

RF

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 8th
day of April, 1999.

Judith A. Baum,)
)
Complainant,)
)
vs.)
)
Laclede Gas Company,)
)
Respondent.)

Case No. GC-98-557

ORDER DISMISSING COMPLAINT

On June 11, 1998, Judith A. Baum (Complainant) filed a Complaint against Laclede Gas Company (Respondent). Complainant alleged that, under the terms of a lease, Complainant's tenant rather than Complainant is responsible for a bill rendered by Respondent. Complainant also alleges that Respondent "turned gas off" at the premises at issue because there was no flue liner installed. Complainant also alleges that Respondent improperly took a final reading and sent a final bill.

On August 10, Respondent filed an answer and motion to dismiss complaint. Respondent denies the allegations about the flue liner and the final bill. Respondent admits that it billed Complainant for service that Complainant alleges was provided to her tenant, but asserts that such billing was proper.

On October 23, the Staff of the Commission filed its memorandum in which it stated that its investigation revealed that the bills were calculated correctly, that there was no evidence of a request for a change in account status as alleged in the complaint, and that Laclede provided service in accordance with its tariffs and Commission rules. Staff concluded that the complaint should be dismissed. On November 25, Staff filed a supplemental memorandum, pursuant to a Commission order, in which it stated that it determined that the gas was not turned off as alleged in the complaint.

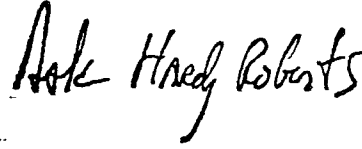
The Commission has reviewed the complaint, the verified answer and motion to dismiss, and the Staff memoranda and determines that Respondent's motion to dismiss is well taken. It appears that the main basis for the complaint is the contention that the bill at issue should be the responsibility of Complainant's tenant. However, because Respondent was not asked to switch service until after the disputed billing period, Respondent properly sent the bill to Complainant and she is responsible for it. The Commission finds that Respondent did not turn off the gas, did not require the installation of a flue liner, and did not render a final bill. The motion to dismiss will be granted.

IT IS THEREFORE ORDERED:

1. That Respondent's Motion to Dismiss is granted and the complaint filed by Judith A. Baum on June 11, 1998 is dismissed.
2. That this order shall become effective on April 13, 1999.

3. That this case may be closed on April 14, 1999.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Mills, Deputy Chief Regulatory Law Judge