

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

Renee Anderson,	)	
	)	
Complainant.	)	
v.	)	
	)	Case No. GC-2008-0176
Laclede Gas Company,	)	
	)	
Respondent .	)	

**STAFF'S REPORT CONCERNING COMPLAINT**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and in compliance with the Commission's November 21 Order Directing Filing states:

1. On November 21, 2007, Renee Anderson (Ms. Anderson or Complainant) filed a formal complaint case against Laclede Gas Company (Laclede or Company) stating that the Company is holding her liable for an outstanding account balance for service provided at 4946 Geraldine, St. Louis, Missouri, pursuant to the benefit of service rule.
2. Ms. Anderson asserted that Laclede established service in the name of Kevin Jackson at 4946 Geraldine from June 30, 2005 through September 13, 2007 and that the Company has not attempted to collect the unpaid bill from Mr. Jackson.
3. Attached in Staff's Report are Staff's findings as a result of its investigation in this matter.
4. Staff bases its analysis on the Commission's Rule 4 CSR 240-13.035 Denial of Service (Schedule 1) provides that a utility may not refuse to commence service to an applicant for the failure to pay the bill of another customer, unless the

applicant who is seeking service received substantial benefit and use of the service to that customer. The rule also states that the utility shall have the burden of proof to show that the applicant received substantial benefit and use of the service. To meet the burden of proof, the utility must have reliable evidence that the applicant and that customer resided together at the premises where the bill incurred and during the period the bill was incurred; the bill was incurred within the last seven (7) years; that the utility attempted to collect the unpaid bill from the customer of record and at the request for service, the bill remained unpaid and not in dispute. In September 2007, when Ms. Anderson visited Laclede's Business Office admitted that she had resided at 4946 Geraldine for the last two (2) years while the service was in Kevin Jackson's name; however, she believed that since the gas service was in Mr. Jackson's name, she should not be responsible for payment of the bill. By Ms. Anderson's own admission, Laclede was able to prove that she had resided at the residence and had received substantial benefit and use of the service for two (2) years.

5. Staff has not found any tariff or rule violations by Laclede and since Ms. Anderson applied for heating assistance on the balance due from 4946 Geraldine, it appears that she has accepted some responsibility for the debt, it is, therefore, Staff's recommendation the case may be dismissed.

WHEREFORE Staff's investigation shows that Laclede has not violated any Commission rules or filed tariffs and that Ms. Anderson is responsible for payment of the bill at the Geraldine address under the Commission's benefit-of-service rule so the case may be dismissed.

Respectfully submitted,

/s/ Lera L. Shemwell

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 18th day of January, 2008.

/s/ Lera L. Shemwell