

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

Marcia Johnson,	)	
	)	
	Complainants,	)
v.	)	Case No. GC-2006-0456
	)	
Laclede Gas Company,	)	
	Respondent.	)

**LACLEDE GAS COMPANY’S RESPONSE TO STAFF REPORT**

**COMES NOW** Laclede Gas Company (“Laclede” or “Company”), and files this response to the Report filed by staff in this case on August 25, 2006, and in support thereof, states as follows:

1. Laclede generally agrees with most of the major findings by Staff in its Report. Laclede agrees that, since both Mr. White and Ms. Johnson lived at 6721 Alabama between November 2003 and February 2005, both should be responsible for the gas used there during that period. Laclede agrees that it calculated the billing adjustment fairly and properly.

2. However, Laclede does not agree with Staff’s conclusion that Laclede cannot prove that it left hang tags at the customers’ door when it failed to gain access to read the meter, or that meter read letters were not actually sent to the customer. To the contrary, Laclede can provide clear and convincing evidence of its policy and practice of leaving meter reading tags on customer doors. Further, as Staff has acknowledged in its Report, Laclede has produced records kept in the ordinary course of its business that establish the specific dates and forms of letters sent to the customers at 6721 Alabama on four separate occasions seeking their assistance in obtaining a meter reading.

3. If this weren't enough proof that Laclede notified the customer of the need for a meter reading, the most compelling evidence is the self-read received by Laclede from the residence in January 2005. How can it be explained that the customer sent in a self-reading in January 2005, unless Laclede had previously sent a letter or left a card prior to that date?

4. It is not Laclede's, but the Complainant's credibility that suffers from the fact that after receiving a billing adjustment following the January 2005 self-read, Laclede received a telephone call recanting the self-read and causing the adjustment to be reversed, only to be followed later by an even larger adjustment.

5. In summary, Laclede has complied with all of its legal obligations in this matter and is entitled to recover the amount owed by the complainant, Ms. Johnson. As stated above, however, Laclede agrees with the Staff's ethical position that Mr. White should share the burden of paying for the gas both he and Ms. Johnson used. Therefore, while Laclede is not legally obligated to release either Mr. White or Ms. Johnson from their joint or several liability, Laclede will agree to make good faith efforts to collect sums due from Mr. White, and in doing so, would appreciate the cooperation of Ms. Johnson. Naturally, any amounts actually collected from Mr. White will operate to reduce the debt owed by Ms. Johnson.

WHEREFORE, Laclede respectfully requests that the Commission accept this response to Staff's report in this case.

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 August, 2006 by United States mail, hand-delivery, email, or facsimile.

**/s/ Rick Zucker**