

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing

February 23, 2007  
Jefferson City, Missouri  
Volume 1

MARLYN YOUNG, )  
)  
Complainant, )  
)  
vs. ) Case No. GC-2007-0211  
)  
LACLEDE GAS COMPANY )  
)  
Respondent. )

KENNARD L. JONES, Presiding  
SENIOR REGULATORY LAW JUDGE

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1                                   A P P E A R A N C E S

2   For Staff of the Missouri Public Service Commission:

3                           Mr. Kevin A. Thompson  
4                           Public Service Commission  
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9   For Office of Public Counsel and the Public:

10                          Mr. Marc Poston  
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13                          P.O. Box 2230  
14                          Jefferson City, MO 65102  
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16   For Laclede Gas Company:

17                          Mr. Rick Zucker  
18                          Attorney at Law  
19                          720 Olive Street, Suite 1524  
20                          St. Louis, MO 63101  
21                          (314) 342-0533

22   For Marlyn Young:

23                          Mr. Marlyn Young (Pro Se)

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1 P R O C E E D I N G S

2 JUDGE JONES: We are on the record with Case No.  
3 GC-2007-0211. This is a complaint of Marlyn Young against  
4 Laclede Gas Company.

5 My name is Kennard Jones. I'm the Regulatory  
6 Law Judge assigned to this matter. At this time, we'll  
7 take entries of appearances. And, Mr. Young, basically,  
8 we're just taking attendance on who is here. I'd like you  
9 to state your name and address and telephone number if you  
10 would.

11 MR. YOUNG: Marlyn Young. My address is Post  
12 Office Box 2487, Florissant, Missouri, 63032. Telephone  
13 number (314) 869-0799.

14 JUDGE JONES: Thank you, sir. And Mr. --  
15 Mr. Zucker, could you go ahead and enter your appearance  
16 for the record, please?

17 MR. ZUCKER: Okay. Rick Zucker for Laclede Gas  
18 Company, 720 Olive Street, Room 1516, St. Louis, Missouri,  
19 63101. Phone number is (314) 342-0533.

20 JUDGE JONES: And Mr. Poston?

21 MR. POSTON: Yeah. Mark Poston appearing for  
22 the Office of Public Counsel, P.O. Box 2230, Jefferson  
23 City, Missouri, 65102.

24 JUDGE JONES: And Mr. Thompson?

25 MR. THOMPSON: Kevin Thompson for the Staff of

1 the Missouri Public Service Commission, Post Office Box  
2 360, Jefferson City, Missouri, 65101.

3 JUDGE JONES: Is everyone able to hear everyone  
4 else okay?

5 MR. YOUNG: Yes.

6 MR. POSTON: Yes.

7 MR. ZUCKER: Yes.

8 MR. THOMPSON: Yes.

9 JUDGE JONES: All right. Mr. Young, this is a  
10 prehearing conference. At this prehearing conference,  
11 there will be no evidence taken, no arguments made. This  
12 is -- I use this primarily as an opportunity to -- to  
13 better understand the complaint and to give the parties an  
14 opportunity to discuss the matter off the record without  
15 me present to see if there can be some type of resolution.

16 Do you have any questions about anything at this  
17 time?

18 MR. YOUNG: When you say you can't present any  
19 evidence, can you get clarification on any documentation  
20 that was presented?

21 JUDGE JONES: You mean by -- by Laclede or the  
22 Staff of the Commission or someone, you mean?

23 MR. YOUNG: Yes.

24 JUDGE JONES: You can. I would rather you do  
25 that, however, when I'm not here.

1 MR. YOUNG: Okay. I understand.

2 JUDGE JONES: Because I don't -- I want to --

3 MR. YOUNG: Okay.

4 JUDGE JONES: Okay. So you understand the  
5 players that are here today, I'm sure you understand  
6 Laclede Gas Company is your opponent?

7 MR. YOUNG: Yes.

8 JUDGE JONES: Mr. Thompson, who represents the  
9 Commission, is an objective party in the case. They are  
10 called a party. I think they're called a party just for  
11 simplicity. But they -- they look at the case and try to  
12 give the Commission what they think is -- is -- I guess  
13 their position, although they don't have a position one  
14 way or another.

15 They just want to try to tell us what they think  
16 their opinion is on how the case should be resolved.

17 MR. YOUNG: Yes.

18 JUDGE JONES: The Office of Public Counsel, who  
19 is represented by Mr. Marc Poston, represents the public  
20 at large. They don't represent you specifically, although  
21 your interest is -- is a part of their concern.

22 I take it Mr. Poston might look for some  
23 indication that if Laclede is doing something wrong and is  
24 doing it wrong to a whole lot of people, and that's when  
25 they probably would have a problem with that.

1                   So -- and I tell you this so -- so that you're  
2   better able to understand who you're talking to and what  
3   position they might have and what their take is on their  
4   opinion based on, you know, where they're coming  
5   from --

6                   MR. YOUNG:   Yes.   I understand.

7                   JUDGE JONES:  -- when we're off the record.  
8   Okay.  Now, it looks like, basically, you're saying you've  
9   been overcharged?

10                  MR. YOUNG:   That's -- that's one point, yes.

11                  JUDGE JONES:  Okay.  What's -- what's another  
12   point?

13                  MR. YOUNG:   The other point is the violation of  
14   State code, disconnection of service -- services while the  
15   money or dispute -- I was disputing an amount.

16                  JUDGE JONES:  Oh, I see.  You're saying they --  
17   they cut your service off while you were disputing that  
18   amount?

19                  MR. YOUNG:   Yeah.  From another metering point.

20                  JUDGE JONES:  Another meter --

21                  MR. YOUNG:   In other words, the deal was from  
22   another metering point.  And in turn, they disconnected my  
23   service based on this information.

24                  JUDGE JONES:  Oh, okay.  So there was a -- a --  
25   an amount that was owed from a different address, and they

1 cut your service off at the address you were living at?

2 MR. YOUNG: Yes. They incorporated it in my  
3 bill and cut my service off.

4 JUDGE JONES: Do you have service now?

5 MR. YOUNG: No.

6 JUDGE JONES: Is it cold?

7 MR. YOUNG: I lost the property.

8 JUDGE JONES: So you're not living someplace  
9 where it's cold?

10 MR. YOUNG: No. I'm not living in that property  
11 anymore. I lost that property.

12 JUDGE JONES: Where are you living now?

13 MR. YOUNG: I don't want to divulge that.

14 JUDGE JONES: Okay.

15 MR. YOUNG: Because I -- I see --

16 JUDGE JONES: You don't have to -- you don't  
17 have to explain.

18 MR. YOUNG: Okay.

19 JUDGE JONES: I'm fine with -- if you don't want  
20 to tell me something, you don't have to. I will tell you,  
21 however, if this goes on to hearing, you might want to  
22 tell me where you live. So you might think about that  
23 between now and whenever the hearing date might be.

24 MR. YOUNG: Okay.

25 JUDGE JONES: But at this point, you don't have

1 to do that. It's not a problem. Do you have any other  
2 concerns? Because I want to leave you all to talk about  
3 this and see if something can be worked out, Mr. --

4 MR. YOUNG: No. I basically --

5 JUDGE JONES: Do you understand the process?

6 MR. YOUNG: Yes. I thoroughly do.

7 JUDGE JONES: Okay. Mr. Zucker, is there  
8 anything you need to talk about before I leave you all to  
9 discuss this?

10 MR. ZUCKER: I don't think so. I think if -- if  
11 we have discovery, he -- Mr. Young may be divulging where  
12 he lives before the hearing.

13 JUDGE JONES: Okay. Did you understand that  
14 statement, Mr. Young?

15 MR. YOUNG: No.

16 JUDGE JONES: Basically, before a hearing, the  
17 parties in the hearing go through a process they call  
18 discovery where basically they ask each other questions,  
19 the answers to which they need in order to proceed with  
20 the case.

21 MR. YOUNG: No. I understand, sir, what  
22 discovery is.

23 JUDGE JONES: Okay. All right. Mr. Poston, any  
24 concerns you have?

25 MR. POSTON: No. Not at this time.



1 JUDGE JONES: Did I -- did I accurately describe  
2 your position?

3 MR. POSTON: Yes. You did, better than I would  
4 have. Thank you.

5 JUDGE JONES: Okay.

6 MR. THOMPSON: Judge, before you go, I would  
7 just like to advise you that in that this is a complaint  
8 case, Mr. Young is required to prove the facts necessary  
9 to support the relief that he requests. And Staff is not  
10 intending to present any evidence at this time.

11 JUDGE JONES: Okay. Mr. Young, did you  
12 understand that statement by Staff's attorney,  
13 Mr. Thompson?

14 MR. YOUNG: Yes, I did.

15 JUDGE JONES: Okay. Well, I will leave you all  
16 to -- to work this out. Let's see. I don't -- I don't  
17 believe at this point we even have a hearing date set, do  
18 we?

19 MR. THOMPSON: No, sir.

20 MR. YOUNG: No, I don't think so. I don't  
21 believe so.

22 JUDGE JONES: Okay. Okay. If you all are  
23 unable to resolve this, Mr. Thompson, will you let me  
24 know?

25 MR. THOMPSON: Yes, Judge.

1 JUDGE JONES: Okay. And I'll go from there with  
2 setting a procedural schedule and a hearing date. Mr. --  
3 Mr. Young?

4 MR. YOUNG: Yes.

5 JUDGE JONES: I will -- I will -- I will try --  
6 I will work with you on trying to get a date that you --  
7 where you can attend the hearing. That would be ideal.

8 MR. YOUNG: No. No. I understand.

9 JUDGE JONES: Okay.

10 MR. YOUNG: I'm kind of familiar with Jeff City  
11 right now. I've been down there a couple of times on some  
12 other legal matters, so I -- I want to attend the hearing.

13 JUDGE JONES: Okay. Well, I'll work with you on  
14 finding a date that -- that can work for all the parties  
15 in this if it's necessary.

16 MR. YOUNG: Yes. I understand, sir.

17 JUDGE JONES: Okay. Well, with that, then,  
18 we'll go off the record.

19 MR. THOMPSON: Thank you, Judge.

20 MR. YOUNG: Thank you.

21 MR. POSTON: Thank you.

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