

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

Percy Cannon,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. GC-2008-0169</u></b>
	)	
Missouri Gas Energy,	)	
	)	
Respondent.	)	

**ORDER DIRECTING RESPONSE FROM COMPLAINANT, PERCY**  
**CANNON**

Issue Date: December 3, 2007

Effective Date: December 3, 2007

On November 19, 2007, Percy Cannon filed a complaint with the Commission against Missouri Gas Energy ("MGE"). Complainant claims that MGE is erroneously refusing to establish natural gas service for him and his family. On November 26, the Commission issued notice of the complaint and set the deadlines for responses to the complaint.

On November 27, Complainant filed a letter with the Commission seeking expedited treatment of his complaint action.<sup>1</sup> The reasons stated for this request include the current and impending cold weather and that there are two asthmatic children living in his household that could be adversely affected by the lack of proper home heating.

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<sup>1</sup> The Commission notes that Mr. Cannon is a *pro se* Complainant and understandably not versed in legal practice or practice before the Commission. Therefore, the Commission will treat Mr. Cannon's letter as

MGE's answer to the complaint was not due until December 26. However, given the health issues raised by the Complainant, the Commission directed MGE to expeditiously show cause for its denial of service. The Commission further directed its Staff to provide a recommendation as to whether this matter needed to be expedited.

On November 29, MGE filed its response stating that it had appropriately denied establishing service for Mr. Cannon at his current address pursuant to Commission Rule 4 CSR 240-13.035, and to Section 3.02(1)(G) of its tariffs. MGE points out that Mr. Cannon, in his complaint, admits responsibility for an arrearage in the amount of \$1929.57 for natural gas service provided to his wife at their current address, and that this alone serves as an adequate basis for withholding service. Staff filed its response on November 30 asserting that it had no reason to doubt the facts asserted by MGE and that under the Filed Rate Doctrine, MGE's tariff is binding on MGE, Mr. Cannon, and the Commission.

The Commission would like to hear from Mr. Cannon before ruling on his motion to expedite his complaint. Accordingly, Mr. Cannon will be given seven days from the date of this order to file a pleading that confirms statements he made in his complaint and addresses the statements contained in MGE's response to his motion to expedite. Mr. Cannon should state any legal or factual reasons why he agrees or disagrees with those statements. (Attached to this order is a letter further explaining this process and providing other helpful information.)

**IT IS ORDERED THAT:**

1. Percy Cannon shall file a pleading, by not later than 5:00 p.m. on Monday,

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being a motion for expedited treatment and finds his request to be in substantial compliance with Commission Rule 4 CSR 240-2.080(16) for purposes of this order.

December 10, 2007, which confirms statements he made in his complaint and addresses the statements contained in MGE's response to his motion to expedite his complaint, and that sets forth any legal or factual reasons why he agrees or disagrees with those statements.

2. This order shall become effective on December 3, 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 )

Harold Stearley, Regulatory Law Judge,  
by delegation of authority under Section  
386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 3rd day of December, 2007.