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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 12th
day of January, 1999.

Tom Scheibelhut, Business Manager,)
on Behalf of O.C.A.W., AFL-CIO,)
Gas Workers Local 5-6,)
)
 Complainant,)
)
vs.)
)
Laclede Gas Company,)
)
 Respondent.)

Case No. GC-98-497

ORDER DISMISSING COMPLAINT AND CLOSING CASE

On May 4, 1998, Tom Scheibelhut, Business Manager, on behalf of O.C.A.W., AFL-CIO, Gas Workers Local 5-6 (Complainant), filed a verified complaint against Laclede Gas Company (Laclede) alleging that Laclede has engaged in certain practices that may jeopardize the safety of its employees, its customers, and the public. On June 12, Laclede filed a verified answer and motion to dismiss, essentially denying these allegations and moving the Commission to dismiss the complaint. Complainant did not respond to Laclede's June 12 filing.

As the basis for its complaint, Complainant states that a leak crew disconnected service to a customer in St. Louis in order to replace a corporation cock. The crew then twice air tested the service line at 90

pounds per square inch gauge (psig). The service line pressure dropped from 90 psig to 10 psig in less than five minutes on both tests.

Complainant alleges that, at that point, the leak crew determined that there was a leak on the service, and informed the night supervisor of the results of the tests. The night supervisor ordered service reconnected, and the leak crew complied. Complainant does not allege any specific violations of the Commission's gas safety rules.

In its answer, Laclede admits much of the factual background in the complaint, but denies the allegation that the service line was leaking. Laclede also points out that a complete leak survey of the entire area surrounding the service line was conducted after the corporation cock was replaced, and no traces of gas were detected. Laclede also notes that the line was leak surveyed throughout the night following the events described in the complaint with no leaks discovered, and was replaced the next day. Laclede contends that when the entirety of the circumstances surrounding the incident are examined, Laclede's actions not only did not compromise the safety of its employees or the public, but even demonstrate an exceptional commitment to its public safety obligations.

On October 26, Staff filed a response to the Complainant and the Answer and Motion to Dismiss. Pursuant to a Commission order, the Staff addressed the questions of whether any violation of law, rule, or order of the Commission was violated, whether safety was compromised, and whether Laclede acted properly under the circumstances. Staff states that it had numerous contacts with Complainant and Laclede, and describes

in detail its investigation. Staff concludes that Laclede did not violate any law, rule, or order of the Commission. Although Staff emphasizes that reinstatement of a line that does not pass a pressure test should only be done in extraordinary circumstances, Staff believes that Laclede acted properly in this instance and that safety was not compromised. Staff recommends that the complaint be dismissed.

The Commission has reviewed the verified complaint, Laclede's verified answer and motion to dismiss, and the Staff's memorandum. The Commission finds that Laclede did not violate any law, rule, or order of the Commission. The Commission also finds that Laclede's actions did not jeopardize the safety of its employees or of the public. Because the Commission finds that Laclede acted properly, it will dismiss the complaint.

IT IS THEREFORE ORDERED:

1. That the complaint filed by Tom Scheibelhut, Business Manager, on behalf of O.C.A.W., AFL-CIO, Gas Workers Local 5-6, on May 4, 1998, against Laclede Gas Company is dismissed.
2. That this order shall become effective on January 22, 1999.

3. That this case may be closed on January 23, 1999.

BY THE COMMISSION

Dale Hardy Roberts

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

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION