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STATE OF MISSOURI PUBLIC SERVICE COMMISSION

Cloris & Ronald Torrey,)
Complainant,)
)
vs.) No. GC-2015-0111
)
LACLEDE GASS COMPANY,)
)
Respondents.)

Record of Proceedings held at
Wainwright State Office Building
111 North 7th Street, Suite 105
St. Louis, Missouri 63101
June 1, 2015

Reported by Debra L. Burris, CSR, CCR
MO Lic. No. 789 * IL Lic. No. 084-004545

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APPEARANCES

FOR RESPONDENT: Rick Zucker, Esq.
700 Market Street, 6th Floor
St. Louis, Missouri 63101

STAFF ATTORNEY: John D. Borgmeyer, Esq.
P.O. Box 360
Jefferson City, Missouri 65102
(Present by telephone.)

ALSO PRESENT: Nichole Mers
Bob Leonberger
Netelle Dietrich
(All present by telephone.)

JUDGE: Kennard L. Jones
Senior Regulatory Law Judge

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1 who I don't know who he was. We were handed
2 what is titled Affidavit, quote, "Rejection of
3 Invitation to Contract for Discovery," end
4 quote. Whatever this is hasn't been offered,
5 just handed to us. I don't know if it's been
6 filed in EFIS at this time or not. I'm just
7 going to throw mine in the trash. I'm not even
8 going to read it. If it's entered in EFIS then
9 I'll have to take it into consideration.

10 Well, with that I'll issue an order
11 accordingly. And does anyone have anything
12 they'd like to add while on the record?

13 MR. ZUCKER: I would like to add
14 something, Your Honor.

15 JUDGE JONES: Yes.

16 MR. ZUCKER: We, Laclede filed a
17 motion to dismiss this case, or a number of
18 them, most recently in January, I believe. And
19 there was an issue -- I think you gave the, Your
20 Honor gave the Torrey's some time to respond.
21 There was some confusion as to whether they met
22 that time frame or not. It turned out that they
23 did meet the time frame. And so the case was
24 revived. But I would like to renew my motion to
25 dismiss on the grounds that we have satisfied

1 the Torrey's request to stop trying to inspect
2 the gas facilities in their home. And that is
3 what they wanted in their request for relief in
4 their complaint. And it's been satisfied. And
5 so we would like everyone to acknowledge that
6 the Torrey's will take yes for an answer, that
7 in effect they won their case, and we would like
8 to have the case dismissed. In the Torrey's
9 response to our motion to dismiss they say
10 that -- they have alleged a scheme to cover up
11 some litigation, and that -- they have also
12 alleged that we made the inspection, or tried to
13 make the inspection in less than 36 months. And
14 finally they allege that we tried to do some
15 inspections in December.

16 My response would be, and I'll file
17 something in the case if you like, that even if
18 you take all three of those as, if you accept
19 the truth of all three of those, they have in
20 fact terminated service with Laclede Gas, so we
21 are not trying to inspect the inside facilities,
22 and so the case should be ended.

23 MR. BORGMEYER: So, Rick, they're no
24 longer a customer at all?

25 MR. ZUCKER: They are not a customer.

1 They don't owe us anything. They have been
2 paying their bills on time and in full. So as
3 far as we're concerned until they want to
4 reactivate service, we don't need to get in to
5 do an inspection, and they are not customers at
6 this time.

7 MR. BORGMEYER: Okay, thanks.

8 JUDGE JONES: All right. Well then
9 let's --

10 MR. ZUCKER: Would you like me to
11 file something to that effect?

12 JUDGE JONES: If you're going to file
13 what you just put on the record, we can just let
14 the record be the motion.

15 MR. ZUCKER: Okay.

16 JUDGE JONES: With that then let's go
17 off the record.

18 (END OF RECORD.)

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REPORTER'S CERTIFICATE

I, DEBRA L. BURRIS, a Certified Court Reporter in and for the States of Missouri and Illinois, do hereby certify that, pursuant to agreement of counsel this record of proceedings was caused to be transcribed into typewriting, and that this is a true and accurate transcription of the proceedings.

BY THE AUTHORITY BESTOWED UPON ME, I have hereunto set my hand on this _____ DAY OF _____, 2015.

DEBRA L. BURRIS, MO CCR #789,
IL CSR #084.004545

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