

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Norman Harrold,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2007-0311</u>
)	
Laclede Gas Company,)	
)	
Respondent.)	

ORDER GRANTING STAFF'S SECOND REQUEST FOR EXTENSION
OF TIME TO FILE RECOMMENDATION

Issue Date: May 10, 2007

Effective Date: May 10, 2007

Norman Harrold filed a formal complaint against Laclede Gas Company ("Laclede") on February 22, 2007.¹ On February 23, the Commission notified Laclede of the complaint and allowed it thirty days in which to answer as provided by 4 CSR 240-2.070(7). The same day, pursuant to 4 CSR 240-2.070(10), the Commission ordered its Staff to commence an investigation of Mr. Harrold's formal complaint and to file a report concerning the results of its investigation no later than three weeks after Laclede filed its answer to the complaint.

Although its answer to Mr. Harrold's complaint was due on March 26, Laclede did not file it until March 28.² Thus, Staff's report and recommendation were due three weeks

¹ All dates specified in this order refer to the calendar year 2007.

² Filed along with Laclede's answer was a motion requesting that the Commission grant Laclede leave to file its answer out-of-time. The Commission granted that motion on March 29.

later, on April 18. On April 20, Staff filed its first Request for Additional Time to File. In this pleading, Staff averred that it had learned, after discussions with both Laclede and Mr. Harrold, that settlement negotiations were ongoing and a settlement was possible. For that reason, Staff asked that it be given until May 9 to file its report and recommendation. The Commission granted Staff's request by order dated April 24.

On May 9, Staff filed its second Request for Additional Time to File, in which Staff advises that it had contacted Mrs. Harrold earlier that day. Despite having received a disconnect notice from Laclede, she indicated that a settlement with Laclede was still possible.³ Therefore, Staff proposes to file its report and recommendation by May 18 if no settlement has been reached by May 16.

Since Staff's request is authorized by Commission Rule 4 CSR 240-2.050(3)(A) and "the law favors settlements and compromises based upon valid considerations,"⁴ the Commission finds the request to be reasonable under the circumstances and will grant it.

IT IS ORDERED THAT:

1. Staff's second Request for Additional Time to File is granted. Assuming the case does not settle on or before May 16, 2007, Staff shall file a report concerning the results of its investigation of Norman Harrold's formal complaint against Laclede Gas Company no later than May 18, 2007.

³ Staff also states that because the amount of the bill is still the subject of this case, it has contacted Laclede to ensure that the company will not disconnect Mr. and Mrs. Harrold.

⁴ *Miners' & Farmers' Bank of Aurora v. American Bonding Co.*, 186 S.W. 1139, 1140 (Mo. App. S.D. 1916). See also *Sanger v. Yellow Cab Co.*, 486 S.W.2d 477, 481 (Mo. banc 1972) (internal quotation marks omitted) ("The law favors settlements fairly made.")

2. This order shall become effective on May 10, 2007.

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)

Benjamin H. Lane, Regulatory Law
Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of May, 2007.