

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

Norman Harrold,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. GC-2007-0311</u></b>
	)	
Laclede Gas Company,	)	
	)	
Respondent.	)	

**SECOND ORDER SETTING COMPLAINT FOR HEARING**

Issue Date: January 3, 2008

Effective Date: January 3, 2008

On November 6, 2007, the Commission canceled a scheduled evidentiary hearing on Norman Harrold's original complaint, which was filed on February 22, 2007, and ordered him to file a first amended complaint by no later than December 6, 2007. On December 6, Mr. Harrold filed a pleading in which he requested that the Commission grant him an additional two weeks to prepare his first amended complaint.

Mr. Harrold's request for a two-week extension of time to file his first amended complaint was granted by order dated December 11, 2007. In that order, the Commission also expressly advised Mr. Harrold that since this matter had already been pending for nearly ten months, no further extensions would be granted absent the consent of all the other parties or a showing of extraordinary circumstances.

It is now January 3, 2008, which is more than eight weeks after Mr. Harrold was first ordered to file a first amended complaint, four weeks after his first amended complaint was initially due, and two weeks after the end of his two-week extension. Nevertheless, despite

being given more than eight weeks to do so, Mr. Harrold has not filed his first amended complaint as ordered by the Commission.

The Commission further notes that throughout its history, this case has been plagued by other delays as well. For example, Staff filed its report and recommendation in this matter on June 26, 2007, but only after requesting and being granted four separate extensions of time to facilitate settlement negotiations between Mr. Harrold and Laclede, which culminated in an on-the-record settlement offer from Laclede that was ultimately rejected by Mr. Harrold despite the fact that Laclede offered to provide him all the relief he requested in his original complaint.<sup>1</sup>

The time for further delay, which has very likely worked to the detriment of all of the parties to this case, is over. Accordingly, the Commission shall once again set this matter for an evidentiary hearing on the merits of Mr. Harrold's original complaint of February 22, 2007, just as it previously did by order dated September 18, 2007.

**IT IS ORDERED THAT:**

1. An evidentiary hearing on the merits of Norman Harrold's original complaint, which was filed on February 22, 2007, will take place on Wednesday, January 23, 2008, beginning at 8:30 a.m. The hearing will be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, which meets accessibility standards required by the Americans with Disabilities Act. Any party needing additional accommodations to participate in this hearing should call the Missouri Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

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<sup>1</sup> At the conclusion of the aborted evidentiary hearing on November 6, 2007, Laclede withdrew the settlement offer, which it had formally extended to Mr. Harrold in a pleading dated October 30, 2007.

2. Although the parties are strongly encouraged to attend the hearing in person, any party wishing to participate by telephone will be permitted to do so after notifying the Regulatory Law Judge by calling 573-751-7485 by no later than noon on January 17, 2008. The parties are reminded that as the Complainant in this matter, Norman Harrold bears the burden of proof to establish the allegations of his original complaint by a preponderance of the credible admissible evidence adduced during the hearing or otherwise properly before the Commission. No prefiled testimony shall be submitted, and all evidence shall be presented live at the hearing.

3. This order shall become effective on January 3, 2008.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Benjamin H. Lane, Regulatory Law  
Judge, by delegation of authority  
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 3rd day of January, 2008.