

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

**FILED
August 27, 2007
Data Center
Missouri Public
Service Commission**

Paula Gianella)	
)	
Complainant)	
)	
v)	Case No. GC-2008-0009
)	
Laclede Gas Company)	
)	
Respondent)	

**COMPLAINANT'S REPLY
TO THE ANSWER AND THE MOTION TO DISMISS
OF RESPONDENT, LACLEDE GAS COMPANY**

Ms. Gianella's complaints are primarily based on gas usage during the winter season.

Ms. Gianella uses electric for her washer, dryer and air conditioning, and during most of the year, especially the warmer months, complainant uses the microwave rather than the oven. The only appliance that would have usage throughout the year would be complainant's hot water heater. Ms. Gianella also turns off the thermostat during days in which the weather is reasonably warm.

In complainant's initial petition, she used her prior experience with Laclede Gas Company in the inspection of her present home (March 1996) to show the complainant's view of the utility's credibility, and their previous treatment of her. This was demonstrated to complainant in the following ways: a.) Laclede Gas failed to disclose to complainant that the original furnace had not passed a prior inspection; b.) Laclede Gas failed to disclose to the complainant that the company was acting in a non-regulated capacity; c.) Laclede Gas was made aware that the independent inspector hired by complainant found problems with the furnace operation, yet Laclede Gas passed a furnace that they had previously failed; d.) Complainant because of Laclede Gas' negligence suffered carbon monoxide poisoning and the expense of a new furnace; e.) Mr. Zink, a representative of Laclede

Gas seemed unconcerned as to the potential health issues resulting in Laclede Gas' passing of a defective furnace, and told complainant that she "could not sue a utility", a statement he knew to be untrue..

To summarize, the year of the inspection is inconsequential to the fact that at that time, the matter was brought to Laclede's attention prior to the closing of the home, after the complainant's inspector found problems with the furnace. Laclede was made aware of the situation, yet did nothing about it. The unit had not passed prior to that period, but Laclede passed the unit for closing. The unit upon it's initial use in the fall was condemned by the very utility who found it safe.

When the unit was condemned, the complainant asked the representative from Laclede Gas if the damage to the unit was in a place that could have been easily overlooked, giving Laclede the benefit of the doubt. However, complainant was informed that the damage was in the front of the unit and there would have been no problem seeing said damage during an inspection by Laclede Gas.

In addition, the Laclede Gas representative sent to replace complainant's present meter viewed notations left on the unit. He remarked that you couldn't fail a unit and then pass it again.

In their motion to dismiss, respondent, Laclede Gas avers that complainant, Ms. Gianella's living space plus a full basement gives her the equivalent area of a two-story home with a full basement.

Laclede Gas fails to mention that Ms. Gianella is the only party living at the residence. Laclede Gas does not mention that the basement in her home is unfinished and only contains one (1) vent kept minimally open to prevent pipe freezing in the winter.

In their motion, Laclede Gas does not indicate the total "finished" living area in neighboring homes supposedly used in comparison to complainant's home, nor does it indicate the approximate number of persons using gas in those homes.

Further, there is no indication in the "homes" compared" to complainant, Ms. Gianella's

home as to how many gas appliances were in each home, the efficiency of the home in general, its insulation, and whether or not an internal examination of the "compared homes", their appliances, and general insulation/efficiency of these homes was done by Laclede Gas and when, as was done in the case of complainant, Ms. Gianella and her residence.

Laclede also does not indicate the type of or the efficiency of the furnaces used by these homes. As a reminder, Ms. Gianella's furnace is 90+% efficient, one of the best on the market, as verified by specifications and remarks of Laclede's own representatives.

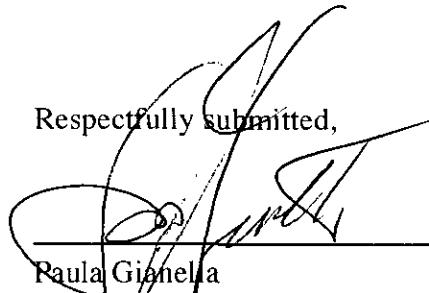
Though Laclede states that Ms. Gianella's gas usage is now more than 16% below average, the utility avoids mentioning the fact that all three people evaluating Ms. Gianella's home in this matter (one independent contractor and two representatives from Laclede Gas) after reviewing her bills verbalized that there was no way given her furnace and living circumstances that this type of usage was possible.

In lauding complainant, Ms. Gianella's low gas usage, Laclede Gas neglects to mention that the representatives inspecting her furnace and home stated that they found her house noticeably cold. Ms. Gianella to avoid any higher bills than those presently has had to set her thermostat at 63 degrees. The neighbor and also the friend's homes, larger in square footage and finished area that were mentioned in Ms. Gianella's initial petition, normally set their thermostat in the 70's during the winter season, yet their bills are significantly less than those of Ms. Gianella.

Ms. Gianella, during the initial purchase of her home and with respect to the complaint now before the Commission has exercised due diligence with respect to inspections of the original furnace prior to closing, and of her present furnace prior to filing of a formal complaint.

WHEREFORE, the complainant asks that Laclede Gas provide copies of the inspections and evaluations of her home to the Commission and to complainant; and show that an adequate and true comparison of homes was made by Laclede Gas with respect to square footage, finished area, number of residents using gas within the home, efficiency of furnace and other gas devices, and insulation efficiency of the home.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paula Gianella", is written over a horizontal line.

Paula Gianella
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