discontinuance for a customer to avoid discontinuance of service as provided by these rules

Complainant had registered with the gas utility within 24 hours. Complainant spoke with Respondent on July 12 and 24th of 2002 and wrote the Public Service Commission on July 18, 2002, disputing the (gas) billing account at 4231 Tracy. Complainant gas service was disconnected on July 30, 2002

4. Whether Complainant is entitled to receive gas service from Respondent (MGE) at any residence.

5. The issue of restoring gas service to Complainant other property that he owns, and to determine whether Respondent (MGE) was in violations of turning off Complainant gas service while the billing account was in dispute.

6. Respondent (MGE) taking that charge of \$2,099.00 off Complainant (Mr. Dudley's) credit report. Complainant position is if that not his billing account and not a customer as stated in rule 4 CSR 240-13.015 (D) It should be removed

7. The transferring of the gas bill from 4024 Prospect to 4231 Tracy. Complainant position is if that not his billing account and not a customer as stated in rule 4 CSR 240-13.015 (D) It should not have been transferred

8. The complainant has the same position that s in the PSC Staff Recommendation Report and the PSC Report dated January 20, 2004

We are concerned about those issues and would like those issues to be address or ruled on from the Commission.

James Dudley
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(816) 682-1689

CERTIFICATE OF MAILING

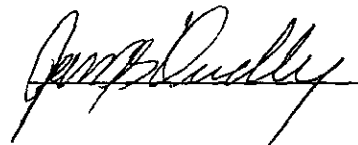
I hereby certify on this 12 day of May 2004 that a copy of the foregoing was mailed or hand delivered to:

**ROB HACK
3420 BROADWAY KANSAS CITY MO 64111
ATTORNEY FOR MISSOURI GAS ENERGY
A DIVISION OF SOUTHERN UNION COMPANY.**

**THE SECRETARY OF THE COMMISSION
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A handwritten signature in cursive script, appearing to read 'James Dudley', written over a horizontal line.

James Dudley

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