

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

In the Matter of a Working File to)	
Consider Changes to Chapter 13)	<u>File No. AW-2011-0252</u>
Service and Billing Practice Rules)	

COMMENTS OF LACLEDE GAS COMPANY

COMES NOW Laclede Gas Company (“Laclede” or “Company”) and, in response to the Commission’s February 10, 2011 Order in this case, files its Comments to the Commission Staff’s Draft Revisions to the Chapter 13 Service and Billing Practice Rules, stating as follows:

1. On February 14, 2011, the Staff filed its Proposed Chapter 13 Amendments in this docket. Staff’s proposed rule changes are a result of several years of workshops led by Gay Fred and the Staff Consumer Services Department, and are based on input from numerous parties, including Staff members, utilities, the Office of Public Counsel, AARP, and at least one community action agency. While there was consensus on some provisions, there was disagreement on others among the various factions. Where the parties did not reach consensus, Staff decided on proposed language based on its best judgment. As a result, Laclede would venture to say that no party is completely satisfied with the outcome, with the possible exception of Staff. However, Laclede would add that it is generally supportive of Staff’s changes, and believes that Staff’s efforts have improved the Chapter 13 rules.

2. There were two main purposes behind these efforts. First, for the stakeholders who work with these rules on a regular basis, the proposed rule changes clarify ambiguities, correct errors and resolve conflicts. Second, the proposed changes

modernize rules to more closely reflect the technological and other realities of 21st century utility service.

3. From the perspective of a gas utility, the Chapter 13 rules have long struck a balance that is somewhat favorable to customers who are unable or unwilling to pay their utility bills. The main provision favoring the non-paying customers is the Cold Weather Rule. Since Staff's proposed amendments leave the Cold Weather Rule virtually untouched, they do not substantively change the current balance.

4. Rule changes that clarify ambiguities, correct errors and resolve conflicts are sprinkled throughout the 26 pages of rules that Staff filed in this docket. Consistent with the Commission's recommendation at its February 9, 2011 agenda meeting, Laclede will not pore over those details in this pleading. Laclede believes that these changes generally improve the rules.

5. There are also many examples of efforts to modernize rules to closer reflect the technological and other realities of 21st century utility service. Some of these include the following:

- A. An option to permit the use of quantitative and objective credit scoring to replace the antiquated deposit criteria in Rule 13.030(1)(C);
- B. A change to Rule 13.020(2)(A) to reflect that meter reading is often done by remote transmission rather than manual review, and that estimating a bill is appropriate where there is an equipment or mechanical failure;
- C. A change that acknowledges that bills are often sent or posted electronically, and that customers who choose to communicate

electronically may also prefer to receive electronic communications from their utilities.

6. The Company will address two issues that it believes need improvement. First, Rule 13.050(9) provides that a utility postpone a discontinuance for up to 21 days if it would aggravate a medical emergency of the customer or resident. Staff's change has removed the term emergency, and instead allowed the extension where discontinuance would aggravate an existing medical condition. Laclede believes that an existing medical condition is too broad and difficult to define and could be subject to abuse. Laclede prefers to retain the current language.

7. Second, Rule 13.050(11) requires the utility to restore service by the next day for a customer who has been disconnected, but has since paid the delinquent charges. Rule 13.035(3) allows up to three business days, if necessary, for a utility to commence service for an applicant. The next day service requirement forces the utility to prioritize a customer who has previously defaulted over a customer who has not defaulted. It seems more fair that all customers stand equally in line for service initiation. Therefore, Laclede recommends that the service restoration language in Rule 13.050(11) be amended to match the language in Rule 13.035(3).

8. The Company reserves the right to reply to other comments submitted in this docket.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the Commission accept its comments as set forth herein.

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 Staff, Public Counsel, and the remaining parties to Case No. AW-2011-0252 on this 1st day of March, 2011, by hand-delivery, facsimile, email or United States mail, postage prepaid.

/s/ Gerry Lynch

Gerry Lynch