

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

William Wehrle,)	
)	
Complainant,)	
v.)	<u>File No. GC-2013-0361</u>
)	
Spire, Inc., f/k/a Laclede Gas Company,)	
)	
Respondent.)	

**LIST OF ISSUES, POSITION STATEMENTS
AND IDENTIFICATION OF WITNESSES**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, on behalf of itself, Mr. William Wehrle (Complainant), and Spire Missouri, Inc., f/k/a Laclede Gas Company, and for its *List of Issues, Position Statements and Identification of Witnesses* in this matter hereby states:

1. Pursuant to the Commission's Order filed on September 5, 2018, the parties were directed to file a List of Issues, Position Statements and the Identification of Witnesses for the evidentiary hearing scheduled for November 16, 2018. Staff reached out to Complainant and Spire Missouri, Inc. (Respondent) and now files this pleading in satisfaction of that directive. All parties may not agree that the issues are the same.

2. The issue as identified by Respondent is:

A. In performing a meter change at Complainant's property on January 16, 2013, did Spire Missouri, Inc., f/k/a Laclede Gas

Company, violate any law or any Commission rule, order or decision?

3. The Complainant did not provide a specific issue, position statement or list of witnesses to Staff for this filing. However, Complainant has filed the original *Complaint* opening this docket, a *Statement*, a *Statement Concerning Complaint*, a *Complainant's Statement* and the recent communication referenced in the November 9, 2018, *Notice of Communication*. Staff would recommend the Complainant's concerns may be derived from those documents for the Commission's consideration.

4. The witnesses and the order in which they will take the stand are:

A. Complainant's Witnesses

a. In the absence of a witness list provided by Complainant, Staff recommends that the Commission consider Complainant to be a witness.

B. Respondent's Witnesses

- a. Rusty Kolbow – Service Technician
- b. Bill Klingemann – Manager, Claims Department

C. Staff's Witnesses

- a. Greg Williams
- b. Contessa King

5. The positions of each party are:
- A. Complainant – Complainant has not provided a position, however, Staff recommends Complainant's position may be derived from the documents referenced in paragraph 3 above.
- B. Respondent – Spire Missouri violated no laws, nor any rules, orders or decisions of the Commission in connection with its January 16, 2013 meter change at Complainant's property. This was simply a situation in which our service technician ran behind on a routine meter change appointment due to being called off of his route for priority gas orders on a winter day. The technician attempted to make the phone call requested by the Complainant before arriving on the job. When the call didn't go through, the technician proceeded to the Complainant's home anyway, arriving about 7:30pm. The technician offered the young man who answered the door the option of rescheduling the meter change, but was told to go ahead and perform the work. Minutes later, with the meter disconnected, the Complainant returned home and flew into a rage, ordering the technician off of the property, confiscating his tool kit and calling the police. Two hours later, with the aid of the authorities and a relative, the technician managed to finish the meter change under some duress. He nevertheless performed the meter change properly.

C. Staff – Staff does not find that Spire Missouri, Inc., violated any statutes, Commission rules or other tenets of law.

WHEREFORE, Staff prays on behalf of the parties that the Commission will accept this *List of Issues, Position Statements and Identification of Witnesses*; and grant such other and further relief as the Commission considers just in the circumstances.

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 9th day of November, 2018, to all counsel of record.

/s/ Whitney Payne