

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

Charles A. Harter,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2010-0217</u>
)	
Laclede Gas Company,)	
)	
Respondent.)	

JOINT LIST OF ISSUES, WITNESSES, AND ORDER OF CROSS EXAMINATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and on behalf of the Staff, Laclede Gas Company (Respondent or Company), and Mr. Charles A. Harter (Complainant), collectively known as the Parties, files this joint list in response to the Missouri Public Service Commission's May 10, 2010 Order. The Staff respectfully states:

1. On April 12, 2010, the Commission convened a prehearing conference during which the Parties discussed a procedural schedule for this case. On May 5, 2010, the Parties filed a proposed joint procedural schedule, which the Commission adopted by order on May 10, 2010. As part of the order, the Parties were directed to file this joint list by June 24, 2010.

LIST OF ISSUES

2. The Parties submit the following list of issues for the Commission's determination:

- a. Until August 2008, the Respondent sent the Complainant paper bills delivered by regular mail. Beginning in August 2008 and extending through July 2009, the Respondent stopped mailing paper bills, and instead delivered electronic bills

(“e-bills”) to the Complainant by causing emails to be sent to harleycharter@sbcglobal.net.

- i. When the Respondent stopped mailing paper bills to the Complainant and began sending e-bills, did the Respondent do so unilaterally and without the Complainant’s knowledge or consent?
 - ii. After the Complainant terminated his automatic bill pay program in February 2009, did the Respondent thereafter (through July 2009) fail and refuse to send the Complainant a bill for gas services by US Mail?
- b. Did the Respondent violate any provision of its tariffs, any law, or any Commission rule or order when it issued e-bills to the Complainant?
 - c. Did Respondent violate any provision of its tariffs, any law, or any Commission rule or order when it issued disconnection notices either by email or US Mail to the Complainant between July 29 and August 21, 2009?¹
 - d. May the Respondent or the Commission waive, through a tariff, the requirement of law of Rule 4 CSR 240-13.015(1)(T) that requires the Respondent to send bills to consumers through US Mail?

LIST OF WITNESSES AND ORDER OF CROSS EXAMINATION

3. In its Order adopting the joint procedural schedule, the Commission established the order in which the Parties will present their case and be cross-examined during the July 8, 2010 evidentiary hearing..

¹ At the time of filing, the undersigned was unable to confirm whether the Complainant was in agreement to submit issue 2 (c) as currently worded to the Commission for decision.

4. Complainant will present his case first and intends to call himself as a witness. The Complainant will then be subject to cross-examination, first by the Staff of the Commission, then by the Office of the Public Counsel (OPC), if participating, and finally by the Respondent.

5. The Respondent will present its case second and intends to call Kevin Kellar as a witness, who will then be subject to cross-examination first by the Staff, then OPC, and finally by the Complainant.

6. The Staff will present its case last, and intends to call Ms. Mary Schierman-Duncan as its witness, and may also call the Complainant should he decide not to call himself during his direct case. The Staff's witnesses will be subject to cross-examination first by the Respondent, then by OPC, and finally by the Complainant.

WHEREFORE, the Staff requests that the Commission accept this joint list of issues as compliance with the Commission's May 10, 2010 Order.

Respectfully submitted,

/s/Jennifer Hernandez

Jennifer Hernandez

Associate Counsel

Missouri Bar No. 59814

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above document was served upon the attorneys/parties of record Rick E. Zucker, attorney for Laclede Gas Company via electronic mail at rzucker@lacledegas.com; the Office of the Public Counsel via electronic mail at opcservice@ded.mo.gov; and Mr. Charles A. Harter, via First-class United States mail postage prepaid at 827 S. Sappington, Saint Louis, MO 63126, and electronic mail at harterandharter@sbcglobal.net this 24th day of June 2010.

/s/ Jennifer Hernandez