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Case Number:

Date Testimony Prepared:

Liability Tariff

Barb Meisenheimer

Rebuttal

Public Counsel

GT-2009-0056

August 19, 2009

REBUTTAL TESTIMONY OF BARBARA A. MEISENHEIMER

Submitted on Behalf of
the Office of the Public Counsel

Laclede Gas Company

Case No. GT-2009-0056

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APC. Exhibit No. 11
Case No(s) GT-2009-0056
Date 10/8/09 Rptr MLL

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Submitted on Behalf of
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Laclede Gas Company

Case No. GT-2009-0056

August 19, 2009

Laclede Gas Company

GT-2009-0056

**Rebuttal Testimony
of
Barbara Meisenheimer**

1 **Q. PLEASE STATE YOUR NAME, TITLE, AND BUSINESS ADDRESS.**

2 **A. Barbara A. Meisenheimer, Chief Utility Economist, Office of the Public Counsel,**
3 **P. O. 2230, Jefferson City, Missouri 65102.**

4 **Q. PLEASE SUMMARIZE YOUR EDUCATIONAL AND EMPLOYMENT BACKGROUND.**

5 **A. I hold a Bachelor of Science degree in Mathematics from the University of**
6 **Missouri-Columbia (UMC) and have completed the comprehensive exams for a**
7 **Ph.D. in Economics from the same institution. My two fields of study are**
8 **Quantitative Economics and Industrial Organization. My outside field of study is**
9 **Statistics.**

10 I have been with the Office of the Public Counsel since January 1996. I
11 have testified on economic issues and policy issues in the areas of
12 telecommunications, gas, electric, water and sewer.

13 Over the past 15 years I have also taught courses for the University of
14 Missouri-Columbia, William Woods University, and Lincoln University. I
15 currently teach undergraduate and graduate level economics courses and
16 undergraduate statistics for William Woods University.

17

1 **Q. HAVE YOU TESTIFIED PREVIOUSLY BEFORE THIS COMMISSION?**

2 A. Yes, I have testified regularly before the Missouri Public Service Commission.
3 (PSC or Commission).

4 **Q. WHAT ISSUES ARE ADDRESSED IN YOUR TESTIMONY?**

5 A. My testimony addresses general policy concerns with the Laclede Gas Company
6 (Laclede or the Company) proposal to modify its tariff to limit liability. I will
7 also address concerns with specific tariff language. Our legal counsel will
8 address Public Counsel's position on legal issues in this case including the issue
9 of whether the Commission has authority to limit liability.

10 **Q. WHAT MATERIAL HAVE YOU REVIEWED THAT IS RELEVANT TO THE PROPOSED**
11 **TARIFF?**

12 A. I reviewed the Company's current and proposed tariffs, the direct testimony of
13 Mr. David Abernathy, filed on behalf of Laclede, the PSC Staff Recommendation
14 filed in this case on November 19, 2008, portions of the Commissions rules,
15 accounting schedules and other materials from Laclede's most recent rate case
16 No. GR-2007-0208, Company testimony from Case No. GR-2001-629, Company
17 data request responses submitted to the Staff and Public Counsel and materials
18 regarding product and service offerings available on the websites of
19 Company's referenced in the Staff Recommendation.

20 **Q. WHAT IS THE PUBLIC COUNSEL'S RESPONSE TO THE STAFF**
21 **RECOMMENDATION?**

22 A. The Staff recommends rejection of the originally filed tariff sheets. In support of
23 its recommendation the Staff cites numerous deficiencies with the originally filed
24 tariffs. Public Counsel appreciates Staff's comprehensive review of the original

1 tariff and shares the concerns uncovered by Staff's initial evaluation. Public
2 Counsel agrees with the Staff recommendation to reject the original proposed
3 tariff sheets filed in this case.

4 **Q. WHAT IS THE PUBLIC COUNSEL'S POSITION ON THE MODIFIED TARIFF**
5 **LANGUAGE FILED AS AN ATTACHMENT TO THE DIRECT TESTIMONY OF**
6 **COMPANY WITNESS MR. ABERNATHY?**

7 **A.** Although the Company characterizes the modified tariff language as representing
8 near consensus between Staff and the Company, Public Counsel continues to have
9 significant legal and policy concerns regarding the modified tariff language and
10 urges the Commission to reject both the original proposed tariff and the modified
11 language contained in Mr. Abernathy's direct testimony.

12 **Q. WHAT ARE YOUR GENERAL POLICY CONCERNS?**

13 **A.** I am concerned that Laclede's modified tariff language weakens customer
14 protections and weakens the Company's incentive to provide safe and adequate
15 service. The Company's proposal to limit its liability under all circumstances,
16 even when it is negligent, is unreasonable and against public interest.

17 The Company's proposal unreasonably shifts the risk to customers. When
18 damage or loss occurs, whether or not fault can be assigned, individual customers
19 may not have the financial wherewithal to sustain the loss or the ability to insure
20 against this loss at a reasonable price. Public Utilities have historically acted to
21 spread risk among and on behalf of all ratepayers in order to gain cost efficiencies
22 and to avoid catastrophic loss. Insurance coverage purchased by the company is a
23 reasonable method of spreading risk rather than saddling an individual home
24 owner with the loss.

1 Laclede's customers have little independent control over the quality of
2 service they receive and no control over the purchase, installation or maintenance
3 of the company's equipment, meters, mains and other distribution system. They
4 have to rely on Laclede to ensure the safety and reliability of service and
5 equipment. Customers are usually banned from making repairs or otherwise
6 working on the Company's equipment.

7 Limiting Laclede's liability regardless of fault or negligence or the degree
8 of fault or negligence does not serve the public interest. The customer should not
9 be assigned liability for all risks, loss and damages without the customer's express
10 consent to assume that liability from the Company. It is overreaching for Laclede
11 to include this significant assumption of liability in its tariff for its monopoly
12 service. With liability comes responsibility and accountability, which gives an
13 incentive for the Company to provide safe and adequate service. Insulating the
14 Company from virtually all liability gives the company and its shareholders an
15 unreasonable escape from liability, responsibility, and accountability.

16 **Q. WHAT ARE YOUR SPECIFIC CONCERNS WITH THE TARIFF LANGUAGE?**

17 **A. Public Counsel's specific concerns are summarized below:**

18 ***1) The modified tariff language is over broad in defining compliance***
19 ***with duties and obligations in providing gas service and in limiting***
20 ***liability related to accident or negligence.***

21
22 ***2) The Company's modified tariff language tariff does not make clear that***
23 ***the liability limitations would apply only to regulated services.***

24
25 ***3) The Company's modified tariff language should not be used to***
26 ***relieve shareholder liability for unregulated product or service offerings.***

27
28 ***4) The modified tariff language is ambiguous regarding the obligation***
29 ***to provide gas free of constituents.***
30

1 5) *The modified tariff language should not be used to relieve*
2 *shareholder liability when the Company fails to conduct regular*
3 *inspections required by Commission rules.*

4
5 6) *The modified tariff language may impact the Company's revenue*
6 *requirement and is therefore best addressed in a rate case.*
7

8 Q. PLEASE DISCUSS YOUR FIRST CONCERN WITH THE TARIFF LANGUAGE.

9 A. 1) *The modified tariff language is over broad in defining compliance with*
10 *duties and obligations in providing gas service and in limiting liability related to*
11 *accident or negligence.*

12 The modified tariff language suggests that adherence to a limited number of
13 Commission rules should be considered full compliance with all duties and
14 obligations of providing safe transmission and distribution of gas;

15 The company shall be responsible for the safe transmission and
16 distribution of gas, free of constituents (water or debris) that
17 materially interfere with or adversely affect the safe and proper
18 operation of Customer Equipment, until such gas passes the Point
19 of Delivery to the Customer in a manner that complies with the
20 pressure, quality and other requirements set forth in the Safety
21 Standards of the Pipeline Safety Regulations of the State of
22 Missouri, 4 CSR 240-40.030, and the Pipeline Safety Regulations
23 issued by the U.S. Department of Transportation, 49 CFR Part
24 192. Such compliance shall constitute the safe transmission and
25 distribution of gas by the Company and shall constitute full
26 compliance with the Company's duties and obligations in the
27 transmission and distribution of gas. Compliance with the above
28 shall constitute a complete defense for the Company in any
29 lawsuit against the Company by the Customer or any other
30 person or entity for loss, damage or injury to persons or property,
31 or death, arising in whole or in part from the transmission and
32 distribution of gas by the Company.
33

34 Public Counsel disagrees that compliance with a limited number of Commission
35 rules should be considered full compliance with all duties and obligations of
36 providing utility service. As described in the Purpose section of 4 CSR 240-
37 40.030 and part 1(a) of 49 CFR Part 192 the rules provide only the minimum

1 safety requirements an LDC is required to follow. In certain circumstances,
2 Laclede may need to exceed these minimum safety requirements to ensure the
3 safe provision of service. The declaration of "full compliance" is too broad and
4 overreaching. This limited liability tariff should not be used as a total shield
5 against liability for issues or actions not specifically addressed or only generally
6 addressed by Commission rules.

7 The modified tariff is also over broad in that it imposes extreme liability
8 limitations on virtually every activity affecting gas service at the customer
9 premise including limiting liability for accident or negligence;

10 Company will use reasonable diligence to furnish to Customer
11 continuous gas service with natural gas that does not contain
12 constituents (water or debris) that would materially adversely
13 affect the proper and safe operation of Customer Equipment, but
14 does not guarantee the supply of gas service against irregularities
15 or interruptions. Company shall not be considered in default of
16 its service agreement with customer and shall not otherwise be
17 liable for any damage or loss occasioned by interruption, failure
18 to commence delivery, or failure of service or delay in
19 commencing service due to accident to plant, lines, or equipment,
20 strike, riot, act of God, order of any court or judge granted in any
21 bonafide adverse legal proceedings or action or any order of any
22 commission or tribunal having jurisdiction; or, without limitation
23 by the preceding numeration, any other act or things due to
24 causes beyond Company's control. Any liability of the Company
25 under this paragraph due to the Company's negligence shall be
26 limited to the charge for service rendered during the period of
27 interruption or failure to render service, which shall be the sole
28 and exclusive remedy, and shall in no event include any indirect,
29 incidental, or consequential damages.
30

31 The broad terms of the liability limitations appear to result in a total
32 exemption of all losses and damages except for the normal charges for service.

1 Under certain circumstances, the action of the company may justify its liability
2 for some reasonable indirect, incidental, or consequential damages.

3 Q. ON PAGE 10, LINES 7-11, MR. ABERNATHY STATES THAT "... IT WOULD BE VERY
4 POOR PUBLIC POLICY FOR THE COMMISSION TO PRESUME THAT JUDGES AND
5 JURORS, WHO HAVE NO PARTICULAR TECHNICAL EXPERTISE IN HOW NATURAL
6 GAS SYSTEMS AND FACILITIES OPERATE, SHOULD NEVERTHELESS, SET THE
7 STANDARDS FOR WHEN A UTILITY HAS OR HAS NOT MET ITS OBLIGATIONS TO
8 PROVIDE NATURAL GAS SERVICE IN A SAFE MANNER..." ARE THE COMMISSION
9 RULES SPECIFIC ENOUGH TO ELIMINATE JUDGEMENT REGARDING WHEN A
10 UTILITY HAS OR HAS NOT MET ITS OBLIGATIONS TO PROVIDE NATURAL GAS
11 SERVICE IN A SAFE MANNER?

12 A. Not in my opinion. The Commission rules do not address every action or
13 decision of the Company or its personnel.

14 Q. DOES LACLEDE'S CURRENT TARIFF HOLD THE COMPANY'S CUSTOMERS
15 FINANCIALLY RESPONSIBLE FOR CUSTOMERS NEGLIGENCE?

16 Yes. While the Company seeks relief from liability due to negligence, customer
17 are responsible for negligence with respect to customer extensions;

18 19 . Extension of Distribution Facilities
19 The customer shall protect the portions of the customer
20 extension installed within his premises and shall, unless
21 otherwise authorized by the Company, permit no one but the
22 Company's employees or its authorized agents to handle same . In
23 the event of loss or damage to such property of the Company
24 arising out of carelessness, negligence, or misuse by the customer
25 or his authorized agent the cost of making good such loss or
26 repairing such damages shall be borne by the customer.
27

28

1 **Q. PLEASE DISCUSS YOUR NEXT CONCERN WITH THE TARIFF LANGUAGE.**

2 **A. 2) *The Company's modified tariff language tariff does not make clear that***
3 ***the liability limitations would apply only to regulated services.***

4
5 On an unregulated basis, the Company sells carbon monoxide detectors and an
6 extensive array of gas appliances and equipment including furnaces, water
7 heaters, grills, outdoor lights, air conditioners, dryers, ranges, fireplace logs, pool
8 heaters and backup generators. (See Attachment 1) Laclede also offers
9 unregulated services including appliance installation and repair, maintenance and
10 inspection services. (See Attachment 1) While branded and marketed as Laclede
11 Gas products and services, most of these offerings are not governed by the
12 Missouri Public Service Commission Rules.

13 Because the Company offers both regulated utility services and unregulated
14 services, failing to include a statement regarding the application of the tariff only
15 to regulated services may be confusing if not inaccurate. For example, the
16 modified tariff states;

17 The Company does not own Customer Equipment, nor is it
18 responsible for the design, installation, inspection, operation,
19 repair, condition or maintenance of Customer Equipment, except
20 for the testing and inspection requirements of 4 CSR 240-
21 40.030(10)(J) and (12)(S), or unless the Company expressly
22 agrees in writing to assume such obligations. The 10(J) and 12(S)
23 requirements are intended only to ensure the safe introduction of
24 gas into Customer Equipment As with any equipment, Customer
25 Equipment can be defective, fail, malfunction or fall into
26 disrepair at any time, and Customer shall be deemed to be aware
27 of this fact. It shall be presumed that such testing and inspections
28 were performed in a safe and appropriate manner if such
29 Customer Equipment operates as designed for 48 hours after gas
30 service is initiated.

1 However, the Company does perform installations, inspections, and repair and
2 maintenance of Customer Equipment on an unregulated basis.

3 **Q. DOES MR. ABERNATHY'S TESTIMONY MAKE CLEAR THAT THE COMPANY IS**
4 **SEEKING LIMITATIONS ON LIABILITY FOR ONLY REGULATED SERVICES?**

5 **A. No. While Mr. Abernathy's testimony primarily discusses liability related to**
6 **regulated services, the following discussion that appears on page 6, lines 7-13, of**
7 **Mr. Abernathy's direct testimony appears to extend the application of the liability**
8 **limitations to unregulated services;**

9 "...At the same time, the tariff also recognizes that the
10 Company is required by the Commission's rules to inspect and
11 sometimes test such facilities when it initiates or turns on service
12 and that the Company may also undertake to perform certain
13 work in connection with such facilities at the customer's request.
14 Under these circumstances, the tariff presumes that the Company
15 performed these activities in a safe and appropriate manner,
16 provided that the customer's equipment operates as designed and
17 in a safe manner for 48 hours after gas service was initiated."

18
19 Another example appears on page 8, lines 3-5, of Mr. Abernathy's direct
20 testimony;

21
22 "...Similarly, there should be limits on how long a utility like
23 Laclede should be held financially responsible for claims arising
24 from defects or malfunctions of customer owned equipment that
25 it may inspect or work..."
26

27 **Q. ATTACHMENT D AND ATTACHMENT E OF THE STAFF RECOMMENDATION**
28 **INCLUDE LIABILITY TARIFF PROVISIONS FOR ELECTRIC AND NATURAL GAS**
29 **PROVIDERS IN MISSOURI AND OTHER STATES IN WHICH THE TARIFF LANGUAGE**
30 **DOES NOT SPECIFY THAT LIABILITY LIMITATIONS APPLY ONLY TO REGULATED**
31 **SERVICES. ARE CIRCUMSTANCES DIFFERENT WITH LACLEDE?**

1 A. Yes. While the tariffs included in Attachment D and Attachment E of the Staff
2 Recommendation may not contain language specifying that the liability
3 limitations apply only to regulated products and services, a review of these
4 companies' websites suggest that they provide only a limited number, if any
5 unregulated products and services (light bulbs, energy audits and bill paying
6 services) to residential customers.

7 Q. PLEASE DISCUSS YOUR NEXT CONCERN WITH THE TARIFF LANGUAGE.

8 A. *3) The Company's modified tariff language should not be used to relieve*
9 *shareholder liability for unregulated product or service offerings.*

10
11 If interpreted to apply to unregulated services, sections of the modified tariff
12 language appear to limit liability associated with unregulated services that
13 Laclede may have provided. For example, the modified tariff states;

14 Subject to the Company's responsibility for the safe transmission
15 and distribution of gas as provided above, and except as
16 otherwise provided for herein, upon expiration of the Non-
17 Incident Operational Period, as defined below, Company shall in
18 no event be liable to Customer or anyone else, and Customer
19 shall indemnify, hold harmless and defend the Company from
20 and against any and all liability, claims, proceedings, suits, cost
21 or expense, for any loss, damage or injury to persons or property,
22 or death, in any manner directly or indirectly connected with or
23 arising out of, in whole or in part (i) the release or leakage of gas
24 on the Customer's side of the Point of Delivery; (ii) a leak and
25 ignition of gas from Customer Equipment; (iii) any failure of, or
26 defective, improper or unsafe condition of, any Customer
27 Equipment; or (iv) a release of carbon monoxide from Customer
28 Equipment.
29

30 Another example relates to the meaning of the term "service agreement".

31 If interpreted to apply to service agreements for unregulated services, the

1 following sections of the modified tariff language appears to limit liability
2 associated with unregulated services;

3 ...Company shall not be considered in default of its service
4 agreement with customer and shall not otherwise be liable for any
5 damage or loss occasioned by interruption, failure to commence
6 delivery, or failure of service or delay in commencing service due
7 to accident to plant, lines, or equipment, strike, riot, act of God,
8 order of any court or judge granted in any bonafide adverse legal
9 proceedings or action or any order of any commission or tribunal
10 having jurisdiction; or, without limitation by the preceding
11 enumeration, any other act or things due to causes beyond
12 Company's control...
13

14 The Company should not gain a competitive advantage in the provision of
15 unregulated services by insulating liability related to unregulated services through
16 language included in the regulated services tariff.

17 **Q. ON PAGE 8, LINES 9-12, MR. ABERTNATHY STATES THAT "...IN CONTRAST TO**
18 **UNREGULATED FIRMS WHO PERFORM SIMILAR SERVICES ON CUSTOMER-OWNED**
19 **APPLIANCES AND EQUIPMENT, MUCH OF THE INSPECTION AND TESTING WORK**
20 **DONE BY THE COMPANY ON SUCH FACILITIES IS MANDATED BY THE COMMISSION**
21 **AND PROVIDED WITHOUT ANY DIRECT CHARGE TO THE CUSTOMER..." DOES**
22 **THE COMPANY COLLECT ANY DIRECT CHARGE FOR REGULATED INSPECTION**
23 **AND TESTING DONE BY THE COMPANY?**

24 **A.** Yes. The Company collects a Service Initiation Fee and Reconnection Fee that
25 are designed to recover the cost of inspections when gas is turned on. The work
26 activities associated with these fees were described in the direct testimony of
27 Company witness John J. Kozyrski Jr. in Case No.GR-2001-629. (See Attachment
28 2) The cost of other regulated activities is directly recovered through rates.

1 Q. PLEASE DISCUSS YOUR NEXT CONCERN WITH THE TARIFF LANGUAGE.

2 A. 4) *The modified tariff language is ambiguous regarding the obligation to*
3 *provide gas free of constituents.*

4
5 Shown below are two excerpts from the modified tariff language regarding

6 Laclede's obligation to provide gas free of constituents.

7 The Company shall be responsible for the safe transmission and
8 distribution of gas, free of constituents (water or debris) that
9 materially interfere with or adversely affect the safe and proper
10 operation of Customer Equipment, until such gas passes the Point
11 of Delivery to the Customer in a manner that complies with the
12 pressure, quality and other requirements set forth in the Safety
13 Standards of the Pipeline Safety Regulations of the State of
14 Missouri, 4 CSR 240-40.030, and the Pipeline Safety Regulations
15 issued by the U.S. Department of Transportation, 49 CFR Part
16 192.

17
18 Company will use reasonable diligence to furnish to Customer
19 continuous gas service with natural gas that does not contain
20 constituents (water or debris) that would materially adversely
21 affect the proper and safe operation of Customer Equipment, but
22 does not guarantee the supply of gas service against irregularities
23 or interruptions.

24
25 The second excerpt appears to weaken or contradict the absolute responsibility to
26 provide gas free of constituents that is assigned to Laclede by the first excerpt.

27 Q. PLEASE DISCUSS YOUR NEXT CONCERN WITH THE TARIFF LANGUAGE.

28 A. 5) *The modified tariff language should not be used to relieve shareholder*
29 *liability when the Company fails to conduct regular inspections required by*
30 *Commission rules.*

31
32 For example, the modified tariff states;

33 Absent actual, specific knowledge of a dangerous condition on a
34 Customer's premises, gained through notice to the Company by
35 the Customer, or by the Company's discovery during the Non-
36 Incident Operational Period described above, the Company's
37 obligation to provide warnings or safety information of any kind
38 to the Customer shall be limited to the obligations that are
39 imposed by Sections (1)(K), (1)(L), (10)(J) and (12)(S) 2 of the
40 Safety Standards of the Pipeline Safety Regulations of the State

1 of Missouri, 4 CSR 240-40.030(1)(K)-(L), (10)(1) (12)(S) 2; and
2 Section 192.16 of the Pipeline Safety Regulations of the U.S.
3 Department of Transportation, 49 CFR 192.16.
4

5 While the Company is required to inspect pipes exposed to air at least once every
6 three years (4 CSR 240-40.030(9)(Q)), if it had been more than three years since
7 the Company was last at the customer's premises to perform testing, inspection or
8 other work, the Company might be shielded from liability associated with
9 providing customer notice despite having missed a required inspection.

10 **Q. PLEASE DISCUSS YOUR NEXT CONCERN WITH THE TARIFF LANGUAGE.**

11 **A. *6) The modified tariff language may impact the Company's revenue***
12 ***requirement and is therefore best addressed in a rate case.***
13

14 The Company argues that the modified tariff will not have an immediate affect on
15 the cost associated with liability that are included in revenue requirement,
16 however, the Company does not deny that there will be an impact. As discussed
17 above, the proposed limitations on liability are extensive and seek to shift risk and
18 associated cost to ratepayers. It seems reasonable that to the extent that the
19 Commission grants liability limitations the impacts should be quantified and
20 accounted for along with all other relevant factors in the context of a rate case.

21 **Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

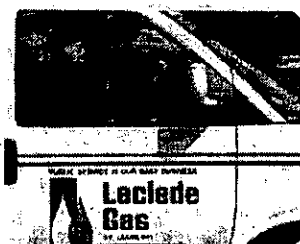
22 **A. Yes.**



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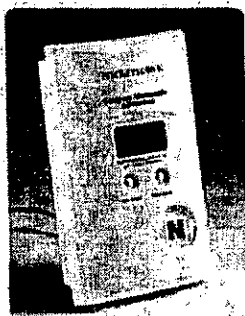
- In Farmington: (573) 431-2020 or (573) 783-6451
- In Festus: (636) 931-8383 or 1-877-664-2726
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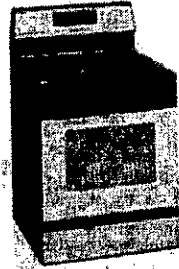
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Sales & Specials

COOK TOPS

SHOP BY BRAND

- ▶ [Frigidaire](#)
- ▶ [Kitchen-Aid](#)
- ▶ [Whirlpool](#)

A natural gas cooktop is ideal for an island or countertop. Browse our brands using the links above. Our price is the MSRP. When you have selected a model give us a call to get installation options. Installation is extra. If you are replacing your old cooktop, be sure to measure the countertop opening to make sure the new model fits properly.

REQUEST PRODUCT AND PRICE INFORMATION
Let us help you. Contact our sales professionals for product information and delivery options.

CONTACT LACLEDE

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HELPFUL TIPS

- ▶ [Buying Guide](#)
- ▶ [Measuring Guide](#)
- ▶ [Fun Facts](#)

SHOP BY PHONE

Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

Laclede Gas carries microwave ovens and Energy Star compliant refrigerators, too? Ask our sales professionals for details.

ASK LACLEDE!

Looking for something else? We can order just about any product. Just ask Laclede!

ON SALE NOW

Check out our current sales and promotions.

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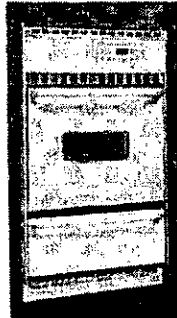
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Sales & Specials

WALL OVENS



SHOP BY BRAND

- ▶ [Enclaire](#)
- ▶ [Kitchen-Aid](#)
- ▶ [Whirlpool](#)

A wall oven is the perfect complement to a gas cooktop. Electronic controls make the oven easy to use. Rough installation is available for an extra charge. We are not equipped to provide finishing if an exact fit is not available.

ASK US ABOUT...

Microwave Ovens
Range Hoods

RELATED CATEGORIES

- ▶ [Ranges](#)
- ▶ [Cooktops](#)

HELPFUL TIPS

- ▶ [Buying Guide](#)
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SHOP BY PHONE

Call us today at (314) 342-0709 or
toll free at (800) 264-0347.

DID YOU KNOW?

Laclede has been selling gas ranges for over 50 years! Ask your sales representative for details.

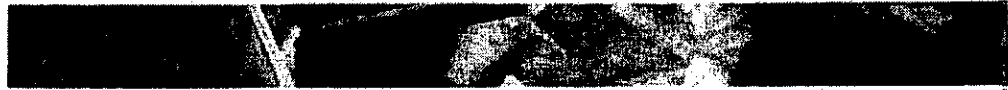
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WATER HEATERS



SHOP BY SIZE

- [40 Gallon](#)
- [50 Gallon](#)
- [75 Gallon/ Tankless](#)

Time for a new water heater? Natural gas water heaters provide plenty of hot water when you need it, heating water nearly twice as fast as typical electric units. Service is limited to Laclede Gas customers. Same, or next day service is often available. Pay up to six months interest-free, or finance up to three years.

HELPFUL TIPS

- [Sizing Guide](#)
- [FAQs](#)
- [Fun Facts](#)

SHOP BY PHONE

Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

New water heaters light with the push of a button and have upgraded safety technology? Ask your representative for more details.

ASK LACLEDE!

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- ▶ Backup Generators

Sales & Specials

BACKUP GENERATORS

Natural gas backup generator systems automatically restore power during an electrical outage. Selected circuits are powered within minutes of an interruption and automatically turn off when utility service is restored.

PRODUCT DETAIL



click to
enlarge

Generac Power Systems

6 to 130 kW. Let us evaluate your needs and customize a system to suit your requirements. Average cost is \$8,000 to \$10,000 for a system that backs up the central air and most circuits in the home. Price includes a gas meter upgrade, gas line, and electrical work. Our estimator will visit your home and provide you with details. Each job is bid separately.

Kohler systems also available, ask your rep for more details.

REQUEST PRODUCT AND PRICE INFORMATION

Let us help you. Contact our sales professionals for product information and delivery options.

CONTACT LACLEDE

ASK US ABOUT...

Grill Accessories

RELATED CATEGORIES

- ▶ Grills
- ▶ Gas Logs

- ▶ Gas Lights
- ▶ Fireplaces

▶ [return to top](#)

HELPFUL TIPS

Buying Guide

SHOP BY PHONE

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DID YOU KNOW?

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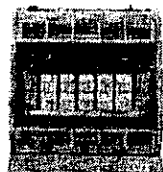
- Water Heaters
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- Fireplaces
- Space Heaters

Outdoor

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- Patio Options
- Backup Generators

Sales & Specials

SPACE HEATERS



SHOP BY TYPE

- [Vented](#)
- [Vent-Free](#)

Warm up drafty spots in your home or garage with a natural gas space heater from Laclede. Choose from a variety of styles, including free-standing or wall-mounted units. Installation is available for customers of Laclede Gas.

ASK US ABOUT...

[Fire Embers](#)
[Fireplace Accessories](#)

RELATED CATEGORIES

- [Gas Logs](#)
- [Fireplaces](#)

HELPFUL TIPS

- [Buying Guide](#)
- [Installation Details](#)
- [Fun Facts](#)

SHOP BY PHONE

Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

A "rule of thumb" for heating a St. Louis basement is 35 Btus per square foot. We recommend completing a heat calculation to be sure.

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- ▶ Sales & Specials

GRILLS



SHOP BY TYPE

- ▶ [Aluminum](#)
- ▶ [Stainless](#)

Laclede sells and installs only premium quality grills. Our service department assembles and does a professional installation. All you have to do is start cooking!

Many of our customers have Laclede grills in service after 20 years or more!

ASK US ABOUT...

Patio Flames
Grill Accessories

RELATED CATEGORIES

- ▶ [Gas Lights](#)
- ▶ [Patio Options](#)

HELPFUL TIPS

▶ [Buying Guide](#)

▶ [Installation Details](#)

▶ [Fun Facts](#)

SHOP BY PHONE

Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

Grilling with natural gas saves you money on fuel cost and doesn't pollute the air like charcoal.

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GAS LIGHTS



SHOP BY BRAND

- ▶ MHP

Add charm to the exterior appearance of your home with natural gas lights. They provide around-the-clock security and a light source during electrical failures. Unlike electric outdoor lights, gas lights do not attract flying insects. Gas lights add a wonderful touch to any home.

ASK US ABOUT...

Patio Flames
Grill Accessories

RELATED CATEGORIES

- ▶ Grills
- ▶ Patio Options

HELPFUL TIPS

- ▶ Buying Guide
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SHOP BY PHONE

Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

Gas lights are on 24 hours a day and provide round the clock security. The light spectrum produced by a gas light does not attract insects.

ASK LACLEDE!

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- ▶ Patio Options
- ▶ Backup Generators

Sales & Specials

PATIO OPTIONS

The patio flame provides the ambiance of a campfire on the patio. In addition, extend your patio season with a portable propane patio heater from Napoleon. Call or email us for more information!

PRODUCT DETAIL



Napoleon Patio Flame

60,000 Btu's, stainless steel construction. Does not include stones as shown.

click to
enlarge



click to
enlarge

Napoleon Patio Heater

40,000 Btu's, brown, black, or stainless steel. 10 to 12 hours of run time on propane tank; natural gas available. Provide radiant heating during cool weather!

ASK US ABOUT...

[Grill Accessories](#)

RELATED CATEGORIES

▶ [Grills](#)

▶ [Gas Lights](#)

HELPFUL TIPS

▶ [Buying Guide](#)

▶ [Installation Details](#)

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Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

Laclede Gas carries microwave ovens and Energy Star compliant refrigerators, too? Ask our sales professionals for details.

ASK LACLEDE!

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ON SALE NOW

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Sales & Specials

GAS LOGS



SHOP BY TYPE - VENTED OR VENT-FREE

▶ Vented

Hargrove Gas Logs

Popular Styles

- Magnificent Inferno [link](#)
- Classic Series [link](#)
- Hargrove Select [link](#)
- Western Pine [link](#)
- Inferno [link video](#)
- Cross Timbers [link special order](#)

▶ Vent-Free

White Mountain Hearth, by Empire

- Vent-Free [Brochure pdf file](#)

▶ Sizing Guide [link](#)

Gas logs, whether vented or vent-free should be installed in a freshly cleaned fireplace and flue. All gas logs and fireplaces are installed by Laclede Gas Service Department. For service only, call 314-621-6960.

ASK US ABOUT...

- Outdoor Fireplaces
- Cast Iron Stoves

RELATED CATEGORIES

- ▶ [Fireplaces](#)
- ▶ [Space Heaters](#)

HELPFUL TIPS

- ▶ [Measurement Guide](#)
- ▶ [Gas Log FAQs](#)
- ▶ [Fun Facts](#)

SHOP BY PHONE

Call us today at (314) 342-0709 or toll free at (800) 264-0347.

DID YOU KNOW?

Gas logs can be equipped with a remote control, eliminating the need for manual lighting. Ask your representative for more details.

ASK LACLEDE!

Looking for something else? We can order just about any product. Just ask Laclede!

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FIREPLACES

Fireplace systems are customized. Start by choosing the appropriate size firebox and vent-free gas logs, then select a style and finish for your mantel and trim. The choices allow you to build a fireplace to suit your taste and décor.

PRODUCT DETAIL


[click to enlarge](#)

Classic AH

The Classic AH Cast Iron Stove, by White Mountain Hearth, is a traditionally styled stove containing a strikingly detailed ceramic fiber gas log set. The result is an attractive, efficient heater that lends elegance to any decor.


[click to enlarge](#)

Vintage AH

The flat black casting can be painted using any of the six White Mountain Hearth designer colors shown on this page or select any high-temperature stove coatings - available at most hearth stores. A floor pad is necessary for the stove if it's placed on carpet or tile.


[click to enlarge](#)

Vail 32 & 36 Series

The Vail series is our most popular vent-free fireplace. A variety of options makes the Vail customizable and a perfect addition to your home.


[click to enlarge](#)

Vail 24 Series

The Vail 20 is the perfect solution when space is at a premium, but quality and beauty are important. Perfect for lofts and remodeling projects, the Vail 20 is a cost effective choice, blending style and heating function.

REQUEST PRODUCT AND PRICE INFORMATION
Let us help you. Contact our sales professionals for product information and delivery options.

CONTACT LACLEDE

ASK US ABOUT...

Fire Embers
Fireplace Accessories

RELATED CATEGORIES

▶ [Gas Logs](#) ▶ [Space Heaters](#)

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HELPFUL TIPS

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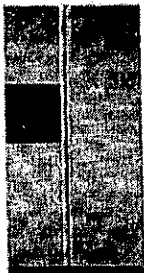
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REFRIGERATORS



SHOP BY BRAND

- ▶ [Whirlpool](#)
- ▶ [Crosley](#)
- ▶ [Frigidaire](#)

When it's time for a new refrigerator, Energy Star is a good place to start. Browse the links above, your price is the MSRP. Call for Crosley pricing. Laclede Gas customers may finance their purchase on the monthly gas bill.

ASK US ABOUT...

Microwave Ovens
Range Hoods

RELATED CATEGORIES

- ▶ [Ranges](#)
- ▶ [Dishwashers](#)
- ▶ [Deep Freezes](#)

HELPFUL TIPS

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Call us today at (314) 342-0700 or toll free at (800) 264-0347.

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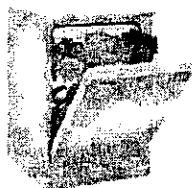
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Sales & Specials

DISHWASHERS



SHOP BY BRAND

- ▶ [Frigidaire](#)
- ▶ [Whirlpool](#)

Today's dishwashers are quieter and more energy efficient than ever! We have many models to choose from, including Energy Star performers. Laclede Gas customers may finance a dishwasher purchase on the monthly gas bill.

ASK US ABOUT...

Microwave Ovens
Range Hoods

RELATED CATEGORIES

- ▶ [Refrigerators](#)
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Sales & Specials

DEEP FREEZERS



SHOP BY BRAND

- ▶ [Frigidaire](#)
- ▶ [Crosley](#)

Buy in bulk and save with a deep freeze. Browse the links above and The MSRP is your price if listed. Financing on the monthly gas bill available with approved credit. Crosley runs specials from time-to-time.

ASK US ABOUT...

Microwave Ovens
Range Hoods

RELATED CATEGORIES

- ▶ [Cook Tops](#)
- ▶ [Dishwashers](#)
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Sales & Specials

WASHERS & DRYERS



SHOP BY STYLE

Washers

- ▶ [Whirlpool](#)
- ▶ [Frigidaire](#)
- ▶ [Crosley](#)

Dryers

- ▶ [Whirlpool](#)
- ▶ [Frigidaire](#)
- ▶ [Crosley](#)

Browse the washers and dryers links. If listed, your price is the MSRP. In general, front-load washers are a bit more energy efficient than top-loaders. Consider the Energy Star rating. Installation is available for an additional cost. Pay off your purchase on the monthly gas bill with approved credit.

ASK US ABOUT...

Microwave Ovens
Range Hoods

RELATED CATEGORIES

- ▶ [Ranges](#)
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Exhibit No.:

Issue:

Witness:

Type of Exhibit:

Sponsoring Party:

Case No.:

Service Initiation Fees

John J. Kozyrski, Jr.

Direct Testimony

Laclede Gas Company

GR-2001-629

LACLEDE GAS COMPANY

GR-2001-629

DIRECT TESTIMONY

OF

JOHN J. KOZYRSKI, JR.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Laclede Gas Company's)
Tariff to Revise Natural Gas Rate)
Schedules.)

Case No. GR-2001-629

AFFIDAVIT

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

John J. Kozyrski, Jr., of lawful age, being first duly sworn, deposes and states:

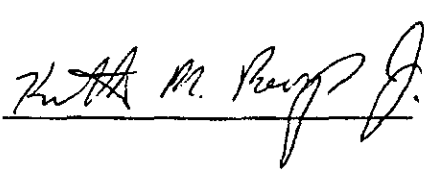
1. My name is John J. Kozyrski, Jr.. My business address is 720 Olive Street, St. Louis, Missouri 63101; and I am Director of Marketing for Laclede Gas Company.

2. Attached hereto and made part hereof for all purposes is my direct testimony, consisting of pages 1 to 3, inclusive.

3. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded are true and correct to the best of my knowledge and belief.


John J. Kozyrski, Jr.

Subscribed and sworn to before me this 17th day of May, 2001.


KENNETH M. BEERUP, JR.
Notary Public — Notary Seal
STATE OF MISSOURI
City of St. Louis
My Commission Expires: Dec. 19, 2003

DIRECT TESTIMONY OF JOHN J. KOZYRSKI

1 Q. What is your name and address?

2 A. My name is John J. Kozyrski, Jr., and my business address is 720 Olive Street,
3 St. Louis, Missouri, 63101

4 Q. By whom are you employed and in what capacity?

5 A. I am employed by Laclede Gas Company in the position of Director - Marketing.

6 Q. Please state your qualifications and experience.

7 A. I graduated from the University of Michigan in 1970, where I received the degree
8 of Bachelor of Science in Mechanical Engineering. I have been a registered
9 professional engineer in the State of Michigan since 1975. From 1970 to 1993, I
10 was employed by Michigan Consolidated Gas Company in Detroit, Michigan in
11 various management positions with responsibility for marketing, customer
12 service, distribution operations, and corporate engineering and construction. I
13 also served as President of EnCon Energy Services, an independent subsidiary
14 providing technical consulting services to gas marketing organizations. In 1993, I
15 joined Washington Natural Gas Company in Seattle, Washington as Vice
16 President - Engineering. In 1994, I served as Vice President - Gas Operations
17 with responsibility for system operations, engineering, customer service, and
18 storage partnerships. In 1997, our organization merged with Puget Sound Power
19 and Light to form Puget Sound Energy at which time my customer service
20 responsibility was reassigned to a new business unit and I assumed the additional

1 responsibility for business development. In 1999, I joined Laclede Gas as
2 Director - Marketing.

3 Q. Would you please explain the purpose of your testimony?

4 A. My testimony will identify specific services provided to a group of customers
5 where the cost of performing the service is currently shared by other non-
6 participating customers. My testimony will assign the cost of performing the
7 services to the select customers requesting each service.

8 Q. Please explain the proposal.

9 A. Each year the Company receives approximately 85,000 requests to "turn-on" gas
10 service for our customers. As part of this service, we incur expenses for such
11 tasks as reading the meter, turning the gas on, and performing all related safety
12 inspections. At issue is the responsibility for "cost causation". The Company
13 proposes that the customers generating the requests for these services should be
14 charged accordingly rather than distribute the cost to customers who have
15 remained in the same home for years.

16 The Company proposes to incorporate a new service initiation fee into its
17 schedule of customer charges. The base charge will be \$36 for each request to
18 initiate gas service.

19 The Company also proposes to offer premium service initiation to customers
20 requesting off-hour service. For service during non-regularly scheduled work
21 hours, Sundays and holidays, a service premium charge of \$18 would be added to
22 the base fee. Customer requested appointments would be confirmed at the option