

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Betty R. Barnes-Mays,
Complainant,

v.

Laclede Gas Company,
Respondent.

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File No. GC-2010-0121

Notice of Contested Case and Order Directing Filings

Issue Date: October 19, 2009

Effective Date: October 19, 2009

The Missouri Public Service Commission is giving notice that a contested case has begun and is ordering parties to file responsive pleadings as follows.

a. Contested Case

On September 16, 2009, Betty R. Barnes-May filed a complaint against Laclede Gas Company ("Laclede"). The statutes provide the right to a hearing before the Commission decides the complaint.¹ The pre-decision hearing provision makes this action a "contested case."² A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities³ and a decision without a hearing,⁴ including by stipulation and agreement.⁵ The Commission's discovery regulations are at 4 CSR 240-2.090.⁶

¹ Section 386.390.5, RSMo 2000.

² Section 536.010(4), RSMo Supp. 2008.

³ Sections 536.060(3) and 536.063(3), RSMo 2000.

⁴ Sections 536.060, RSMo 2000.

⁵ 4 CSR 240-2.115.

⁶ Section 536.067(2)(f), RSMo 2000.

b. Notice

The Commission must provide notice of this action to all necessary parties,⁷ so the Commission will order delivery of this notice and order, with a copy of the complaint, to Laclede.

c. Responsive Pleadings

The Commission will order Laclede to file an answer to the application. As to each allegation in the application, Laclede's answer shall:

- admit, deny, or state that the Laclede is without sufficient knowledge to admit or deny such allegation; and
- set forth any allegation and argument in support of Laclede's position on the complaint.

The Commission will also order its staff to file a recommendation on the complaint.

THE COMMISSION ORDERS THAT:

1. No later than November 18, 2009, Laclede shall file an answer as directed in the body of this order.
2. No later than December 2, 2009, the Commission's staff shall file a recommendation on the complaint.
3. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

⁷ Section 536.067(1), RSMo 2000.

Jordan, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 19th day of October, 2009.