

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File,  
Case No. GC-2005-0249, Laclede Gas Company

FROM: Tom Imhoff, Energy Department – Tariffs/Rate Design

/s/Warren Wood 4/12/05                      /s/ Lera L. Shemwell 4/13/05  
Energy Department/Date                      General Counsel's Office/Date

SUBJECT: Staff Recommendation regarding complaint filed by Donald and Glennda Rose against  
Laclede Gas Company

DATE: April 13, 2005

On January 31, 2005, Donald and Glennda Rose of 2729 Chalet Hill, St. Louis, Mo., filed a complaint with the Missouri Public Service Commission (Commission) against Laclede Gas Company (Laclede or Company) of St. Louis, Missouri, regarding a delinquent account in the amount of \$206.28, that Mr. Rose incurred in 1989-1990, which was recently added to Mrs. Roses' bill. In their complaint, Mr. and Mrs. Rose requested that Laclede prove to the Complainants that the amount added to their bill was still owed and explain why it took so long to bring this delinquency to their attention.

On March 3, 2005, Laclede filed an ANSWER TO COMPLAINT AND MOTION TO DISMISS, citing the facts of the original debt incurred by Mr. Rose while residing at 3730 Tennessee Ave., St. Louis, Mo., actions taken by the Company in an attempt to collect the debt from the Complainants, and reasons the complaint should be dismissed. On March 4, 2005, the Commission ordered its Staff to complete an investigation of the complaint and report its findings no later than April 13, 2005.

The Commission's Energy-Tariffs/Rate Design Staff has reviewed the materials presented by Laclede, spoken with Mr. Rose regarding the complaint, gathered information pertaining to the delinquent bill at the above mentioned premises, and determined the following:

- 1.) Mr. Rose did reside at 3730 Tennessee Ave., St. Louis, Mo. at the time the debt was incurred and did have services provided from Laclede Gas in his name through March 3, 1990.
- 2.) The Complainant was billed at the time of service under the normal billing practices of Laclede Gas and was mailed billing statements through March, 1990, including the final bill. Per Laclede, Mr. Rose would have been sent subsequent demand notices.
- 3.) Laclede referred the delinquent account to Minute Service Bureau, a collection agency, on September 26, 1990.

- 4.) Mr. Rose did not request services from Laclede in his name again and services are now being provided to the complainants under Mrs. Rose's name only. Laclede was unable to connect Mr. Rose to the delinquent debt until Mr. Rose contacted Laclede in the summer of 2004.
- 5.) Mrs. Rose did not live with Mr. Rose at the time the debt in question was incurred.
- 6.) Laclede has removed the debt from the current account providing services to the Complainants and has re-posted the debt under Mr. Rose's name only.
- 7.) Although Mr. Rose filed Chapter 13 Bankruptcy in 1991, Mr. Rose admitted this debt was not included in the Chapter 13 filing while speaking with Commission staff. Laclede has also investigated this Chapter 13 filing and concluded this particular debt was not discharged.
- 8.) Laclede has satisfied all of the Complainant's requests for relief by providing proof of the debt in question, explaining the delay in making demand for payment from Mr. Rose and transferring the debt out of Mrs. Rose's current account.

Staff's investigation did not show that Laclede had violated any Commission rules in its treatment of the Complainants or provision of services to the complainants. While Staff's investigation did reveal an extended period of time between the incurring of the debt and the recent demand for payment, that was explained by the fact that Laclede was unable to connect the Complainant to the current account until the Complainant contacted the Company in 2004. Normal business practices were utilized by Laclede in attempting to collect this debt in a more timely matter. Therefore, Staff recommends that the Commission dismiss this complaint filed against Laclede. The resolution of this case is fact specific and the reasons for Staff's recommendation do not extend to other complaints involving Laclede's attempts to collect on bills that are in excess of 10 years old.

Staff has verified that Laclede has filed its annual report and is not delinquent on any assessment. Staff is not aware of any other matter before the Commission that affects or is affected by this filing; however, the following cases involving this company are pending before the Commission:

GO-99-155	GR-2003-0224	GC-2005-0249
EC-2002-1	GO-2004-0195	GR-2005-0284
GO-2003-0506	GR-2004-0273	

In addition, Commission Case No. GT-2001-329 is on appeal.

Copies: Director - Utility Operations Division  
Director - Utility Services Division  
Public Information Administrator

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General Counsel

Manager - Procurement Analysis Department

Manager - Energy Department

Michael Cline, Director-Tariff and Rate Administration (Laclede)

Kenneth J. Neises, Executive Vice President-Energy & Administrative Services (Laclede)

Michael Pendergast, Vice President-Associate General Counsel (Laclede)

Rick Zucker, Assistant General Counsel (Laclede)

Office of the Public Counsel