

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE
STATE OF MISSOURI

FILED
Sept. 24, 2007
Data Center
Missouri Public
Service Commission

Name: Robert + Carol Herzog
Complainant

vs.

Case No.

Company Name: Laclede Gas Co
Respondent

COMPLAINT

Complainant resides at 17924 Rosemar Ln
(address of complainant)

Glencoe, MO 63038

1. Respondent, Laclede Gas Co
(company name)

of Drawer 2, St Louis, MO
(location of company), is a public utility under the

jurisdiction of the Public Service Commission of the State of Missouri.

2. As the basis of this complaint, Complainant states the following facts:

Laclede Gas/Missouri Natural Gas took a corporations (Herzog Homes Inc) bill and put it on our personal home. Robert called 2 times and Carol wrote several letters to Laclede Gas. Carol sent sales contracts and release of debt records to both Missouri Natural Gas + Laclede Gas.

Laclede Gas without ^{verbal} warning turned off our gas at our personal home. The gas usage for our personal residence was paid on time. The only way to get the gas turned back on was to pay the bill.

Laclede Gas has made no contact with us on this matter.

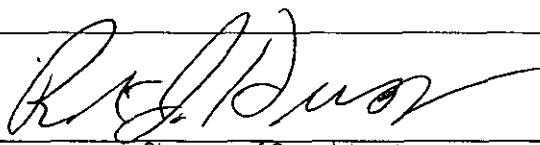
3. The Complainant has taken the following steps to present this complaint to the Respondent:

March 26 received bill, First of April Robert called Laclede
 April 18 A letter was sent to corporate ofc w/ payment
 May payment - notation on check
 June payment - notation on bill stub
 June 11 - Robert called Laclede again
 June 19 - sent letter + sales backup info to Missouri Natural Gas
 July 3 - sent same backup info to Laclede Gas
 Aug 21 - Laclede shut off our gas for non-payment
 Aug 22 - I contacted Mo Public Service + payed the bill
 Aug 27 - Received from Laclede - Statement of bills + pymts
 Sept 4 - Sent a Certified Mail Receipt to Laclede
 Gas - Sent Sales back-up again
 Sept 4 - Sent same back-up to Mo Public Svc

WHEREFORE, Complainant now requests the following relief:

Return the payment of 1481.14 plus interest
 Also clear all late payment charges
 from our personal residence bill

9/19/07
Date


 Signature of Complainant
 Carol Henyog

Attach additional pages, as necessary.
 Attach copies of any supporting documentation.

Laclede Gas Company
720 Olive Street
Drawer 2
St Louis, MO 63171

4/18/07

RE: 767919-001-6
Bill 2/21-3/22/07

Dear Sir,

My current bill has charges on it that I do not agree with. These charges belong to a commercial account under the name of Herzog Homes. The amounts are \$125.46 and \$1321.02.

I would like to know the law or legal statute that makes this transfer to a personal account legal. Please forward that information to Robert Herzog 17924 Rosemar Lane, Glencoe, MO 63038.

If there is no legal grounds for you to have transferred this amount to our personal residence then I recommend that you remove it immediately.

Sincerely,

Robert Herzog

Carol Herzog

17924 Rosemar Lane
Glencoe, MO 63038

Phone (636) 458-5378
Fax (636) 405-1796

July 3, 2007

Laclede Gas
Drawer 2
St Louis, MO 63171

Dear Sir,

I am writing you again about the charges that do not belong to us. These back unpaid balances belong to a corporation acct. How can you put a corporation bill on a personal residence? This questions has been asked of your company several times with no answer.

I am enclosing a letter that was sent to the other gas company.

I would appreciate Laclede Gas clearing our account of all charges (gas, interest, late fees etc) that do not belong to our personal residence.

Sincerely,


Carol Herzog

June 19, 2007

To whom it may concern,

There were Three homes that were in the name of Herzog Homes, Inc. Herzog Homes sold the three homes to a company headed by a person named Michael Krupp. Mr Krupp had a business associate named Todd Bridges. Between the two gentlemen they took title to the homes in question on the dates recorded on the enclosed closing statements.

Bills that occurred after the closing dates would belong to Mr. Krupp et.al.

The properties in question are as follows:

10623 Victoria Falls Drive Festus, Mo. 63028

2724 Niagra Falls Court Festus, Mo. 63028

103 Copper Creek Dr. Festus, Mo. 63028

Please note the enclosed Release Agreement Dated and Signed by Mr. Krupp on Dec. 7, 2006.

I hope this will clear up any misunderstanding regarding the responsibility for utility and other bills we have been receiving.

Yours Truly



Robert J. Herzog

U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

SETTLEMENT STATEMENT

1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. UNINS. 4. ☐ VA 5. ☐ CONV. INS.6. FILE NUMBER:
IT-22597-08-DR

7. LOAN NUMBER:

8. MORTGAGE INS CASE NUMBER:

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

1.0 3/98 (IT-22597-06-DR.PFDIT-22597-06-DR/0)

D. NAME AND ADDRESS OF BORROWER:

Michael Krupp
103 Copper Creek Drive
Festus, MO 63028

E. NAME AND ADDRESS OF SELLER:

Herzog Homes, Inc.

F. NAME AND ADDRESS OF LENDER:

Everbank, its successor and as

G. PROPERTY LOCATION:

103 Copper Creek Drive
Festus, MO 63028
Jefferson County, Missouri

H. SETTLEMENT AGENT:

43-1850559

Integrity Land Title Company, Inc.

PLACE OF SETTLEMENT

2601 Metro-Boulevard
Maryland Heights, Missouri 63043

I. SETTLEMENT DATE

January 31, 2006

OMB NO. 2502-0265

A. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

SETTLEMENT STATEMENT

B. TYPE OF LOAN:

1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. UNINS. 4. ☐ VA 5. ☐ CONV. INS.6. FILE NUMBER:
IT-22595-00-DR

7. LOAN NUMBER:

8. MORTGAGE INS CASE NUMBER:

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

1.0 3/98 (IT-22595-06-DR.PFDIT-22595-06-DR/0)

D. NAME AND ADDRESS OF BORROWER:

Todd J. Bridges and
Deborah L. Bridges, husband and wife
2724 Niagra Falls Court
Festus, MO 63028

E. NAME AND ADDRESS OF SELLER:

Little Creek Development, LLC

F. NAME AND ADDRESS OF LENDER:

HSBC Mortgage Corp (USA) ISACA

G. PROPERTY LOCATION:

2724 Niagra Falls Court
Festus, MO 63028
Jefferson County, Missouri

H. SETTLEMENT AGENT:

43-1850559

Integrity Land Title Company, Inc.

PLACE OF SETTLEMENT

2601 Metro Boulevard
Maryland Heights, Missouri 63043

I. SETTLEMENT DATE:

February 27, 2006

2/27/06

OMB NO. 2502-0265

A. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

SETTLEMENT STATEMENT

B. TYPE OF LOAN:

1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. UNINS. 4. ☐ VA 5. ☐ CONV. IN6. FILE NUMBER:
IT-22596-06-DR

7. LOAN NUMBER:

8. MORTGAGE INS CASE NUMBER:

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

1.0 3/98 (IT-22596-06-DR.PFDIT-22596-06-DR/0)

D. NAME AND ADDRESS OF BORROWER:

Todd J. Bridges
Deborah L. Bridges
10623 Victoria Falls Drive
Festus, MO 63028

E. NAME AND ADDRESS OF SELLER:

Little Creek Development, LLC

F. NAME AND ADDRESS OF LENDER:

National City Bank of Indiana
400 South Western Boulevard
Chesterfield, MO 63017

G. PROPERTY LOCATION:

10623 Victoria Falls Drive
Festus, MO 63028
Jefferson County, Missouri

H. SETTLEMENT AGENT:

43-1850559

Integrity Land Title Company, Inc.

PLACE OF SETTLEMENT

2601 Metro Boulevard
Maryland Heights, Missouri 63043

SETTLEMENT DATE

March 24, 2006

3/24/06

December 7, 2006

Michael J. Krupp
308 Greycliff Bluff
St. Louis, Missouri 63129

Re: Agreement to Release Robert J. Herzog, individually, and Herzog Entities, as described below

Dear Mike:

This letter, as countersigned by you, shall serve to release me and my wife, Carol Herzog, individually and as husband and wife (collectively hereinafter referred to as "Herzog") and Little Creek Development, LLC, a Missouri limited liability company ("Little Creek"), Herzog Homes, Inc., a Missouri corporation ("Herzog Homes"), and H & C Painting Company, LLC, a Missouri limited liability company ("H & C Painting"; Little Creek, Herzog Homes, and H & C Painting are sometimes hereinafter referred to collectively as "Herzog Entities"), from any and all liability to you, as set out in below.

On January 18, 2006, Herzog and various Herzog Entities entered into three contracts dated the 18th day of January 2006, ("Contracts") regarding the leaseback of those certain properties known as 103 Cooper Creek Drive, 10623 Victoria Falls and 2724 Niagara Falls ("Properties"). Upon your countersigning of this Letter, those Contracts shall immediately become null and void and of no effect and you shall release to me all of the furniture located at the properties known as 10623 Victoria Falls and 2724 Niagara Falls, that is not specifically owned by you.

Furthermore, effective immediately upon your countersigning of this Letter, you will hereby release Herzog and the Herzog Entities, and its, agents, employees, shareholders, partners, officers and directors (collectively "Releasees") from any and all claims, demands, causes of action, obligations, agreements, liens, judgments, orders, damages, liabilities, losses, costs and expenses of any kind, in law or in equity, related to the Contracts, the Properties or any other agreements entered into between you and Herzog and/or the Herzog entities up to the execution date of this Letter, known or unknown, that you have or ever had from the beginning of time to the date of this Letter.

In consideration for countersigning this Letter and releasing the Releasees from the Contract and all other past agreements related to the Properties as set out herein, I hereby agreed to grant my full and complete authorization to McDaniel Engineering and Surveying Company ("McDaniel Engineering") to send to you any and all plans, work, specifications and information created at my request by McDaniel Engineering

Mr. [unclear]
1949
(collectively "Plans") for that certain property known as 1649 Barrett Station Road,
Town & Country, Missouri ("Town and Country Property").

Upon your receipt of this Letter, if you agree to abide by these terms, please countersign below and immediately send a facsimile a copy of the countersigned letter to my attention, to the attention of my attorney, Brooke R. Perllyn, Esq. and to the attention of Al Watters at McDaniel Engineering. Upon the receipt of the facsimile copy of this letter, McDaniel Engineering is hereby authorized to immediately release to you the Plans for the Town & Country Property. I look forward to the prompt resolution of this matter.

Sincerely,


Robert Herzog 12/7/06

cc: Brooke R. Perllyn, Esq. (VIA FACSIMILE NO. (314) 863-9388)
Alan Watters (VIA FACSIMILE NO. (314) 770-0887)

The above waiver and release is hereby agreed to and acknowledged by the undersigned, on this ____ day of December 2006.


Michael J. Krupp 12/6/06

Laclede Gas Co
Drawer 2
St Louis, MO 63171

Sept 4, 2007

RE: 767919-001-6
17924 Rosemar Lane
Pasted bill of 2724 Niagra Falls Ct

Dear Sir,

I am providing you with the same information that I sent to the Missouri Public Service Commission. Based on their letter you never received the information about the sale of this home. I do not see how that is possible since I sent it to your subsidiary Missouri Natural Gas and to Laclede Gas when I paid the bill. None the less I have enclosed it again and sent it register mail.

We do not owe the money from 2794 Niagra Falls Ct Please review the legal documents stating that we did not own this home during this time and have been released from any bills that pertain to this house.

I am astonished that you turned the gas off at our personal residence when the bills for that houses' usage had been paid in full. We received no acknowledgement from our letters or phone calls. Even the gas man waved and smiled at me the morning he shut off our gas. I feel Laclede Gas has not done their part in helping this mix up get resolved.

I would appreciate you looking into this matter before we both have to spend more time on this mix up.

Cordially,

Carol Herzog

Carol Herzog
17924 Rosemar Ln
Glencoe, MO 63038

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Mike Stoll</i>	
1. Article Addressed to: Laclede Gas Co Drawer 2 St Louis, MO 63171		B. Received by (Printed Name) MIKE STOLL C. Date of Delivery SEP 4 2007	
2. Article Number (Transfer from service) 7006 3450 0002 5830 3866		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

RE: acct#767919-001-6
Laclede Gas Bill

9/4/07

Dear Sir,

In response to your letter dated 8/29/07. I would like to file a formal complaint under Commission rule 4 CSR 240-13.070 (4). Please send me the packet so I may do so.

I do not know what happened in Herzog Homes but below is the action that was made to get this matter resolved on our personal residence.

Herzog Homes bill showed up on my 2/21-3/22/07 bill. Mr. Herzog called the Laclede Gas customer service and talked with a lady that would look into it. He never received a call back. When I paid our house bill I sent a letter (1) asking for information. I received no response.

On my checks for 3/22-4/23/07 (2) and 4/24-5/22/07 (3) I made notations. No response.

On June 11th Mr. Herzog contacted Laclede Gas again. On June 19th I sent a letter to Missouri Natural Gas. (4) with the attached house settlement statements and a legal document stating we were not responsible for any bills on these houses. I received no response.

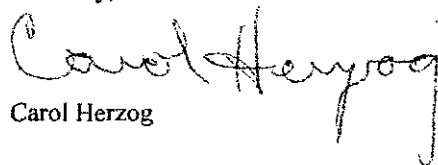
On July 3, 2007 I sent the same information to Laclede Gas. This was enclosed with my payment. They cashed my payment so they had to have gotten my letters.

Based on the information that was on your web site I should have gotten a phone call in regards to this matter. I received none. There was no message on our answering machine either.

I am sending the same information to Laclede Gas along with a copy of your letter. Laclede Gas had no right to turn off our personal residence gas. I paid the bills for our home on time.

We do not owe the money from 2794 Niagra Falls Ct..

Cordially,


Carol Herzog

17924 Rosemar Ln
Glencoe, Mo 63038