

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Stanley Lewis,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2007-0267</u>
)	
Laclede Gas,)	
)	
Respondent.)	

ORDER DIRECTING FILING

Issue Date: October 18, 2007

Effective Date: October 18, 2007

Stanley Lewis filed a formal complaint against Laclede Gas Company ("Laclede") on January 16, 2007.¹ By order dated October 4, the Commission set the matter for a prehearing conference in Room 305 of the Governor Office Building on Wednesday, October 17, beginning at 2:00 p.m. As permitted by the order, Laclede requested to participate via telephone on October 10. No continuance was secured or requested by any party beforehand, and the conference was convened at the scheduled time. While Laclede and the Office of the Public Counsel appeared via phone and Staff appeared in person, Mr. Lewis did not appear for the prehearing conference, either by telephone or in person.

As the Commission explicitly advised the parties in its October 4 order, Commission Rule 4 CSR 240-2.090(5) states: "Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party

or the party's complaint, application or other action unless good cause for the failure to appear is shown." Furthermore, the order also expressly stated that "the parties are required to be present for the prehearing conference," either in person or by telephone. Since Mr. Lewis failed to appear at the October 17 prehearing conference without previously having requested or secured a continuance, under the plain terms of this Rule, his complaint is subject to dismissal unless he shows "good cause for [his] failure to appear."

As was explained to the parties who were present during the prehearing conference, under these circumstances the Commission normally issues a show cause order. Accordingly, Mr. Lewis will be granted ten days to file a pleading showing good cause for his failure to appear at the conference.

IT IS ORDERED THAT:

1. Stanley Lewis shall file a pleading, by no later than October 29, 2007, showing good cause for his failure to appear, either in person or by telephone, at the prehearing conference that was scheduled to take place in Room 305 of the Governor Office Building on Wednesday, October 17, 2007, beginning at 2:00 p.m.

¹ Unless otherwise specified, all dates in this order refer to the 2007 calendar year.

2. This order shall become effective on October 18, 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 18th day of October, 2007.