

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

Gwenda Allen,)	
)	
	Complainant,)
v.)	Case No. GC-2007-0007
)	
Laclede Gas Company,)	
	Respondent.)

**LACLEDE GAS COMPANY'S
ANSWER AND MOTION TO DISMISS COMPLAINT**

COMES NOW Laclede Gas Company (“Laclede” or “Company”), and submits this Answer and Motion to Dismiss the Complaint filed by Gwenda Allen in this case, stating as follows:

1. On July 5, 2006, Gwenda Allen filed a complaint with the Commission. The nature of Ms. Allen’s complaint was unclear, although it appeared to pertain to whether she had received credit for heating assistance funding, particularly from an organization named “Great Things, Incorporated.” Due to the unclear nature of Ms. Allen’s complaint, among other shortcomings, the Commission issued a Notice of Deficiency on July 6, 2006, stating that “no action will be taken on this complaint until it is brought into compliance with all Commission regulatory requirements.”

2. After receiving no response from Ms. Allen, on August 31, 2006, the Commission issued its Notice of Pending Dismissal to Complainant, based on the deficiencies in Complainant’s complaint. On September 26, 2006, Staff requested that the Commission order Staff to investigate this matter and order Laclede to respond to the Complaint, rather than dismissing it. Staff based its request on the fact that Ms. Allen

appears to be a low-income customer who received a heating assistance grant pledge in the amount of \$329.21 from the Great Things Incorporated Foundation, and had a balance in 2003 of \$1574.70. On October 3, 2006, Laclede responded that Ms. Allen had received the benefit of the grant from Great Things Incorporated of \$329.21, along with funding from Dollar-Help and an ECIP pledge and, once those funds were received, her balance would be in the \$400 range.

3. Further attempts to reach Ms. Allen, including attempts by Laclede, were unsuccessful. However, on December 8, 2006, Staff managed to contact Ms. Allen via her cell phone. Ms. Allen claimed that she still wished to protest a balance due to Laclede of \$1143, but she was unaware of her current account information. She stated she would re-contact Staff, but has yet to do so. As a result of Complainant's lack of cooperation, Staff recommended dismissal of the complaint.

4. Despite Staff's recommendation, and Complainant's failure to remedy the deficiencies in her complaint, including her failure to clearly state the nature of her complaint, on December 14, 2006, the Commission ordered Laclede to file an expedited answer to the complaint by December 26.

5. In response, Laclede states that in May 2006, Ms. Allen owed the amount of \$1444.02 for gas service provided to her at 4540 Lexington Avenue. Laclede confirms that Ms. Allen received the benefit of a grant from Great Things Incorporated of \$329.21, which reduced her balance to \$1114.81. Later in May 2006, this amount was transferred to her new account at 3228 W. Milton Avenue. Under the new account, Ms. Allen has received funding of \$300 from Dollar-Help, and \$491 from the ECIP Program. As represented in Laclede's October 3 pleading, Ms. Allen's balance is currently \$394.59.

6. Apparently Staff's contact with Ms. Allen has generated activity on her part. On December 11, 2006, Ms. Allen contacted Laclede and requested a statement of amount due. On December 21, she called again and obtained a summary of heating assistance funding received on her behalf. Although Ms. Allen's service is currently off, Laclede has not yet received pledges for Ms. Allen for this winter. However, based on her current balance, Ms. Allen can re-connect service under the cold weather rule with an initial payment of \$197.30, which is less than the normal amount paid under the LIHEAP program alone.

7. Based on Ms. Allen's failure to remedy the deficiencies in her complaint, along with the fact that it appears that she has received the funding sought, and that her balance is at a manageable level, Laclede proposes that the complaint be dismissed without prejudice to Ms. Allen's refilling thereof, to the extent that she still maintains a dispute with Laclede, and can clearly state the nature of such dispute.

WHEREFORE, Laclede respectfully requests that the Commission accept this answer and dismiss the complaint without prejudice.

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 or before the 26th day of December, 2006 by United States mail, hand-delivery, email, or facsimile.

/s/ Rick Zucker