

FILED²

Missouri Public
Service Commission

Respondent.

On January 17, 2007, the Commission notified Laclede of the complaint and allowed it thirty days in which to answer as provided by Commission Rule 4 CSR 240-2.070(7). The same day, pursuant to 4 CSR 240-2.070(10), the Commission ordered its Staff to commence an investigation of Mr. Lewis' formal complaint and to file a report concerning the results of its investigation no later than two weeks after Laclede filed its answer to the complaint.

Laclede filed its Answer and Motion to Dismiss Complaint on February 20, 2007.¹ The answer avers that Mr. Lewis has owned and received gas service at his current residence, 5739 Hamilton in Jennings, Missouri, since August 2000, and that his account is paid current. Laclede states that its meter is located on the outside of Mr. Lewis' home, that it has received regular and consistent meter readings from this meter, and that it has at all times issued bills to Mr. Lewis based on Commission-approved tariff rates.

Laclede's answer further indicates that according to St. Louis County real estate records, Mr. Lewis lives in a 760 square foot ranch style home with a full basement, built in 1959. While his gas usage has been somewhat higher than average for a home of this size, Laclede explains that square footage is only one of many factors in evaluating usage, including the age, condition and efficiency of the furnace, along with the weatherization quality of the home. Moreover, according to Laclede, over the past three years, Mr. Lewis' gas usage has steadily declined, going from 1,297 CCF in 2004 to 1,239 CCF in 2005, and then down to only 975 CCF in 2006. Laclede also explained that although those figures are not normalized to account for weather, Mr. Lewis' gas bills during this period were likely materially affected by the higher cost per CCF of the gas he used.

On March 2, 2007, Mr. Lewis filed a letter with the Commission indicating that as a certified journeyman carpenter with 29 years of experience, he had personally winterized his home at 5739 Hamilton. The letter also stated that when he bought that home in 2000, Laclede checked the gas furnace for proper operation.

¹ The Answer was filed four days (one business day) out of time. However, on February 22, 2007, the Commission granted Laclede's motion for leave to file it out-of-time.

Finally, on March 13, 2007, after investigating Mr. Lewis' complaint and performing an analysis of the billing statements related to his residence over the past three years, Staff filed its verified report.² In particular, Staff concluded:

Mr. Lewis' annual gas usage over the past three years has trended downward, appearing to be the result of [his] efforts to improve energy efficiency. However, given the higher price of gas and the colder temperatures experienced this year, the actual usage and bills rendered for that usage appear correct based on Staff's investigation and analysis of Mr. Lewis' billing statements. Staff's investigation shows that Laclede has not violated its approved tariff or any Commission rules for the billings rendered to Mr. Lewis. Therefore, Staff recommends that the Complainant's case be dismissed in its entirety.

At this stage of his case, Mr. Lewis has not stated any facts upon which the Commission could conclude that Laclede has violated its approved tariff, applicable Commission rules, or Missouri statutes in making meter readings or preparing any of the bills he has received for natural gas service at his home. Therefore, the Commission would like to hear from Mr. Lewis before ruling on Laclede's Motion to Dismiss his complaint and deciding whether to accept the recommendation of its Staff that it be dismissed. Accordingly, Mr. Lewis will be given twenty days from the date of this order to file a pleading which addresses the statements contained in Laclede's answer and Staff's report in this matter and sets forth the legal or factual reasons why he agrees or disagrees with those statements. (Attached to this order is a letter further explaining this process and providing other helpful information.)

IT IS ORDERED THAT:

1. Stanley Lewis shall file a pleading, by not later than 5:00 p.m. on Wednesday, April 11, 2007, which addresses the statements contained in Laclede's answer and Staff's

² Staff's report and recommendation were originally due on March 6, 2007. However, on March 2, 2007, the Commission granted Staff's motion for leave to file them on or before March 13, 2007.

report in this matter and sets forth the legal or factual reasons why he agrees or disagrees with those statements.

2. This order shall become effective on March 22, 2007.

BY THE COMMISSION

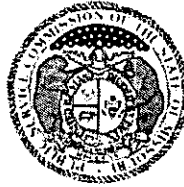
A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

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 22nd day of March, 2007.



Commissioners

JEFF DAVIS
Chairman

CONNIE MURRAY

STEVE GAW

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

WESS A. HENDERSON
Executive Director

DANA K. JOYCE
Director, Administration

ROBERT SCHALLENBERG
Director, Utility Services

WARREN WOOD
Director, Utility Operations

COLLEEN M. DALE
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON
General Counsel

March 22, 2007

Stanley Lewis
5739 Hamilton
St. Louis, MO 63136

RE: Case No. GC-2007-0267

Dear Mr. Lewis:

As you know, the Public Service Commission has your complaint. This letter is being sent to you to explain the PSC's procedures and get more information from you about your complaint. Your complaint has been given Case Number GC-2007-0267. Please use this number when you send any documents to the PSC or when you contact the PSC about your complaint.

Attached to this letter is a list of statements made by the company and the PSC staff who investigated your complaint. After each statement, you must either check the "true" box or give a reason why the statement, or any part of the statement, is not true. If you do not mark the "true" box and do not give an explanation why the statement is not true, we will assume that you believe the statement is true. **You must return the attached form to the PSC by no later than April 11, 2007.**

About Cases at the PSC:

You must respond: If you do not respond to orders that require you to send information, you will lose your case. If you need more time, or do not understand, you must contact the judge assigned to your case and ask for more time or ask about the part you do not understand.

Your assigned Judge:

Name: Benjamin H. Lane

E-mail: benjamin.lane@psc.mo.gov

Phone: 573-751-7485 **Fax:** 573-526-6010

Mailing Address: Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

If you have e-mail: You can request a copy of this letter, the attached list and any of the other papers in this case to be sent to you by e-mail and you can respond to anything by e-mail. Just send an e-mail to the judge on this case asking for e-mail service.

If you have Internet access: You can check on your case by going to the PSC homepage at www.psc.mo.gov and following the directions included with this letter about the PSC's Electronic Filing Information System, or EFIS. Some of the information in your case may not be available unless you identify yourself, because we keep some of your personal information closed (not available to the general public).

You must participate: You must attend all meetings, conferences and hearings in your case and you must be on time. If you do not come, your case could be dismissed and you will have to start over in another case. If you fail to come more than once, your case could be dismissed "with prejudice," which means you lose the case and cannot bring another one about the same complaint.

If you cannot come: You must contact the judge in your case. The judge can arrange for you to participate by phone or by video conference in Kansas City or St. Louis (where the PSC has offices). If you do not make special arrangements with the judge, you must come to the PSC offices in Jefferson City.

Do not be late: If you are more than 10 minutes late, the judge will let the court reporter and the other people in the hearing or conference leave and your case will be treated as though you did not come at all. You will then receive an order asking you to give a reason why your case should not be dismissed (this is called a "show cause" order). If you could not come to the hearing or conference for some reason, you should contact the judge and explain what kept you from attending. If you do not respond to a show cause order, your case will be dismissed.

Communicating with the judge: The judge on your case cannot discuss the facts of your actual complaint with you, except in a scheduled conference or hearing. This is so that both sides can be present when the facts are stated so that any wrong information can be corrected. It is the only way for the judge to be fair. You can discuss procedural matters, such as the time and location of meetings, but please do not talk about, send letters, or e-mail specific information about the facts of your case to the judge.

Sincerely,



Colleen M. Dale
Secretary

CMD/crk
Enclosures

Complaint Case Response Form

In the Matter of: Stanley Lewis v. Laclede Gas Company
Case No: GC-2007-0267

Listed below are several statements about your case. These statements come from the answer the utility company gave to your complaint and from the investigation done by the PSC staff. After each statement, you must either check the "true" box or give a reason why the statement, or any part of the statement, is not true. If you do not mark the "true" box and do not give an explanation why the statement is not true, we will assume that you believe the statement is true.

Laclede Gas Company's Statements

1. Mr. Lewis complains that his bills have been, and continue to be, too high, especially given the size of the home he lives in. He would like some of his money back.

☒ This whole statement is true.

This statement is not true because _____

S.L.

2. In response, Laclede states that Mr. Lewis has owned and received gas service at his current residence, 5739 Hamilton in Jennings, Missouri, since August 2000. Mr. Lewis is on a cold weather rule payment plan, and his account is paid current. Laclede's meter is on the outside of Mr. Lewis' home, and Laclede has received regular and consistent meter readings. Laclede has at all times issued bills to Mr. Lewis based on Commission-approved tariff rates.

☐ This whole statement is true.

This statement is not true because

Laclede Gas Company
send me assessment bills for a long
time.

S.L.

3. According to St. Louis County real estate records, Mr. Lewis lives in a 760 square foot ranch style home with a full basement, built in 1959. His usage has been somewhat higher than average for this size home, but home size is only one factor in evaluating usage. The age, condition and efficiency of the furnace, along with the weatherization quality of the home are also important factors.

☐ This whole statement is true.

This statement is not true because

I am a Journeyman
Carpenter has been since 1978 about
29 years I work with home builders & I
I know about insulation. In my roof
it's about 6" on a blow in insulation.
also in the walls are insulated - windows are new.

4. Nevertheless, a review of Mr. Lewis' usage over the past three years indicates significant improvement. His usage has gone from 1297 CCF in 2004 to 1239 CCF in 2005, and then to only 975 CCF in 2006. While these figures are not adjusted for weather, the past three years have shown a general downward trend in usage. It should be noted that gas bills are materially affected by both usage and gas costs, so even if usage is unchanged, higher gas costs will cause bills to be higher.

☐ This whole statement is true.

This statement is not true because

the bill were not
downward tend they were up an
not read over month.

5. In summary, Mr. Lewis has not offered any facts that indicate that Laclede has violated its tariffs or Commission rules. Laclede sympathizes with customers struggling to pay higher costs for many items, including energy. Laclede believes that assistance for Mr. Lewis will come not from the complaint process, but from Laclede's pursuit of rate design, conservation and energy efficiency measures that both align and further the interests of the Company and its customers in reducing energy usage and customer bills.

☐ This whole statement is true.

This statement is not true because

I call Laclede gas
Co. office about my bill one month
an talk to a office worker she said
I had to pay \$430.00 but it was only
\$125.00 to keep the gas on. So somebody
is got poor people money for gas bills.

Missouri Public Service Commission Staff's Statements

1. On December 8, 2006, Mr. Lewis filed an informal complaint with the Consumer Services Department by phone. Mr. Lewis stated that his service was still on, but it is due for disconnection and he was not sure when. Mr. Lewis also stated that his account balance was \$1,100+ and he feels Laclede is overcharging him at current and previous addresses. Mr. Lewis stated he believes bills were estimated, even though some bills state actual gas usage. However, he does not believe them.

☒ This whole statement is true.

This statement is not true because _____

SL

2. On December 14, 2006, Laclede responded to the Commission's informal complaint by reporting that Mr. Lewis's current account balance was \$907.48 per the billing mailed on 11/16/06. The total amount due was \$1,199.42, which included \$555.42 CWR Budget amount due. Also included in the \$1,199.42 is a \$644.00 deposit which was assessed June 20, 2006 due to his five or more late payments for the prior twelve (12) consecutive billing periods. Total arrears/minimum amount required to avoid disconnection was \$430.42 with a due date of 11/29/06. Laclede scheduled the delinquency disconnect date for 12/07/06. The 96-Hour notice was mailed and the automated telephone response system call was completed on 12/05/06. In addition, Laclede stated that its Customer Relations explained all the account details to Mr. Lewis on 12/8/06, the same date that Mr. Lewis filed his informal complaint with the Commission. During this telephone conversation with the Company, Mr. Lewis told them they might as well turn off the gas service since he couldn't pay his bill. A turn-off order was then scheduled by Laclede for 12/12/06.

☐ This whole statement is true.

This statement is not true because _____

the gas man
came to my house only ask
for \$125.00 to keep the gas on
but when I call the lady said
I had to paid \$450.00.

SL

3. On 12/8/06, following the Company's receipt of Mr. Lewis's informal complaint case, a Company representative called Mr. Lewis and advised him that the Company was holding collection activity due to the receipt of the MPSC complaint. The Company also advised Mr. Lewis that the Company would cancel the billed deposit as a customer relations gesture. The Company asked Mr. Lewis if he still wanted to have the service turned off on

12/12/06. Mr. Lewis told the Company to do whatever the Company wanted to do and then disconnected the call. As a result of its conversation with Mr. Lewis, the Company representative cancelled the turn-off order.

☐ This whole statement is true.

This statement is not true because

I paid \$125.00
to keep the gas on as long
as I been in the house at
5739 Hamilton I have never had
gas turn off. I move here Aug. 2000

SL

4. On 12/14/06, the Company further advised Mr. Lewis that his current account balance was \$19.94 and that the CWR budget amount due from him was zero. AMR installation was completed by the Company on or about 5/25/06 with a reading index of x4452.

☐ This whole statement is true.

This statement is not true because

they still is over
charge me.

SL

5. A review of Mr. Lewis's current residence of 5739 Hamilton for the past year's gas usage appears to be in-line with his previous his years' usage at this residence:

- 11/03 to 11/04, 1294 CCfs
- 11/04 to 11/05, 1207 CCfs
- 11/05 to 11/06, 1083 CCfs

☐ This whole statement is true.

This statement is not true because

the bills over in
the summer month were
very high sometime 200.00
300.00.

SL

6. Laclede also provided a statement of bills and payments for service from December 14, 2004 through November 14, 2006 showing that Mr. Lewis's monthly billings were based on actual meter readings except for the August 2005 billing.

☐ This whole statement is true.

This statement is not true because

The gas man said
they were on some kind of
leave.

LL

7. On December 15, 2006, as a result of the informal complaint process, the Missouri Public Service Commission, Consumer Services Department sent a letter to Mr. Lewis, which provided him with an up-to-date breakdown of his account and included a copy of the Statement of Bills and Payments.

☒ This whole statement is true.

This statement is not true because

LL

8. On December 18, 2006, Mr. Lewis requested from the Missouri Public Service Commission, Consumer Services Department a formal complaint packet for failure to resolve his informal complaint.

☒ This whole statement is true.

This statement is not true because

LL

9. February 2007, as a result of Staff's additional investigation of Mr. Lewis's formal complaint, there does not appear to be any new information or documentation submitted by Mr. Lewis that was not previously considered. In addition, Laclede's account records do not reflect any changes to Mr. Lewis's account that would change Staff's previous findings.

☒ This whole statement is true.

This statement is not true because _____

Thank you for responding to these statements. Please return this form to the PSC by no later than April 11, 2007, so that we can continue to work on your complaint. If you do not return this form, we will assume that you do not want to continue with your complaint and it should be dismissed.

A.S. I brought new stove Laclede gas
put the shut off valve in They also
check the hot water tank an
Furnace when I move in in
Nov. 2000 the Thermostat is
new a digital ritemp thermostat,
All the work should be on records
at Laclede gas office

Thank You For
Your Time
Stanley Lewis

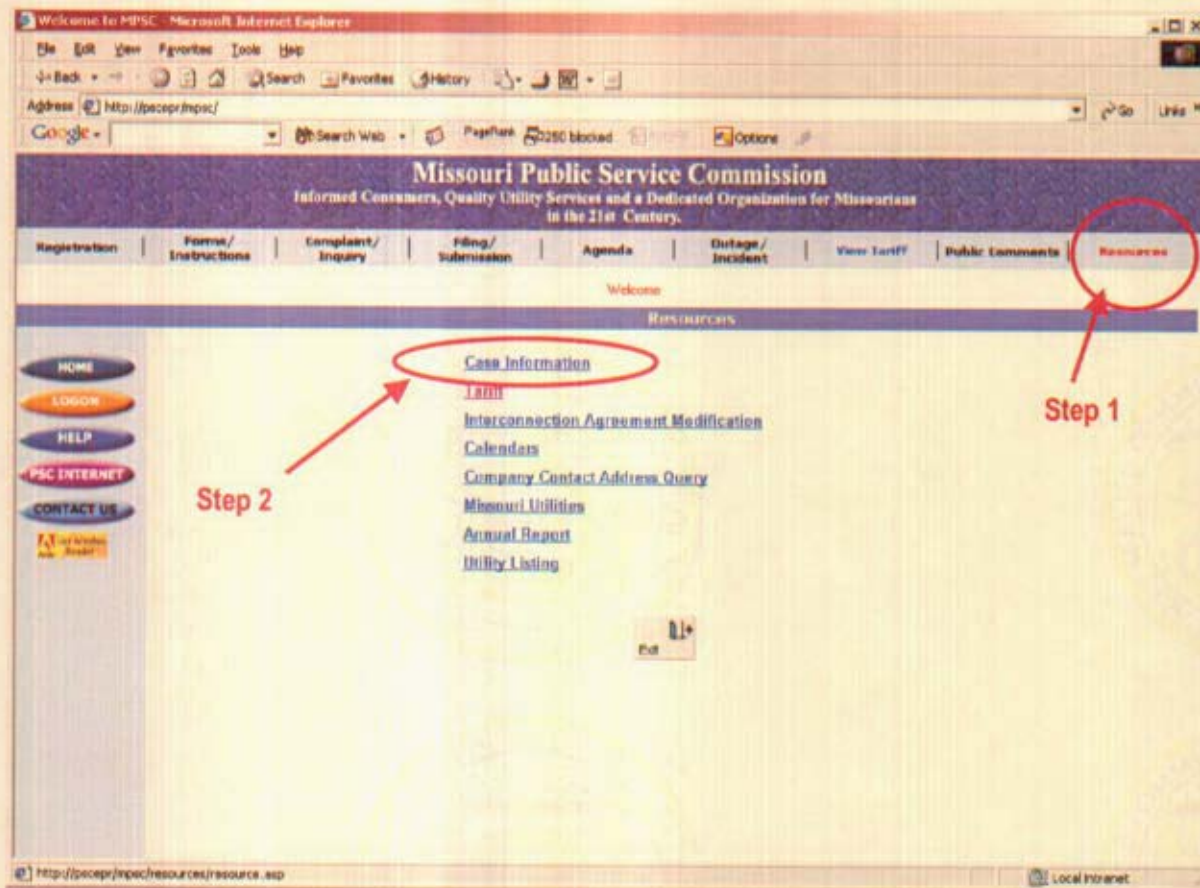
S.L.

Instructions for Viewing and Researching Case Filings in EFIS

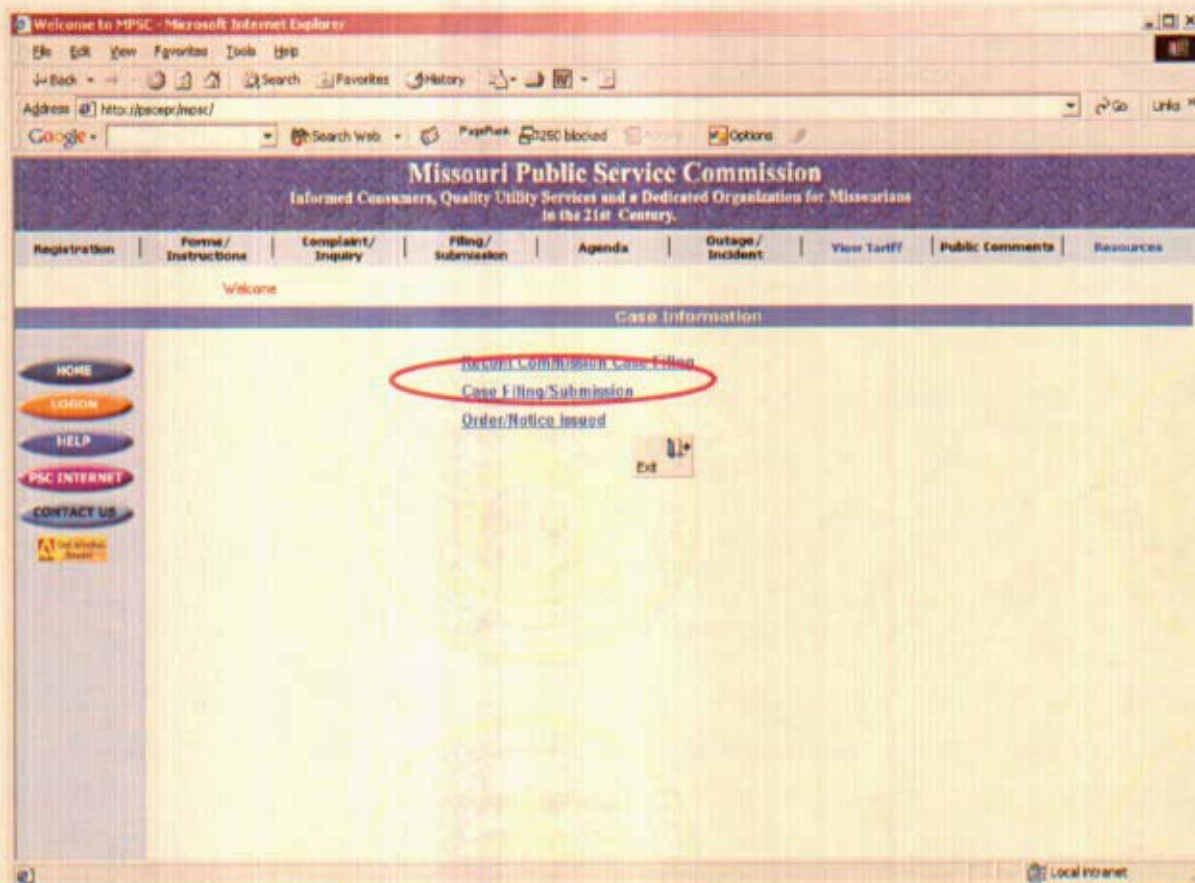
Please follow steps 1 – 9 to search and view case filings without logging in.

Step 1 - Select the "Resources" Menu

Step 2 - Choose "Case Information"



Step 3 - Choose "Case Filing/Submission"



Step 4 - Type search criteria.

Step 5 - Select "Search".

The screenshot shows a Microsoft Internet Explorer browser window displaying the Missouri Public Service Commission (MPSC) website. The address bar shows the URL <http://pscpr/mpsc/>. The website header includes the MPSC logo and the tagline "Informed Customers, Quality Utility Services and a Dedicated Organization for Missourians in the 21st Century." Below the header is a navigation menu with links: Registration, Forms/Instructions, Complaint/Inquiry, Filing/Submission, Agenda, Outage/Incident, View Tariff, Public Comments, and Resources. The main content area is titled "Case Filing/Submission Search" and features two search options: "Simple Search" (selected) and "Full Text Search". Below these options are fields for "From Date" and "To Date" (limited to 12 months). A section titled "Select maximum of three criterion" lists several search criteria with checkboxes and dropdown menus: Case No., Testimony Issue, Status, Testimony Sub Issue, Utility Type, Company Name, Type of Case, and Type of Filing. At the bottom of the search area are buttons for "Search", "Clear", and "Exit". The browser's status bar at the bottom indicates "Local intranet".

Step 6 – View the search results.

Step 7 – Select the document you would like to view. Click on the item number link.

Welcome to MPSC - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites History

Address http://pscpr/mpsc/

Missouri Public Service Commission

Informed Consumers. Quality Utility Services and a Dedicated Organization for Missourians in the 21st Century.

Registration Forms/Instructions Complaint/Inquiry Filing/Submission Agenda Outage/Incident View Tariff Public Comments Resources

Welcome

Case Filing/Submission Search Results

HOME
LOGOUT
HELP
PSC INTERNET
CONTACT US
TASK LIST
STAFF ASSIGN

From Date : 05/15/2003 To Date : 05/15/2003
Case No. : [EO-2003-0271](#)

Item No.	Filing Type	Utility Type	Company Name	Type Of Case	Style Of Case
47	Order	Electric	Commission-(All)	Other	Application of U Compa..
48	Other	Electric	AmerenUE-Investor (Electric), Aquila Networks-L&P-Investor (Electric), Aquila Networks-MPS-Investor (Electric), Empire District Electric Company, The-Investor(Electric), Missouri Energy Group-	Other	Application of U Compa..

Local intranet

Click here.

Step 8 – Click on the document link displayed in the pop-up window. You may need to expand the window by clicking and dragging the lower right-hand corner of the pop-up window.

Electronic Document - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites History

Select Document

[Other\(Parent\)](#)

[eo-2003-0271_eqa.pdf \(Public\)](#)

Click here

Missouri Public Service Commission

Existing Case Filing

Case No. EO-2003-0271

Style of Case Application of Union Electric Company for Authority to participate in the Midwest ISO through a contractual relationship with GndAmerica.

Type of Filing/Submission Other

Testimony Issue N/A

Testimony Sub Issue1 N/A

Done Local intranet

CONTACT US 47

TASK LIST 48

STAFF ASSIGN

Inf Azebae Sender

Order	Electric	Commission-(All)	Other
47	Order	Electric	Commission-(All)
48	Other	Electric	AmerenUE-Investor (Electric), Aquila Networks-L&P-Investor (Electric), Aquila Networks-MPS-Investor (Electric), Empire District Electric Company, The-Investor(Electric), Missouri Energy Group-

Style Of Case

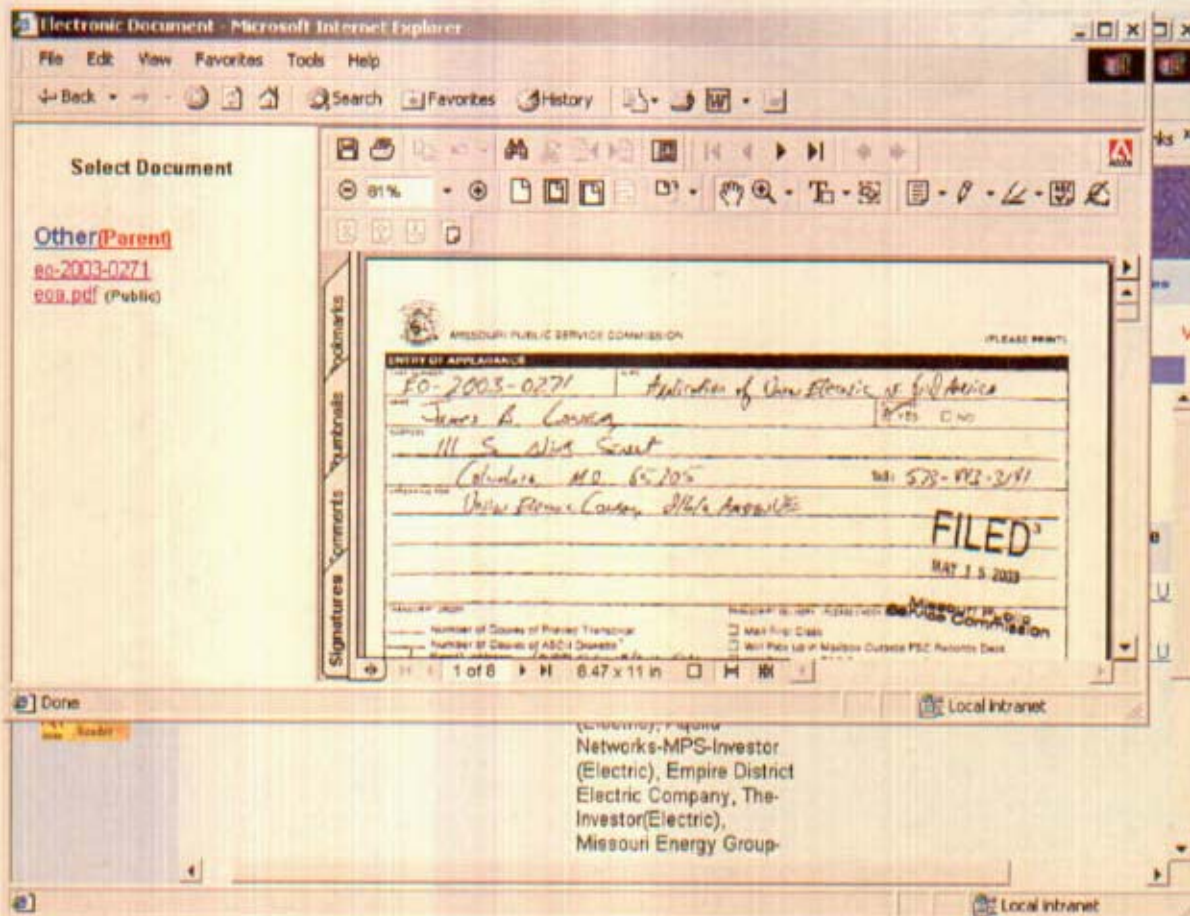
Application of U. Compa...

Application of U. Compa...

Click here to expand window.

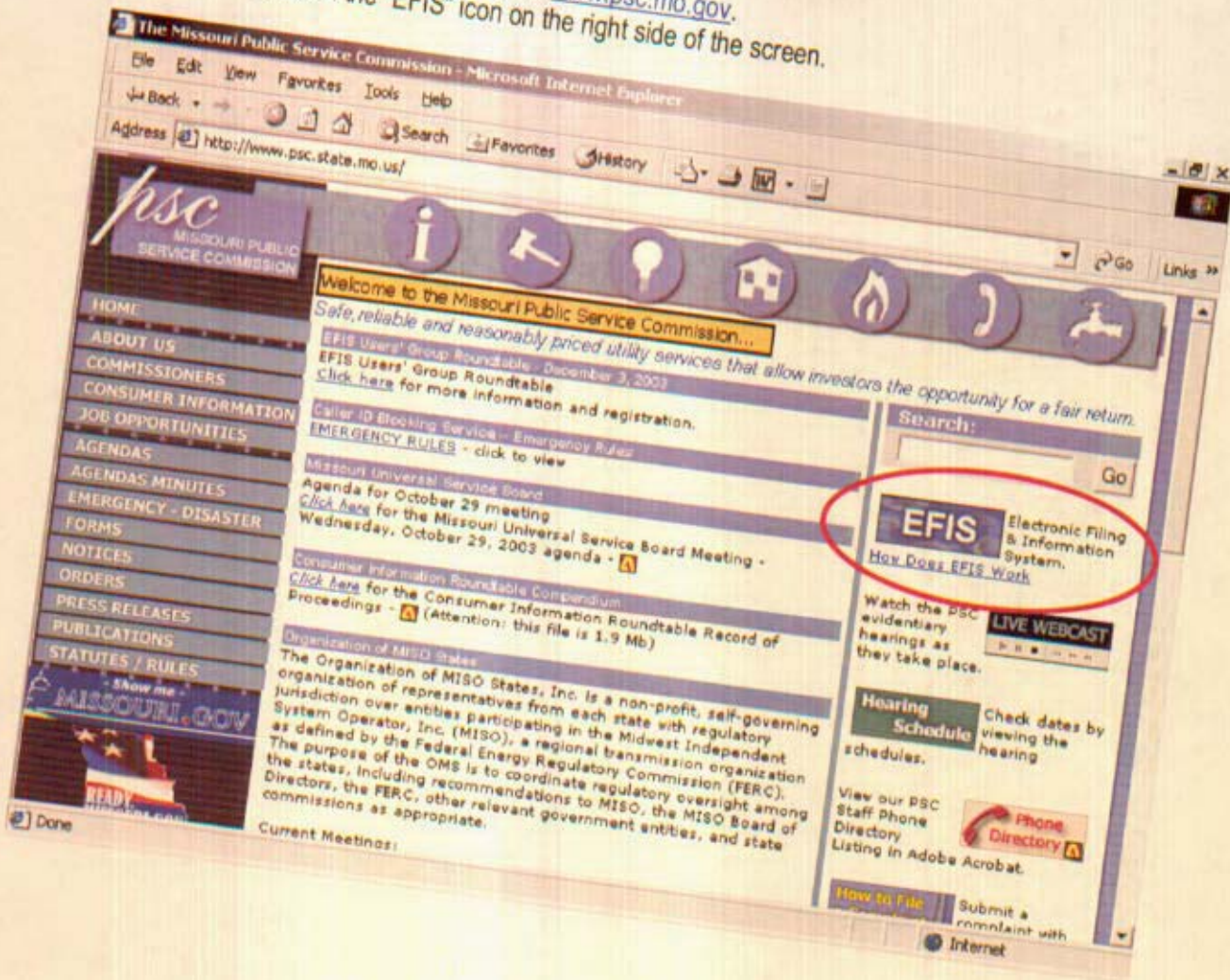
Start M... I... P... W... R... D... RE: Existing Case Filing - Message (HTML) 41 AM

Step 9 – View the document.

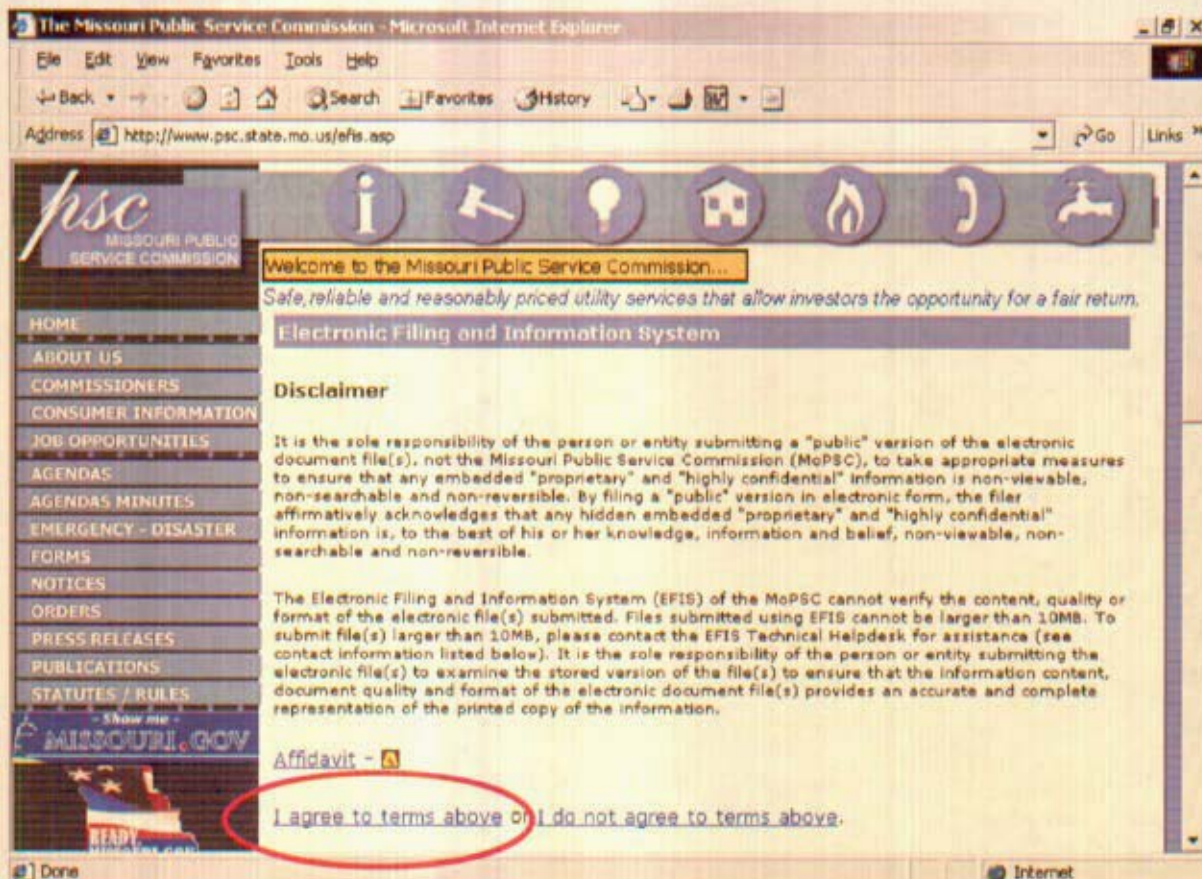


Instructions for Accessing EFIS from the PSC Web Page

- Step 1 - Go to the PSC web page at www.psc.mo.gov.
Step 2 - Click on the "EFIS" icon on the right side of the screen.



Step 3 – EFIS will open to a disclaimer page. Select "I agree to terms above".



Step 4 – EFIS will open to a login screen. It is not necessary to login to research documents. Login is only required when making filings or submissions.

Welcome to MPSC - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites History Print

Address <https://www.efis.psc.state.mo.us/mpsc/> Go Links

Missouri Public Service Commission

Informed Consumers, Quality Utility Services and a Dedicated Organization for Missourians in the 21st Century.

Registration | Forms/Instructions | Complaint/Inquiry | Filing/Submission | Agenda | Outage/Incident | View Tariff | Public Comments | Resources

Welcome

Welcome to the MO PSC - Logon for Electronic Filings/Submissions

- No Login required to view Registration, Forms/Instructions, Complaint/Inquiry, View Tariff, Public Comments, Resources or to access other general EFIS information.
- Login is only required when making Filings/Submissions, Agenda or Outage/Incident filings or submissions.

It is the responsibility of the company/firm to secure their ID number. If the integrity of your ID has been jeopardized, contact the Missouri Public Service Commission immediately.

Company/Firm ID

User ID

Password

Change Logon

Done Internet

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 22nd of March, 2007.**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

March 22, 2007

Case No. GC-2007-0267

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

Laclede Gas Company
Rick Zucker
720 Olive Street
St. Louis, MO 63101

Stanley Lewis
Stanley Lewis
5739 Hamilton
St. Louis, MO 63136

Enclosed find a certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

**Colleen M. Dale
Secretary**