

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

Julian J. Harvatin,)	
)	
Complainant,)	
)	Case No. GC-2007-0167
v.)	
)	
Laclede Gas Company)	
)	
Respondent.)	

RESPONSE TO STAFF REPORT

COMES NOW the Office of the Public Counsel, and for its Response to Staff Report states:

1. On October 26, 2006, Mr. Julian Harvatin filed a formal complaint with the Commission against Laclede Gas Company regarding an adjusted bill that was the result of trace meter reading device that failed to properly read Mr. Harvatin's usage.
2. On November 28, 2006, Laclede filed an Answer and stated that the "reconciling bill" was for a twelve (12) month undercharge from the date of discovery, plus "the customer's actual usage for the period from January 13, 2006 to March 15, 2006." Laclede's cursory Answer does not explain when Laclede last obtained an actual reading on Mr. Harvatin's meter, nor does it explain the method by which Laclede determined the amount of usage for the twelve (12) month period.
3. The Staff filed its Staff Report on December 4, 2006 and explained the facts in more detail. However, discrepancies appear to exist between the Staff's facts and

the facts as stated by Laclede. Staff states that the catch-up bill was for gas service from March 15, 2005 to March 15, 2006, which appears to conflict with Laclede's Answer wherein Laclede stated the catch-up bill went back twelve months from the date of discovery. Public Counsel believes these facts need to be reconciled.

4. Public Counsel is also concerned that Laclede's Answer and Staff's Report do not adequately explain how the usage amount was calculated. According to the Staff's Report, "Laclede states that the difference most likely resulted shortly after the customer service was initiated in September 2002." This suggests that Mr. Harvatin's trace meter reading device may have been reading improperly between September 2002 and January 2006. Public Counsel believes Laclede's Answer and Staff's Report should better explain how the amount "actually used" was calculated and how the "allowance" was calculated. In other words, since it appears the actual usage per month between September 2002 and January 2006 is not known, a better understanding of how the usage was allocated to each month should be provided. It is also not clear whether Laclede's method of calculating takes into account the price of gas at the time the gas is alleged to have been consumed.

5. Public Counsel has no reason to believe Laclede or Staff have improperly calculated the amount Mr. Harvatin should have been billed. However, Mr. Harvatin deserves a better explanation from Laclede and Staff with sufficient detail on how the gas used and amounts owed were calculated.

WHEREFORE, Public Counsel respectfully offers this response and requests that the Commission direct Laclede and the Staff to provide a detailed explanation of how Mr. Harvatin's bill adjustment was calculated.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Marc D. Poston

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 11th day of December 2006:

/s/ Marc Poston
