

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 15th
day of January, 1993.

Mae R. Stapf,)
)
 Complainant,)
)
 vs.) CASE NO. GC-93-160
)
 Laclede Gas Company,)
)
 Respondent.)

ORDER DISMISSING COMPLAINT

On November 16, 1992, a complaint was filed by Mae R. Stapf (Complainant) against Laclede Gas Company (LGC), alleging LGC billed and attempted to collect from Complainant an amount due and owing of \$21.48, which Complainant stated was not owed as Complainant had sold and vacated the residence prior to the use of the service. LGC filed its answer to this complaint on December 17, 1992 in which it stated that it had assiduously followed the prescribed tariffs in processing and billing this matter and requested the Commission rule on the merits of the complaint.

The facts in this matter, which are undisputed by either party, reflect that Complainant resided at 6153 Mardel, St. Louis, Missouri up until March 17, 1992, at which time the home was sold and the real estate transaction closed. No mention is ever made as to when Complainant actually vacated the residence, although the subsequent owner notified LGC to transfer service to his name beginning April 1, 1992. LGC responded by sending the final bill, that being for service for the entire month of March 1992, to Complainant. Complainant responded by paying a prorated amount of \$10.03 toward a total bill of \$31.51, leaving a balance due of \$21.48. LGC subsequently contacted a collection agency regarding the past due balance, thus prompting this complaint. In addition, Complainant states that she was informed by the real estate agency involved in

the closing of the transaction that the real estate agency would notify the gas company in regard to the transfer of the service. There is no other evidence of this in the file.

The Commission finds, as no factual dispute exists as to matters necessary to render a decision in this matter, that no hearing is necessary. The Commission finds that the complaint should be dismissed. It is clear from the facts not in dispute that LGC was informed by the buyer of the property as to the date of the transfer of service. No one else made contact with LGC and therefore LGC followed the specifics of their various tariffs in continuing service in Complainant's name, and has acted per their prescribed tariffs and in a reasonable fashion in this matter. It is possible that some confusion existed between Complainant, the real estate agency, and/or the buyer of the property as to the exact date of transfer of service and who should inform LGC of that transfer. However, this dispute is between the parties involved in the real estate transaction and in no way involves LGC, who promptly did what they were requested to do.

IT IS THEREFORE ORDERED:

1. That the complaint filed on November 16, 1992 by Mae R. Stapf is, for the reasons set out herein, dismissed.
2. That this Order shall become effective on the 26th day of January, 1993.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,
Perkins, and Kincheloe, CC., Concur.