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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 4th
of January, 2000.

John McCullough,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2000-197</u>
)	
Associated Natural Gas Company,)	
A Division of Arkansas Western)	
Gas Company,)	
)	
Respondent.)	

ORDER DISMISSING COMPLAINT

John McCullough filed a formal complaint with the Missouri Public Service Commission on August 30, 1999 against Associated Natural Gas Company, a division of Arkansas Western Gas Company (ANG). A Notice of Complaint was issued on September 1, directing ANG to file its Answer to the Complaint no later than 30 days from the date of the notice. ANG did not file a timely answer and on October 12, the Commission issued an Order of Default. ANG responded on October 14, by filing an Application for Rehearing and Motion to Set Aside Default Order.

On October 25, Mr. McCullough filed a letter in which he indicated that he was willing to meet with a third party to discuss these matters. ANG agreed to mediation in a letter filed on November 1. The Commission referred this matter for mediation in an order issued on

November 2. On November 22, a letter was received from the mediator indicating that the parties met on November 16, but that they had been unable to reach an agreement. The mediator referred the matter back to the Commission.

On December 7, the Commission issued an Order Granting Motion to Set Aside Default Order, Denying Request to Dismiss Complaint and Directing Complainant to File an Amendment to His Complaint. That order set aside the default that had been entered against ANG and directed Mr. McCullough to amend his complaint by explaining what he would like to have the Commission do to correct the situation that led to his complaint. The Commission's order directed Mr. McCullough to file the amendment to his complaint no later than December 27. Mr. McCullough has not filed an amendment.

Mr. McCullough's complaint indicates that he believes that he should not have to pay a monthly customer fee of \$13.70 for the summer months when he uses no natural gas. The complaint also mentions a reconnect fee of \$37.50. The complaint does not indicate whether Mr. McCullough believes that the monthly customer fee is entirely improper as applied to all of ANG's customers, or whether he believes that there is some reason why that monthly charge should not apply to him. The complaint does not explain what relief Mr. McCullough would like to receive from the Commission.

The Commission carefully considers complaints filed against a utility by an individual customer in order that the customer will have an opportunity to receive satisfaction, even if the complaint is not cast

in formal, legal language. The Commission recognizes that Mr. McCullough is not represented by an attorney. Nevertheless, Mr. McCullough is required to follow the Commission's rules. 4 CSR 240-2.070(5)(D) requires that a complaint clearly explain the nature of the complaint and indicate the relief requested. This requirement is not a technicality, set up to trap unwary citizens. Unless a complaint clearly states what it is that the complainant wants the Commission to do, it is impossible for the utility company to prepare a defense and it is equally impossible for the Commission to properly evaluate the merits of the complaint.

The Commission's order of December 7 informed Mr. McCullough that his complaint fails to tell the Commission what relief he is requesting. Mr. McCullough was directed to provide the needed information to the Commission. He has not done so. Under the circumstances, the complaint must be dismissed.

IT IS THEREFORE ORDERED:

1. That the complaint made by John McCullough against Associated Natural Gas Company, a division of Arkansas Western Gas Company, is dismissed.

2. That this order shall become effective on January 14, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Murray,
Schemenauer, and Drainer, CC., concur

Woodruff, Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION