

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

Norman Harrold,)	
)	
Complainant,)	
v.)	Case No. GC-2007-0311
)	
Laclede Gas Company,)	
Respondent.)	

**LACLEDE GAS COMPANY’S MOTION TO CANCEL HEARING
AND DISMISS COMPLAINT AS SATISFIED**

COMES NOW Laclede Gas Company (“Laclede” or “Company”) and, in lieu of filing a witness list or list of issues, files this motion to cancel the hearing set in this case and dismiss the complaint filed by Norman Harrold (“Mr. Harrold” or the “Customer”) on the grounds that the complaint has been satisfied. In support thereof, Laclede states as follows:

1. In his complaint, Mr. Harrold objects to a re-billing on service rendered at 5918 Theodore (the “Property”) between September 2004 and April 2006. The main thrust of Mr. Harrold’s complaint is that the re-billing of 2568 CCF (hundred cubic feet) was too high and should be reduced because the property was vacant for the period covered by the re-bill.

2. In his request for relief, Mr. Harrold asks that Laclede correct the erroneous rebilling. He provides his own analysis of usage during the time of vacancy, and concluded that the usage during the re-bill period should have been 1330 CCF, and therefore, Laclede’s re-bill overstated the gas used during that period by 1238 CCF (2568-1330). Mr. Harrold therefore requests that the re-bill be adjusted to credit him for 1238 CCF.

3. In its answer to the complaint, Laclede stated that it was without information and belief to determine whether the property was actually vacant during the re-billing period and, pursuant to Commission Rule 2.070(8), denied Mr. Harrold's usage theories on that basis. However, Laclede added that it would contact Mr. Harrold to discuss the issue.

4. Since filing its answer, Laclede has discussed the matter a number of times with Mr. Harrold. Laclede has found no reason to doubt Mr. Harrold's assertion regarding the vacancy of the property or his assertions regarding his efforts to reduce gas usage at the vacant property. Laclede believes that, under the circumstances, Mr. Harrold's requested relief is reasonable and Laclede will accept it.

5. Therefore, Laclede will provide Mr. Harrold a credit for 1238 CCF over the re-billed period. This credit will reverse the original adjustment for the underbilling, eliminate Mr. Harrold's current balance due, and result in a credit balance for Mr. Harrold which, at his option, can be applied against current and future bills or remitted as a refund.

6. As a result of Laclede's withdrawal of its opposition to Mr. Harrold's request for relief, Mr. Harrold has now obtained the relief he requested in his complaint. Laclede therefore moves to cancel the hearing set for November 6 in this case and dismiss the complaint as having been fully satisfied.

WHEREFORE, Laclede respectfully requests that the Commission find that the relief requested by the Complainant has been fully satisfied, and on that basis cancel the hearing set for November 6 and dismiss the complaint.

Respectfully submitted,

/s/ Rick Zucker

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on the Complainant, the General Counsel of the Staff of the Missouri Public Service Commission, and the Office of Public Counsel on this 30th day of October, 2007 by United States mail, hand-delivery, email, or facsimile.

/s/ Rick Zucker