

1 hand -- is that called the hand hole plate, do you  
2 know?

3 A: I don't know.

4 Q: And it shows sort of where -- you can see  
5 the little white streaks? You see --

6 A: Yes.

7 Q: -- those little white streaks? And is that  
8 about where the Permagum went in on this meter?

9 MS. SCHRODER: I'm sorry, are you talking  
10 about these?

11 MR. ELBERT: Yes.

12 MS. SCHRODER: Okay.

13 Q: (By Mr. Elbert) Do you see those --

14 MS. SCHRODER: Do you have a better quality  
15 one that we can look at?

16 Q: (By Mr. Elbert) Does that look about where  
17 they were?

18 A: They were both on the right side. As I  
19 looked at the meter, they were both on the right  
20 side.

21 Q: So, you don't know if that's exactly --

22 A: I can't tell by this picture.

23 Q: Do you know how these leaks occurred; in  
24 other words, do you know what caused these holes in  
25 the meter?

1 A: No.

2 Q: You state in your affidavit, I'll refer you  
3 back --

4 A: I can speculate.

5 Q: Okay. Well, I'll listen to your  
6 speculation. And let's just find out if this is  
7 speculation here. If you'll go to Page 3 of your  
8 affidavit, Lines 7 -- 6, 7 and 8, it says, "Upon  
9 inspecting it, I discovered that one of the two  
10 screws used to install the AMR device had penetrated  
11 the meter casing, thus causing the leak."

12 A: That's what I found.

13 Q: Now, are you saying that you know for a fact  
14 that that's what caused the leak, or is that  
15 speculation?

16 A: I -- in my opinion, that caused the leak,  
17 that's where the gas was coming, that's where I  
18 found it, they were leaking.

19 Q: But, you agree that those things that you're  
20 calling screws here in your affidavit were in fact  
21 what I've called bolts, which are flat on the  
22 bottom, not tapered; correct?

23 A: Correct.

24 Q: How could those -- how could those have  
25 penetrated cast iron?

1           A: I think they were tightened up too much that  
2 the bolts may have been of longer threads than --  
3 maybe a little bit longer than needed to be on that  
4 meter, and when you tightened it up, the threads  
5 just keep going and it drilled right into the  
6 casing.

7           Q: So, you think a flat headed bolt could go  
8 through a --

9           A: Yes.

10          Q: -- cast iron casing?

11          A: Right.

12          Q: And it wouldn't strip the threads first, it  
13 would --

14          A: It would go down -- it would push down on  
15 it, put pressure on it and break it.

16          Q: Have you ever seen that happen in your  
17 nearly 30 years of experience at Laclede?

18          A: On that other meter I told you about, that's  
19 what had happened.

20          Q: What other meter?

21          A: The one out at that other address that I  
22 told you about where the gas was coming out of  
23 the -- I would say --

24                MS. SCHRODER: Since you didn't have the  
25 full address, you can go ahead and say which one

1       you're talking about. I think he's trying to be  
2       confidential here.

3               MR. ELBERT: No, he's not.

4               Q: (By Mr. Elbert) What other address?

5               A: That other address out off 100 and -- the  
6       one I told you about on Babler out off 100. You  
7       said have you ever seen it, you know, where the dial  
8       was down.

9               Q: Well, but that one, the screws had been  
10       taken out you testified.

11              A: The screw was out, but the gas was coming  
12       out of the hole the same way this meter was.

13              Q: Okay. But, have you -- but, you did no  
14       investigation of that one at all, did you?

15              A: Just took that meter out, but it was --

16              Q: You took the meter out.

17              A: You know, I'm going to take it out, but the  
18       meter was doing the same thing, it was coming out --  
19       coming out that screw hole.

20              Q: Do you know how the hole was caused at the  
21       one on Babler?

22              A: I don't.

23              Q: Do you know how the hole was caused here at  
24       the one in this building?

25              A: In my opinion, that -- that's why -- how I

1 think it happened. I'm not thinking that this --  
2 somebody ran a drill and drilled a drill hole  
3 through this meter. You'd have to be a fool to  
4 drill -- you know, run a drill over a two-pound  
5 meter.

6 Q: Well, how -- what I'm asking --

7 A: I'm saying that -- I'm thinking that these  
8 things got tightened up somehow, tightened up and  
9 that casing broke underneath it. There's -- I've  
10 already saw on a -- most of -- the biggest meters we  
11 normally are associated with is the 425 meters, are  
12 you familiar with those, 340 --

13 Q: No, I'm not.

14 A: 340. But, they're meters of this size.  
15 Okay? And they have a top plate on them also. And  
16 I've already seen the top plate off that. Okay?  
17 I've seen that already in our shop. There's like a  
18 meter that you can see everything on it, and I've  
19 seen that top plate.

20 And underneath that flat top plate where  
21 these screws go down into it, there's -- on this  
22 meter, I can't say on that one, but on this one for  
23 sure, there's -- there's a little dimple, it's not a  
24 full casing, there's a -- where the screw goes down  
25 in here, there's a little dimple that just goes like

1       that. And that's the only protection that that has  
2       from that gas coming up that screw, and the dimple  
3       is only about like that.

4           Q: Do you remember the width of the bolt? Do  
5       you remember how big that bolt was?

6           MS. SCHRODER: Which bolt are you referring  
7       to?

8           Q: (By Mr. Elbert) The one that he -- the  
9       first set of bolts that you took out. Do you  
10      remember how big they were?

11          A: They were -- they were of that nature. They  
12      were the skinny, long ones.

13          MS. SCHRODER: And could you -- just for the  
14      record, can you specify a little more when you're  
15      pointing to things, because the Court Reporter's not  
16      getting it down?

17          A: Okay. On --

18          Q: (By Mr. Elbert) Well, they're the size of  
19      -- these are, what, about --

20          A: I'd say they were longer than this, but this  
21      size.

22          Q: So, when you're saying "longer than this,"  
23      you're referring to one that's maybe about an inch  
24      and a quarter long, and you say maybe it was an inch  
25      and a half, two inches?

1 A: Yeah, around that.

2 Q: And it's about -- would it be fair to say  
3 that's a quarter inch bolt; is that right --

4 A: I would say around that.

5 Q: -- about a quarter inch bolt? Have you ever  
6 tried to exert enough force on a quarter inch bolt  
7 in the description you're -- what you're describing  
8 here, that you think you could actually, using a  
9 screwdriver, drive it through cast iron?

10 A: I have not done it with hand tools. I  
11 haven't done it with a power tool. I don't use a  
12 power tool when I'm putting screws in meters.

13 Q: But, you actually think somebody could exert  
14 enough force on a quarter inch bolt to drive it  
15 through cast iron?

16 A: I do, if you're using something else.

17 Q: And the second set of bolts that you  
18 referred to were wider you said; is that correct?

19 A: Yes, sir.

20 Q: How -- what were they, about 5/16th's of an  
21 inch would you say?

22 A: I'd say about that.

23 Q: That's a pretty wide bolt, isn't it?

24 A: Yes.

25 Q: So, if it penetrated, it would make a

1 5/16th's inch hole, wouldn't it?

2 A: I have no way of knowing.

3 Q: Well, it's flat on the bottom, isn't it?

4 A: It's flat, yeah.

5 Q: Yeah. So, if it penetrated, wouldn't it  
6 have to make a 5/16th's inch hole?

7 A: It could crack it, it wouldn't have to knock  
8 the whole thing out.

9 Q: Do you have any idea who made the whole in  
10 this meter?

11 A: No. I know who it wasn't, it wasn't me.

12 Q: And I assume you have no idea the amount of  
13 force it would take to create such a -- to penetrate  
14 the meter?

15 A: No, I'm not an engineer.

16 Q: Okay. Are you an officer in the Union?

17 A: No.

18 Q: Are you a shop steward?

19 A: No.

20 Q: How did this incident come to the union's  
21 attention, do you know?

22 A: Yes.

23 Q: How?

24 A: I -- two days -- I think it was two days  
25 after, I worked Sundays, Mike Pona, who is an

1 [This page has been designated as "Confidential."]  
2 officer in the Union, Vice President, was on a --  
3 was on a job. And I was dispatched. I didn't know  
4 he was there, but I was dispatched a job, relight  
5 the -- the home. There was a leak there the night  
6 before. They told -- they sent me out there to  
7 relight the home and get the gas back on out there.

8 Q: Do you know what type of leak that was?

9 A: It must have been a good one, because they  
10 had holes all over. They had three holes, and they  
11 were still out -- that's why the leak truck was  
12 still there, they were still out checking in front  
13 of the house making sure that everything was cleared  
14 from the night before.

15 Q: So, it was an outside leak?

16 A: Yes, sir. And I was dispatched to that job  
17 just to do the relight, and the leak truck was  
18 there. And like I said, Mike's the Vice President  
19 of the Union. I just walked past him, and I told  
20 him, he said, "What's going on?" I said "Oh, not  
21 much," I said, "but" -- I said, "I had a job over at  
22 that W.A.C., that handicapped place over there." He  
23 goes --

24 MR. ELBERT: Excuse me. That's the highly  
25 confidential portion of the record. Just designate

1 it.

2 A: I was over at the job.

3 Q: (By Mr. Elbert) That's okay.

4 MS. SCHRODER: That's all right.

5 A: Because that's the way I said it to him,  
6 about the job. I didn't have anything in writing, I  
7 didn't know the address, I didn't have anything -- I  
8 didn't give him a card and say this is what I had or  
9 anything like that.

10 And I said, "It's over at the job -- over at  
11 that job where those handicapped kids are." Okay?  
12 And he said -- I said, "I had, you know, a two-pound  
13 meter," I said, "where I had gas coming through the  
14 screw holes." And he said, "Really," and I said,  
15 "Yeah, and it was inside."

16 So, I brought it to the attention of the  
17 Union, and that's the last -- last I heard of it. I  
18 never --

19 Q: (By Mr. Elbert) Well, somebody asked you to  
20 sign this affidavit?

21 A: Right, right. And then Mike must have  
22 brought it to the attention of the Union -- other  
23 Union officials and that. And then all part of  
24 the -- you know, the deal with, you know, the Union,  
25 you know, bringing out the different incidents that

1 are happening here, I got a call from -- from Mike  
2 Evans. And Mike --

3 MS. SCHRODER: Okay. And you're not going  
4 to go into the contents of the call with your  
5 attorney.

6 Q: (By Mr. Elbert) No, I don't want to know  
7 what he told you.

8 A: Yeah.

9 Q: Are these -- did you actually write these  
10 words in your affidavit?

11 MS. SCHRODER: Did he type them up?

12 Q: (By Mr. Elbert) No, did you write them, did  
13 you ever -- are these your words where you actually  
14 wrote them out, typed them out?

15 A: You mean physically write them?

16 Q: Yes.

17 A: Oh, no.

18 Q: Did you --

19 A: I gave it --

20 Q: Go ahead. Did you dictate these to  
21 somebody?

22 A: Yes.

23 Q: So, these are your exact words, or did  
24 somebody rewrite these words, your words?

25 A: He's -- I dictated it to him on the phone,

1 so he's writing them down, what I said.

2 Q: Did he ask you questions and you --

3 A: Yes, and then I answered them.

4 Q: Okay. Has the Union told you to look for  
5 AMR devices that are leaking?

6 A: No.

7 Q: Have you ever had any discussion with the  
8 Union regarding AMR devices other than in connection  
9 with your affidavit?

10 A: No. I've not talked to any of the other  
11 officials.

12 Q: Do you have any knowledge of whether hazard  
13 inspections by someone after AMR devices are  
14 installed would improve public safety?

15 MS. SCHRODER: Do you understand what he  
16 means by "hazard inspections"?

17 A: I don't know what would be considered --  
18 what do you consider a hazard inspection, what would  
19 you be checking?

20 Q: (By Mr. Elbert) Let me -- let me start  
21 over. You go out and work on -- fix a meter, fix a  
22 leak in a meter. Okay?

23 A: Yes.

24 Q: Would it be safer if someone came after you  
25 the same day and checked your work?

1 A: Yes.

2 Q: And would it be even safer still if a third  
3 person came along and checked the work of the person  
4 who checked your work?

5 A: Yes.

6 Q: So, the more inspections you have, the safer  
7 it would be; is that right?

8 A: That's the way I look at it.

9 Q: And with regard to Cellnet employees  
10 installing AMR devices, how could they cause a leak  
11 other than drilling through the meter?

12 MS. SCHRODER: Objection, lack of  
13 foundation. He's already said that he doesn't  
14 actually work on the AMR devices, and so he doesn't  
15 know what is causing most of those leaks.

16 Q: (By Mr. Elbert) Well, he doesn't know  
17 what's causing any of the leaks was his testimony I  
18 think; right?

19 A: Because I don't take the -- on this one --  
20 on this one here, I actually had the thing off. On  
21 the other ones, I don't take it off, I don't know  
22 what is causing -- I'm not -- I could tell you what  
23 it was if I took off the front.

24 Q: Well, what you know in the one at the  
25 November 10 incident is that there were holes?

1           A: Right, because I -- that actual device,  
2 being different from the other jobs I'm on where I'm  
3 just taking it out, I actually had the device off  
4 with the superintendent right there watching it.

5           Q: When you worked on an ME device and you  
6 found there was -- you had a leaking meter, and you  
7 had to fix that; right?

8           A: Uh-huh.

9           Q: You had to fix a leaking meter that had an  
10 ME device on it. Would it have been safer, again,  
11 if someone came back and checked your work after you  
12 did it?

13          A: Yes.

14          Q: And why is that?

15          A: It's always safer -- two people on a job,  
16 three people on a job, if you -- the more people you  
17 get out there, the more things you're going to find,  
18 if there's anything -- if there's a problem. If  
19 there isn't a problem, you know, the chances one  
20 person may see something the other person doesn't  
21 see, you know, everybody's different.

22          Q: And you would agree that that's true with  
23 regard to Laclede employees, wouldn't you?

24          A: Yes.

25          Q: So, the fact that a Laclede employee does

1 work on a meter doesn't ensure that the work is  
2 safely done, does it?

3 A: Well, I -- a Laclede employee I consider is  
4 a well-trained serviceman, and we try to do our best  
5 job for the company.

6 Q: Absolutely, and we --

7 A: You know, we're out to, you know, do the  
8 job. Nobody -- I'm not out there to leave leaks, my  
9 job is to repair leaks.

10 Q: Absolutely. And the employees at Laclede  
11 Gas Company do a good job, don't they?

12 A: I feel like we do.

13 Q: Yes. But, they make mistakes, don't they?

14 A: Everybody does.

15 Q: And those mistakes can result in leaks,  
16 can't they?

17 A: Yes.

18 Q: Do you have any knowledge of any injury to  
19 person -- to persons resulting from a leak allegedly  
20 resulting from an AMR device?

21 A: No.

22 Q: Do you have any knowledge of damage to  
23 property --

24 A: No.

25 Q: -- from a -- let me finish my question, from

1 a leak allegedly attributable to installation of an  
2 AMR device?

3 A: No.

4 Q: Do you have any knowledge of injury to  
5 person -- to persons resulting from the installation  
6 of an ME or RE device?

7 A: No.

8 Q: Do you have any knowledge of damage to  
9 property --

10 A: No.

11 Q: -- from -- let me finish my question. Do  
12 you have any knowledge of damage to property  
13 resulting from a leak allegedly attributable to  
14 installation of an ME or RE device?

15 A: No.

16 Q: If you give me just a second, I think I'm  
17 about finished.

18 (A brief recess was taken.)

19 Q: (By Mr. Elbert) I have a couple more  
20 questions. I just want to go back to Exhibit No. 3.

21 MS. SCHRODER: Which one is that, Charles?

22 MR. ELBERT: That's the CIS form.

23 Q: (By Mr. Elbert) And on the back side where  
24 you said you found the 20 percent reading --

25 A: Yes.

1 Q: -- is that 20 percent of LEL, or is that 20  
2 percent in the air?

3 A: It's not in the air, it's 20 percent on a 0  
4 to 100 scale. That meter has LEL, and it has 0 to  
5 100 scale.

6 Q: So, you were --

7 A: On the 0 to 100 scale, yes.

8 Q: Scale, all right. And when you were  
9 standing out -- what does open air mean by the way?  
10 What does it mean, open air, when you're -- in terms  
11 of a gas reading?

12 A: I would say right in this room here, I would  
13 consider an open air reading would be right about in  
14 the middle of this desk here.

15 Q: So, when you're talking about -- the reading  
16 you got was right at the -- essentially, right at  
17 the leak; right?

18 A: Yes.

19 Q: Okay. When you were standing outside for  
20 that 40 minutes while you were waiting for Elgin to  
21 show up, you were talking to the maintenance man,  
22 did he stay there with you the whole time?

23 A: Yes.

24 Q: Was he smoking?

25 A: No.

1 Q: Was anybody smoking there?

2 A: No.

3 Q: What were you talking about with him for 40  
4 minutes?

5 A: Well, he told me he had some handicapped  
6 kid, he's got his -- I asked him what he was doing  
7 working there, he said he works there because he's  
8 got handicapped -- he's got kids that are  
9 handicapped and they work there. He was retired  
10 from MSD I think he said.

11 Q: Okay. He was an older gentleman?

12 A: Yes, sir.

13 Q: Did you ever tell him this was a  
14 particularly dangerous situation?

15 A: No. I don't try and alarm the public when  
16 I'm out on the job.

17 Q: And you referred to blowing gas I believe in  
18 your affidavit?

19 A: Yes.

20 Q: What kind of sound does blowing gas make?

21 A: When you can hear it or feel it.

22 Q: And you could hear --

23 A: Do both.

24 Q: You could do both.

25 MS. SCHRODER: Let him finish his questions,

1 please.

2 Q: (By Mr. Elbert) I have no other questions.

3 MS. SCHRODER: Oh, you didn't get it right  
4 by the time he asked his last question. I'm just  
5 kidding.

6 THE WITNESS: I'm bad.

7 MS. SCHRODER: Robert, do you want to go  
8 next?

9 MR. FRANSON: I think that would be the  
10 logical order.

11 MS. SCHRODER: I do, too.

12 EXAMINATION

13 QUESTIONS BY MR. FRANSON:

14 Q: Mr. Johnson, I'm Robert Franson, I'm an  
15 attorney for the staff of the Public Service  
16 Commission. Good afternoon.

17 A: Good afternoon.

18 Q: You say that you don't -- when you go out on  
19 calls like this, you try not to alarm the public.  
20 Isn't that what you said?

21 A: Yes, sir.

22 Q: Okay. But, you also try to tell the truth  
23 to the public, don't you?

24 A: Yes, sir.

25 Q: And was this maintenance supervisor there

1 when you were on the phone to Elgin, and tell me was  
2 his name Manglang?

3 MS. SCHRODER: Yeah, that's his name.

4 A: I guess that's his name.

5 Q: (By Mr. Franson) Okay. Was he -- was the  
6 maintenance supervisor -- well, let me ask him, when  
7 you called the Superintendent Manglang, did you do  
8 that on a cell phone?

9 A: I did it on a Laclede cell phone.

10 Q: That's a Laclede cell phone issued to you  
11 for your work use?

12 A: Yes, sir.

13 Q: Okay. And is that the device you used to  
14 contact Mr. Manglang?

15 A: Yes, sir.

16 Q: Was the maintenance supervisor there by you  
17 when you made that call?

18 A: Yes, sir.

19 Q: So, is it fair to say the maintenance  
20 supervisor could hear your part of the call?

21 A: Yes, sir.

22 Q: Okay. And now have you ever installed an  
23 AMR device as part of your job?

24 A: Yes, sir, just the -- at Laclede now, the  
25 AMR device comes on the meter already, and I plug in

1 the battery.

2 Q: So, you plugged in a battery, but have you  
3 ever taken a meter without an AMR device and  
4 installed onto that meter an AMR device?

5 A: No, sir.

6 Q: Have you ever received any specific training  
7 on -- where you went to a class and you were  
8 informed, "This is an AMR device, this is the proper  
9 way to install it on a meter"?

10 A: No.

11 Q: So, is it fair to say it's not part of your  
12 normal duties to install AMR devices on meters?

13 A: That would be correct.

14 Q: Okay. Tell me about, to the best of your  
15 ability, the tools that are issued to you and on  
16 your truck when you are doing your job and going out  
17 on service calls.

18 A: You want to know all the tools I have?

19 Q: To the best of your ability, yes.

20 A: I got a whole truck sitting out front there,  
21 it's -- there's like three -- three, four bins full  
22 of them. I carry certain tools in a tray that  
23 Laclede has gave us a list of the different tools  
24 that they pretty much want us to have on us, plugs  
25 in case a lock cock breaks, screwdrivers, 12-inch

1 crescent wrench, 14-inch pipe wrench, 10-inch pipe  
2 wrench, my leak detection equipment, my Ranger.

3 I have a Sensit also, I carry that,  
4 flashlight, and then I have a whole truck out front  
5 out -- no, it's not -- out front with about three  
6 bins full of tools in it, some of the wrenches being  
7 bigger than the ones I carry.

8 I have a battery powered drill out there, I  
9 have a Hilti drill, I have, oh, numerous tools, curb  
10 keys, probe rod for probing. I don't -- without  
11 standing in front of it and pulling it all out of  
12 the truck, it takes all day to do a tool inventory,  
13 I -- I'd have -- we'd be here all day if I named all  
14 the tools.

15 Q: But, does that pretty well cover the general  
16 category of tools?

17 A: Yes.

18 Q: Okay, thank you. Do you have your testimony  
19 in front of you? If not, could either --

20 A: Yes.

21 MS. SCHRODER: He's got it.

22 Q: (By Mr. Franson) Okay. Have you got it  
23 now, Mr. Johnson?

24 A: Yes, sir.

25 Q: Could you turn to Page 4, and when you're

1       there, please tell me.

2           A: I'm here.

3           Q: Please review Lines 1 through 6, and when  
4       you have done that, please let me know.

5           A: Okay, I'm done.

6           Q: Okay. At Line 3, it says, "Laclede service  
7       employees are only equipped with hand screwdrivers."  
8       Do you see that?

9           A: Yes.

10          Q: That wasn't exactly accurate, is it? And  
11       what I mean is you've just told us about all these  
12       other tools you have with you; isn't that correct?

13          A: Yes. Those are -- for the work -- some of  
14       the work I do, those are special issued tools. The  
15       --

16          Q: Okay. And in fact, up in the question at  
17       Line 2, you asked -- well, let's see how you phrased  
18       this. You've got -- well, you did have power tools  
19       available to you on your truck on November 10, 2006  
20       when you went out to this incident that we're  
21       talking about, didn't you?

22          A: Yes, sir.

23          Q: And in fact, you described those just in  
24       some of my earlier questions, in your responses to  
25       some of my earlier questions, didn't you?

1 A: Yes, sir.

2 Q: Okay. And that included power drills,  
3 didn't it?

4 A: Well, it's a battery powered drill, sir.

5 Q: But, it's still a powered --

6 A: Yes.

7 Q: Okay. Thank you. Now, you testified that  
8 when you were on the phone to the supervisor, who I  
9 believe it was Superintendent Manglang, you were  
10 instructed by the -- by the superintendent to see if  
11 the maintenance man would be okay with turning off  
12 the gas for the weekend; is that correct?

13 A: That's correct.

14 Q: And what was the response of the maintenance  
15 man?

16 A: The maintenance man said -- he says, "Oh,"  
17 he says, "no, it's your job to fix that meter," he  
18 said, "you're not turning off the gas here." He  
19 said, "You need to get somebody out here to fix  
20 this," he said, "or," he said, "my boss," I guess  
21 she's over the building, "is like a direct hotline  
22 to Channel 2 news, and you aren't going to want them  
23 out here," something to that effect, something with  
24 the news media. And --

25 Q: Did you -- I'm sorry, go ahead.

1           A: That's what he said, he said, "No, we're  
2 going to get this fixed today."

3           Q: Did you relay that exact information,  
4 including the Channel 2 reference, to the  
5 superintendent on the phone?

6           A: Yes.

7           Q: What is Channel 2, I mean is it a television  
8 station?

9           A: Yes.

10          Q: And is that the same channel that has done  
11 some reports for the -- about AMR installations in  
12 the St. Louis area, or do you know?

13          A: I don't think so. I think -- I think that's  
14 Channel 5.

15          Q: Okay. Now, I think there was some questions  
16 about your testimony. Did you actually sit down and  
17 write all the questions and answers yourself?

18          A: No.

19          Q: Did you talk with someone about those  
20 questions and answers?

21          A: No.

22                MS. SCHRODER: No, you didn't talk to  
23 somebody about the questions and answers?

24                THE WITNESS: Oh. No, I -- I answered the  
25 questions that -- that Mike directed to me over the

1 phone.

2 Q: (By Mr. Franson) So, is it your testimony  
3 that Mr. Evans wrote these questions?

4 MS. SCHRODER: Objection, I don't think --

5 A: I don't know who wrote them.

6 MS. SCHRODER: I'm sorry. Objection on two  
7 grounds. First of all, are you trying to get into  
8 attorney/client, or are you -- well --

9 MR. FRANSON: I don't think the identity of  
10 the person who wrote the questions -- and by the  
11 way, if we're going to carry out this discussion,  
12 that's fine, I'll be happy to, but Mr. Johnson  
13 really should be outside the room, and I would  
14 hereby request that he step out for our discussion.

15 MS. SCHRODER: Well, the second objection  
16 would be that you're assuming he knows, and I think  
17 that that is -- that there's a lack of foundation  
18 about whether he knows about the questions.

19 MR. FRANSON: Okay. The question is: Who  
20 wrote the questions, and I'm not asking --

21 MS. SCHRODER: If you know, answer it.

22 MR. FRANSON: And that I don't believe is  
23 attorney/client. He's here with a product  
24 representing it, it is his testimony, and I believe  
25 I'm entitled to ask who wrote the questions. Now,

1 if you think that in --

2 MS. SCHRODER: Robert, let him answer the  
3 question.

4 MR. FRANSON: Okay. I thought you were  
5 going to tell him not to. Let's go.

6 A: I do not know.

7 Q: (By Mr. Franson) Did you write the  
8 questions?

9 A: No.

10 Q: Did you see -- at some point, you signed  
11 your affidavit; correct?

12 A: Yes, sir.

13 Q: Okay. Did you see the questions and the  
14 answers at that time?

15 A: Yes.

16 Q: And you reviewed them; correct?

17 A: Yes, sir.

18 Q: And you had -- but, you didn't type up the  
19 document yourself, including the questions and  
20 answers; correct?

21 A: That's correct.

22 Q: But, when you looked at the document as a  
23 whole, do you believe it was an accurate  
24 representation of your testimony about this  
25 incident; is that correct?

1 A: That's correct, sir.

2 Q: But, this Channel 2 reference that you've  
3 testified about wasn't in there; correct?

4 A: That's correct.

5 Q: Why not?

6 A: I didn't feel -- you know, they weren't  
7 called and nothing happened, we took care of the  
8 job. I didn't -- I didn't -- it never even got to  
9 that. I never -- you know, I didn't want it to get  
10 to that, I don't want news media around. I didn't  
11 figure -- I didn't figure I needed to put that in  
12 there. I wasn't expecting all this.

13 Q: Okay. Now, there was also some questions  
14 about who -- after November 10 -- well, let me ask  
15 you, other than the superintendent that you talked  
16 to and the people out there at this incident, on  
17 November 10th, did you talk to anyone else about  
18 this incident?

19 A: On the -- the 10th, that's when it happened.

20 Q: On the same day, November 10th, 2006 that it  
21 occurred?

22 A: No.

23 Q: Sometime after that, did you talk to anyone  
24 at your Union about this incident?

25 A: Other than what I testified about Mike Pona

1 two days later, that's the only contact I've had  
2 with any person associated with our Union.

3 Q: And you talked --

4 A: Until this. Pardon me?

5 Q: Did you say at some point you talked to  
6 Mr. Evans about this matter?

7 A: Yes.

8 Q: And that was two days afterward?

9 A: No.

10 MS. SCHRODER: No.

11 A: That was a long time after.

12 Q: (By Mr. Franson) Okay. I don't -- I don't  
13 believe I have any further questions.

14 MS. SCHRODER: All right. Now, I don't  
15 know, with the PSC, would he go next again, or would  
16 I go first and then Charles?

17 MR. ZUCKER: Well, here, you can --

18 MR. ELBERT: You can --

19 MS. SCHRODER: We can just do it the normal  
20 way? All right. I mean we can do it the way we  
21 want, whatever. Okay. I'll go ahead and go then  
22 now.

23 EXAMINATION

24 QUESTIONS BY MS. SCHRODER:

25 Q: Mr. Johnson, I want to go back through some

1 questions that Mr. Elbert asked you first. He asked  
2 you early on about some background information,  
3 whether you had had any awards or anything. This  
4 may not be an award, but did the company ever try to  
5 promote you into management?

6 A: Yes.

7 Q: Can you tell me approximately when that  
8 happened?

9 A: Well, it was '80 -- '82, '82, around that  
10 area, around that time, they upgraded me to a  
11 foreman.

12 Q: And did you continue in that position?

13 A: For about 30 days.

14 Q: And then why did you cease that position?

15 A: It -- it just was something I didn't really  
16 think I was going to like anything like that, it  
17 seemed like it was more paperwork, and I'm more  
18 hands-on.

19 Q: So, the company didn't demote you?

20 A: No.

21 Q: All right. And at the time that you were  
22 promoted, were you told why you were being promoted?

23 A: They --

24 MR. ELBERT: I'm going to object to the  
25 characterization of it as a promotion, because I

1 don't think that's accurate under the Collective  
2 Bargaining Agreement. I think those are temporary  
3 upgrades for 30 days, that's not a promotion, and  
4 any reference to it is improper. But, subject to  
5 that.

6 Q: (By Ms. Schroder) Well, let's back up a  
7 minute. Was this a temporary upgrade?

8 A: They're longer than 30 days. You can go  
9 almost to six months if you wanted to do it. In  
10 fact, they asked me --

11 Q: No, that's -- you've answered my question.  
12 Did the company want you to continue in that  
13 position after the 30 days?

14 MR. ELBERT: Object, calls for speculation.

15 Q: (By Ms. Schroder) Did the company tell you  
16 they wanted you to --

17 A: Yes.

18 Q: -- continue in that position after -- please  
19 let me finish my question. Did the company tell you  
20 that they wanted you to continue in the working  
21 foreman position after 30 days?

22 A: Yes.

23 Q: All right. And did the company tell you why  
24 they were upgrading you to foreman?

25 A: At the time, I was a first special adjust, I

1 had been the special adjust classification. I was  
2 the first one, I was a parts man, I was working on  
3 parts. My foreman at the time was Mel Mattern. He  
4 said that he thinks I could make a good foreman, I  
5 was young, and if I stuck with it, you know, I could  
6 work my way on up to superintendent. And if  
7 everything went right, he thought I would be a good  
8 candidate for it.

9 Q: Has the company ever asked you to do any  
10 training for Service Department employees?

11 A: Yes.

12 Q: Did you do that?

13 A: Yes.

14 Q: When was that?

15 A: As soon as I got the special adjust  
16 classification, it was -- I started training up at  
17 the school, there's a training school, and I work  
18 with the different training supervisors. I work  
19 with a Paul Galen, I work with Jim Cooper, and I  
20 work with Glen Henry, they were all training  
21 supervisors. I pretty much handled the service end  
22 of the training working on the ranges, furnaces,  
23 showing how to install motors, blowers, all the  
24 different controls.

25 Q: For how long?

1 A: It went on for about five years.

2 Q: All right. Did you provide training to any  
3 of the current management staff of the --

4 A: Yes.

5 Q: -- SAID Department?

6 A: Yes.

7 Q: Can you -- what kind of training did you  
8 give them?

9 A: Well, if they were -- if they were in the  
10 class, you know, they would be going through the  
11 special adjust end of it on the service, and it was  
12 pretty much just on all the appliances. We had a  
13 room in the back up at the school that had ranges,  
14 dryers and furnaces, all different kinds to where  
15 you could get some hands-on training.

16 Q: All right. You also answered some questions  
17 from Mr. Elbert about the type of work you did, and  
18 you said that at times, you were assigned to work on  
19 the dispatch board and at times you weren't. And I  
20 think -- is the dispatch board the emergency calls  
21 you talked about?

22 A: That's where they come, they come from  
23 there, yes.

24 Q: All right. Approximately how long -- was  
25 there a time period when you were assigned primarily

1 to the emergency calls?

2 A: No. They -- you don't know what you're  
3 doing till you get in that day.

4 Q: Have -- okay. Have you always handled  
5 emergency calls?

6 A: Yes.

7 Q: So, basically, for the last 27 plus years?

8 A: Yes. You know, nights, I've -- I had 13  
9 years of nights where I ran them almost all the  
10 time.

11 Q: Thirteen years of night shift?

12 A: Yes.

13 Q: You also said, and I was very confused about  
14 this, something in response to Mr. Elbert's  
15 questioning about being a seasonal employee. Do you  
16 only work from October to March?

17 A: On Sundays. We have seasonal bids where  
18 they put extra employees on, because the workload  
19 increases during the winter on the weekends, and  
20 they put two, three extra guys on my district to  
21 cover the Sundays.

22 Q: All right. And how long have you been  
23 working the Sunday shift from October to March?

24 A: I've -- I've done it before when I was -- I  
25 did it for about five or six years when I was a

1 special adjust classification, and I just signed it  
2 this year. So, I've only been doing it, you know,  
3 three months, four months.

4 Q: So, five to six years earlier and then again  
5 this year?

6 A: Yes.

7 Q: Plus 13 years when you worked nights and  
8 were pretty much assigned constantly to emergencies;  
9 is that right?

10 A: That's when I worked the board the whole  
11 time.

12 Q: And I believe you told Mr. Elbert, did you  
13 say that all the Sunday work is board work, dispatch  
14 board?

15 A: Yes.

16 Q: Prior to this November 10th incident, had  
17 you ever met Elgin Manglang?

18 A: No.

19 Q: Mr. Elbert asked you some questions about  
20 investigating leaks from ME devices and RE devices.  
21 When you were -- when you would -- well, first of  
22 all, how many years have ME devices been on Laclede  
23 meters to your knowledge?

24 A: That was the first one. I doubt there's any  
25 of them out there now. About how long?

1 Q: Yeah. How long were they out in the field?

2 A: They were -- they were here when I got here,  
3 you know, in '79, and they were on the meters then.

4 Q: And had all of the ME devices -- no, strike  
5 that. When you would find a leak on a meter that  
6 had an ME device and the leak seemed to be in the  
7 vicinity of the ME device, was -- did that occur  
8 close in time to when the ME device was installed?

9 A: I -- I can't say, I don't -- I don't know,  
10 because I don't know when it was installed. I don't  
11 know when it started.

12 Q: So, you wouldn't get that information?

13 A: They were in when I -- when I started.

14 Q: All right. Well, if they were already in  
15 when you started --

16 A: It was -- it would just be running leak  
17 calls, you know, at them. You know, they were  
18 already in there.

19 Q: Okay. Did the RE devices go in after you  
20 started?

21 A: Yes.

22 Q: When you were receiving leak calls for leaks  
23 that were near an RE device, were those calls coming  
24 shortly after those RE devices had been installed?

25 A: I'd say yes, that would be fair.

1 Q: You've also answered some questions about  
2 how many AMR meters or -- yeah, AMR meter leak calls  
3 you might have been getting, et cetera. Is there  
4 any reason that you would have a better recollection  
5 of the average number of AMR meters that you might  
6 be getting leak calls on than you would about ME and  
7 RE meters?

8 A: Well, being as it just happened for one, and  
9 -- I think it was the -- the dial being taken off  
10 and the AMR being put on and actually these vent  
11 holes, that it left -- we may have had something  
12 there leaking on that gear, and this -- when the  
13 device was put on, it gave it a way to vent and show  
14 up.

15 Q: The AMR device did?

16 A: Yes.

17 Q: All right. In your experience, does it  
18 appear that you're seeing more leaks pertaining to  
19 AMR devices than you did with the RE and the ME  
20 devices when they were in the field?

21 MR. ELBERT: I'm going to object on the same  
22 grounds that you were objecting, that just calls for  
23 pure speculation.

24 MS. SCHRODER: Well, you got to ask him,  
25 so...

1 MR. ELBERT: Yeah. Well, that's why I asked  
2 whether you were going to object to speculation with  
3 regard to your own questions.

4 A: Yeah, I would have.

5 MR. FRANSON: Well, Sherrie, you've got to  
6 object to your own question as speculation.

7 A: Yeah, that's what I -- you know, I --

8 Q: (By Ms. Schroder) I mean if you don't know  
9 the answer --

10 A: Yeah, I really can't answer.

11 Q: Okay. And you also told -- you told  
12 Mr. Elbert at some point that you don't take off the  
13 AMR device, that you did with the ME devices and the  
14 RE devices when there was a leak, but you don't with  
15 the AMR device. Why is that?

16 A: That's what we were instructed to do, we  
17 were instructed to -- you know, there's going to be  
18 no -- before, we could change the meter out and put  
19 the RE back on. In other words, I took the RE  
20 off -- if I had a leaking meter, I could take the RE  
21 device off and I could put -- just take the dial off  
22 the new meter that I'm going to put on and install  
23 the RE on there, put that meter actually on the  
24 meter.

25 So, the same -- you know, it would be

1 staying there, I could switch it, you know. And  
2 this one here, they -- they -- we'd get new meters  
3 in, they're all on it, you just take it out and do  
4 it, you know.

5 Q: But, the reason you're not taking them off  
6 is because Laclede has told you not to?

7 A: Not to take -- not to take the -- we're not  
8 to touch anything but the battery.

9 Q: You talked to Mr. Elbert about some of these  
10 leaks from I think the MEs and the REs coming from  
11 seals that had worn out. Do you remember that?

12 A: Yes.

13 Q: With the leaks that you're seeing, the AMR  
14 leaks that you're seeing, are those occurring -- can  
15 you tell from how quickly they're occurring -- no,  
16 strike that. With the leaks that you're seeing on  
17 AMR -- on meters with AMRs, in and around the AMR,  
18 are those occurring soon after installation?

19 A: Yes.

20 Q: Would you expect in your experience from  
21 working with these gaskets and seals for 27 plus  
22 years, would you expect a seal to break under normal  
23 wear and tear that quickly after an AMR device has  
24 been installed?

25 A: I wouldn't necessarily say that I think it's

1 showing up. The seal -- the seal may -- there may  
2 be a problem with the seal, and then when a device  
3 is put on there with these vent holes, it's actually  
4 bringing it to the attention of the customer and the  
5 service guys quicker, because it's not a sealed  
6 plate on the front -- a sealed dial glass on there  
7 anymore, it's a -- there's a place for this to vent,  
8 and it's just coming to the attention of the  
9 customers.

10 Q: So, because there's not a seal on the front  
11 anymore, is -- strike that. Mr. Elbert asked you  
12 about whether you had ever investigated leaks where  
13 a Laclede employee -- where you thought that a  
14 Laclede employee might possibly have caused the  
15 leak. Can you give me, you know, some idea of how  
16 many, and I'm just talking about a range here, of  
17 how many leaks that you've investigated in 27 years,  
18 I mean are we talking about 10, 100, thousands, do  
19 you have any idea?

20 A: Where it was a Laclede employee?

21 Q: No, no, no. No, I'm just talking about  
22 leaks that you've -- how many leaks total you've  
23 investigated, just some range?

24 A: Oh. I can't even imagine how many. There  
25 are a whole lot. It would be over -- you're talking

1 [This page has been designated as "Confidential."]  
2 about a lot of leak calls.

3 Q: And when you were on the emergency board,  
4 how many were you saying you were running a day  
5 approximately?

6 A: Five to six at least.

7 Q: So, for at least 13 years at five to six a  
8 day, and you work five days a week?

9 A: Yes, sometimes six.

10 Q: Five to six days a week, okay. Let's talk  
11 for a minute about the November 10th incident. Who  
12 called that leak in to dispatch?

13 MR. ELBERT: Objection, no foundation, calls  
14 for speculation.

15 Q: (By Ms. Schroder) Do you get paperwork that  
16 indicates?

17 A: No, I -- I just get the call from the  
18 dispatcher saying that -- telling me where to go and  
19 who to see.

20 Q: You didn't call it in, did you?

21 A: No.

22 Q: Did anybody at W.A.C. Industries indicate to  
23 you how that -- how that had gotten called to  
24 dispatch?

25 MR. FRANSON: You just used the words. We

1 may want to designate this particular question as  
2 highly confidential.

3 MS. SCHRODER: All right. I messed that up,  
4 sorry.

5 A: The -- the maintenance -- I was told on my  
6 sheet that see Mike in maintenance, that's what  
7 Laclede's special instructions told me.

8 Q: (By Ms. Schroder) Did that -- well, okay.  
9 Mr. Elbert asked you about the seriousness of the  
10 situation on November 10th, and I think you had  
11 indicated earlier that this occurred -- that you  
12 were out there on a Friday; is that right?

13 A: Yes.

14 Q: If this situation hadn't been called in on  
15 Friday and hadn't been taken care of on Friday, what  
16 would your concerns have been with it over the  
17 weekend?

18 A: It wasn't going to fix itself, and I don't  
19 know what -- what would have happened.

20 Q: Well, you indicated that this was -- it was  
21 an inside meter; right?

22 A: Yes.

23 Q: In a confined area, I mean what would -- can  
24 you give me some idea from based on your experience  
25 what you would expect to happen with a leak on a two

1       -- of the leak that you found on a two-pound meter  
2       set in a confined -- in that particular confined  
3       area?

4               MR. ELBERT: Objection, calls for  
5       speculation. The Witness has already testified as  
6       to the facts, there was not even any gas in the open  
7       air.

8               MS. SCHRODER: I'm asking about his  
9       experience.

10              MR. ELBERT: Well, but we have facts.

11              Q: (By Ms. Schroder) You may answer.

12              A: I -- I really don't -- I don't know what  
13       would have happened on it. It probably -- you know,  
14       speculating what would have happened, all I know is  
15       I had a two-pound meter leaking, a two-pound meter  
16       leaking, and I did have an odor when I hit the door.  
17       If the place is closed up, I -- I've got no ways of  
18       telling what would have happened, I don't know.

19              Q: Well, in your experience, what happens with  
20       a gas leak in a confined area if it's not --

21              MR. ELBERT: Asked and answered.

22              MS. SCHRODER: No, this is a different  
23       question.

24              Q: (By Ms. Schroder) What happens with a gas  
25       leak in a confined area if it's not vented?

1 MR. ELBERT: Objection, calls for  
2 speculation, doesn't lay a foundation.

3 Q: (By Ms. Schroder) You can answer.

4 A: The -- if you have a problem, you get a big  
5 buildup, you would get into this range. We talked  
6 about this one to -- it's really four and a half to  
7 14 percent. Laclede says -- says one percent we're  
8 going to get there. If you get into this four and a  
9 half to 14 percent range and conditions get right,  
10 ignition sources, there's a boiler right there,  
11 there's pilots, water heaters, anything that --

12 Q: Okay. Let's back up for a minute. Would  
13 gas build up?

14 A: Well, gas is leaking inside, and it's going  
15 to stay in there until it's vented.

16 Q: So, is it going to build up?

17 MR. ELBERT: Objection, this is just  
18 speculation. I mean it depends on all sorts of  
19 facts. How can you possibly -- half these questions  
20 don't -- go ahead.

21 MS. SCHRODER: Thank you.

22 MR. ELBERT: You're welcome.

23 Q: (By Ms. Schroder) All right. So --

24 MR. ELBERT: We're going to waste a lot of  
25 time on this. If you want to get into the

1 details -- you have to have a whole set of facts.  
2 You can't just say if gas builds up in a confined  
3 space.

4 MS. SCHRODER: Are you done?

5 MR. ELBERT: Actually, I'm not, but go  
6 ahead.

7 Q: (By Ms. Schroder) All right. So, you  
8 talked to Mr. Elbert about the fact that you thought  
9 the situation was serious because a two-pound set,  
10 large iron, case meter, and confined area. You also  
11 had mentioned something about the boiler being  
12 there.

13 Was -- were you concerned about -- strike  
14 that. Was there reason to believe that this was a  
15 serious leak even though there wasn't an open air  
16 reading? Strike that, it doesn't matter.

17 Let me ask you something. Did the -- the  
18 maintenance person that met you at this November  
19 10th incident, did he indicate whether he had done  
20 anything already to vent the area?

21 A: I know he didn't have the bottom doors open.  
22 He may have had the other door open up top. It was  
23 closed when I got there.

24 Q: Had he been in and out of there at least  
25 once that day?

1           A: He said he was down there, and that's when  
2 he found it. He says he goes down twice a day, it's  
3 a steam boiler, and he goes down and he blows --  
4 blows the steam -- or you've got a valve you've got  
5 to turn off and on and get the impurities and that  
6 out of the boiler. And he goes down, and he blows  
7 it down twice a day, and he had been down there that  
8 morning.

9           Q: All right. So, would that have reduced the  
10 reading in the room?

11          A: There's a chance.

12          Q: How high was the ceiling in this basement  
13 area?

14          A: I'm 6'1". That probe I have on my Ranger is  
15 about another two and a half, three foot or so. I  
16 was raising that up, and I didn't hit the ceiling,  
17 it's a -- like a step down like a boiler area. I'd  
18 say maybe 13 foot, 14 foot, I don't know, 15 foot  
19 ceiling.

20          Q: And where would you expect your best open  
21 air reading to come from in a room like that?

22          A: Well, natural gas is lighter in air, so  
23 you're going to have your -- your buildup up high  
24 first up in the -- a high area, and then it would --  
25 concentrations would work themselves down.

1 Q: So, were you able to get a reading -- were  
2 you able to get a reading that reflected the highest  
3 concentration of gas in that room on November 10th?

4 A: Well, when I hit that doorway, you're at the  
5 highest point when the door opens, so you're going  
6 in -- when you're going into a basement, that's  
7 pretty much where you're at. If you get a reading  
8 when you're hitting that basement door, you're at  
9 the highest point of that basement pretty much, and  
10 it wasn't in the explosive range right then when I  
11 opened that door.

12 Q: All right. I want to direct your attention  
13 to your testimony, I think that's Exhibit 3. Do you  
14 have that? I'm sorry, Exhibit 2.

15 A: Two?

16 Q: Yes. Okay. You signed this testimony on  
17 January 4th, 2007; is that right?

18 A: Yes.

19 Q: Was your recollection of this incident  
20 clearer at that time or now?

21 A: Well, it was clearer then.

22 Q: And when you were recounting --

23 A: Plus my nerves.

24 Q: When you were -- well, was you -- I'm sorry,  
25 when you were at the situation on November 10th,

1 were you particularly concerned about remembering  
2 how long Mr. Manglang said he was going to take or  
3 whether he said he was going to take a particular  
4 length of time to get there?

5 A: No. I just pretty much knew that we were  
6 talking about -- talking about that time limit, and  
7 pretty much that's what it was.

8 Q: And when you were answering questions that  
9 became your testimony, were you trying to have your  
10 testimony reflect a verbatim picture -- or I'm  
11 sorry, first of all, a verbatim discussion of every  
12 word that you said?

13 A: No.

14 Q: You were -- how long were you at this site  
15 on November 10th?

16 A: I arrived there at 9:25, and I completed the  
17 job at 12:00.

18 Q: Does your testimony reflect every movement  
19 that you made during -- your written testimony  
20 that's Exhibit 2, every movement that you made  
21 during that time?

22 A: No.

23 Q: I want to direct your attention now to Page  
24 4 of your testimony, that portion that Mr. Franson  
25 asked you about about the hand tools and power

1 tools.

2 A: Yes.

3 Q: What did you mean by that on Lines 1 and 2?  
4 I think it was Lines 1 and 2. I'm sorry, Lines 3  
5 and 4?

6 A: All I meant was I don't -- I don't carry a  
7 cart with -- the tools that I carry are hand  
8 screwdrivers. I don't walk into jobs with power  
9 screwdrivers or Hiltis or anything like that. The  
10 only time I get my battery powered screwdriver out  
11 or my Hilti is when I need it on a job that warrants  
12 it; otherwise, it sits in that truck.

13 They're both in pretty good size cases. You  
14 couldn't put them in a toolbox if you wanted to.  
15 They're -- they have their own case, each one has  
16 its own case, and if it warrants using a Hilti, I'd  
17 bring a Hilti in. If it warrants me using my -- if  
18 I'm going to put some vent pipe on a furnace and I  
19 need to put some zip screws in, I'll use my hand  
20 battery operated one, because I don't need an  
21 extension cord or anything like that with it.

22 So, that's why I would -- that's the only  
23 time I would have those with me, when I needed them  
24 on a -- mostly, it's a service job.

25 Q: What's a Hilti?

1           A: A Hilti's a -- we use that for -- it's a  
2 hammer drill, you can either hammer with it, it can  
3 go through concrete, and -- or I can use it as  
4 pretty much a regular drill for just -- but, it's  
5 kind of bulky, so you wouldn't want to use it --

6           Q: Have you ever used a Hilti on a meter?

7           A: Oh, no.

8           Q: Have you ever used a power tool of any sort  
9 on a meter?

10          A: No.

11          Q: Not even when you were installing MEs and  
12 REs?

13          A: No, I only just use hand screwdrivers.

14          Q: All right. Can you imagine -- well, going  
15 back again to this November 10th incident,  
16 Mr. Elbert asked you if you could -- if you thought  
17 enough force could be applied to push this screw or  
18 bolt, either the quarter inch or the 5/16th's bolt,  
19 through the iron casing, and you said that you did.  
20 How would you think that would be done, how do you  
21 think enough force could be applied?

22          A: Well, I think you could -- if a -- if a guy  
23 was -- you know, I don't consider myself weak, but  
24 if a guy was stronger -- stronger than me and if  
25 he's got a lot of torque in his arms or, you know,

1 whatever, powerful guy; otherwise, you know, battery  
2 powered screwdrivers and different things, they got  
3 a lot more torque than -- than I do.

4 Q: And are you familiar with -- well, you're  
5 familiar with the training that Laclede gives to its  
6 Service Department employees about working around  
7 meters; right?

8 A: Yes.

9 Q: Does Laclede ever advocate using power tools  
10 around a meter?

11 A: No.

12 Q: Are you aware of any Service Department  
13 employee who would use a power tool around a meter?

14 MR. ELBERT: Calls for speculation,  
15 objection.

16 Q: (By Ms. Schroder) In your experience with  
17 your fellow co-workers --

18 A: We use no electric drill. You don't want  
19 electric around gas.

20 Q: Back again to this November 10th incident,  
21 do you -- I'm sorry. Let's make sure that I'm  
22 pretty clear on this -- on where these holes were,  
23 first of all, that you found on the meter casing.

24 You talked about a regulator being above the  
25 meter casing, and it's in the picture, Exhibit 5,

1 covering one side of the meter casing, and which  
2 side of that as you were --

3 A: That was the left side.

4 Q: Did you find either of the two holes on the  
5 left side of the meter?

6 A: No.

7 Q: Where did you --

8 A: They were both -- I'm sorry.

9 Q: Where did you find those two holes  
10 basically, were they parallel to --

11 A: They were both on the right side. They were  
12 --

13 Q: Where were they in relation to the actual  
14 AMR device?

15 A: One holding the dial down, the two-pound  
16 dial, and one holding the cover, the plastic cover  
17 for the AMR device.

18 Q: All right. Prior to installation of an AMR  
19 device, would there have been any reason for anybody  
20 to put a screw where that -- to hold that cover on?

21 MR. ELBERT: Objection, leading, calls for  
22 speculation.

23 Q: (By Ms. Schroder) You can answer.

24 A: I'm not real familiar with where the screws  
25 go on that, because I've never installed it, but --

1       you know.

2           Q: Okay. I'm not asking you about -- I'm  
3       sorry, I'm not asking you about you installing an  
4       AMR device. Are you familiar with where the dial  
5       would have been on an industrial meter prior to an  
6       AMR device?

7           A: Yes.

8           Q: And where would it have been?

9           A: The dial -- the meter dial itself would have  
10      been in the same place. There would have been a  
11      cover over the top of it, a steel cover with some  
12      screws holding it down and a seal.

13          Q: And would those screws -- to your knowledge,  
14      would those screws be in the same place that those  
15      screws are after an AMR device is installed?

16          A: I don't know.

17          Q: Do you understand my question?

18          A: I don't know -- I don't know where the -- if  
19      the screws went in the same holes or not, I don't --  
20      I don't know if they did or not, as far as that new  
21      one went.

22          Q: If the holes had been -- the holes that you  
23      found on November 10th had been there prior to the  
24      AMR device going on, would there have been a gas  
25      leak -- would there have been a gas odor prior to

1 that time?

2 MR. ELBERT: Objection, calls for  
3 speculation, leading.

4 A: Yes.

5 Q: (By Ms. Schroder) How do you know that?

6 A: That -- that meter is a two-pound meter, it  
7 doesn't take -- that's a two-pound set. It doesn't  
8 take much of a leak at all to get an odor on that  
9 meter set.

10 Q: All right. Did the maintenance person that  
11 met you on November 10th from that business indicate  
12 to you when he first smelled the odor of gas?

13 A: Yes. He said he smelt it that day. He said  
14 he -- the --

15 Q: On November 10th?

16 A: Yes. He smelt it on November 10th. He said  
17 he -- he didn't go down after the -- the AMR was  
18 installed the day before, and he got busy, he was  
19 doing something else. He didn't go down that night  
20 to the boiler, so he was on his run to go down to  
21 the boiler the next morning when he smelt it.

22 Q: All right. Does the information that you  
23 know about -- does -- okay. You know then how  
24 quickly a gas odor would have appeared after those  
25 holes have been made, and you know when the

1 maintenance man first discovered the leak, and you  
2 know that some work had been done the day before.  
3 Does that information cause you in your experience  
4 to draw some conclusions about what caused this gas  
5 leak?

6 A: Yes.

7 MR. ELBERT: I'm going to object, misstates  
8 the testimony, leading, calls for speculation.

9 Q: (By Ms. Schroder) Go on.

10 A: All I can -- I can go by what the  
11 maintenance man told me, he said that they did not  
12 smell any gas, there was not any gas odor in that --  
13 in that room. He even said it to me when we were  
14 walking down there, he said, "I didn't smell it  
15 until that AMR was -- a guy came out," or whatever  
16 -- the meter guy came out and put the reader on he  
17 said.

18 And all I can say is it was -- you can go by  
19 what he said or what I found. The tamper screws,  
20 everything were in that thing, that thing was sealed  
21 up. It was sealed up just the way the AMR guy put  
22 it in. I could even -- hardly even get the thing  
23 off. I had to get a special screwdriver to get it  
24 off. So, all I can think is that's how it happened.

25 Q: All right. And I just want to revisit this

1     tamper proof tab thing for a minute. What is the  
2     significance of that, the fact that those tamper  
3     proof tabs hadn't been disturbed?

4           A: Well, that's Laclede. Laclede puts those  
5     red tamper proof things in to see if anybody plans  
6     on -- you know, if anybody plans on tampering with  
7     the meter and, you know, lifting those screws out or  
8     whatever, taking those screws -- unscrewing it and  
9     possibly taking -- taking the dial off or -- it  
10    would be called unmetered gas, you wouldn't be  
11    paying for it then.

12          Q: Okay. Does the fact that those tamper proof  
13    tabs were on tight, as you pointed out, after the  
14    AMR installation indicate to you whether anybody had  
15    messed with the meter after the AMR installation?

16           MR. ELBERT: Objection, calls for  
17    speculation.

18          Q: (By Ms. Schroder) Do you understand my  
19    question?

20           A: Yes. I -- when I get there and I see the  
21    tabs in the meter, I consider it the way Laclede  
22    installed -- the way Laclede installed it. I don't  
23    think anybody's tampered with it whenever I see  
24    those in there.

25          Q: Did Laclede put those meters -- those tabs

1 in?

2 MR. ELBERT: Objection, calls for  
3 speculation, no foundation.

4 A: The --

5 Q: (By Ms. Schroder) All right. Let me  
6 rephrase the question. Have Laclede employees  
7 installed these -- strike that. We already know  
8 that. After the AMR installation, was this meter  
9 tampered with prior to the time that Mr. -- that  
10 Elgin Manglang got there?

11 MR. ELBERT: Objection, calls for  
12 speculation, no foundation, and somewhat leading.

13 A: Well, it appeared to me not tampered with.  
14 I did not tamper with it, I did not do anything to  
15 it, that is the way it was found. I found it that  
16 way, the seals were in. It appeared to be just  
17 installed, and that was the installation.

18 Q: (By Ms. Schroder) Okay. When you say the  
19 seals are in, are you talking about the tamper proof  
20 tabs?

21 A: Tamper -- tamper tabs, the red tabs.

22 Q: Okay. And in your 27 plus years at Laclede,  
23 have you ever seen holes in the meter casing  
24 immediately after an ME or an RE installation?

25 A: No.

1 Q: If a company employee, if a Laclede Gas  
2 employee had installed the AMR on November 9th at  
3 this place where you were working on November 10th  
4 -- well, first of all, would the Laclede employee  
5 have noticed that there was a leak before they left?

6 MR. ELBERT: Objection, calls for  
7 speculation.

8 MR. FRANSON: Yeah, I'm going to have to  
9 join in that, it calls for speculation. It also  
10 would require this Witness to be clairvoyant and  
11 know what every single Laclede employee would be  
12 able to do or not do.

13 Q: (By Ms. Schroder) All right. Let me  
14 rephrase the question. First of all, if these holes  
15 had predated November 9th of 2006 and a Laclede  
16 employee had come and worked on the meter, done  
17 anything on the meter, are Laclede employees  
18 required -- is there a procedure required of Laclede  
19 employees that should have turned up the leak?

20 A: Yes.

21 MR. ELBERT: Objection, calls for  
22 speculation.

23 MR. FRANSON: Same objections.

24 Q: (By Ms. Schroder) What's the procedure?

25 A: You know, if a Laclede employee -- if we

1 show up on that job and there's a leak on that  
2 meter, we have to do like I did, we have to --

3 Q: No, no, no. Assuming that there's no notice  
4 of a leak and a Laclede employee comes out to do  
5 some service, is there -- is there a procedure --  
6 strike that. If a Laclede employee had installed  
7 this AMR device on November 9th, 2006, is there a  
8 procedure that Laclede requires before they left to  
9 check for leaks?

10 MR. ELBERT: Objection, calls for  
11 speculation, no foundation.

12 A: We -- we have required inspections, you  
13 know, on our sheets that they want. They want  
14 inspections on that, so you'll have your -- your  
15 equipment on. If you have an inside set inspection,  
16 you'll have to do that. If you required SEI or  
17 something, you'll be checking your inside wall, you  
18 know, your service on that. So, you'll have your  
19 equipment on, your meter should be on.

20 Q: (By Ms. Schroder) When you talk about your  
21 equipment being on, are you talking about the --

22 A: Your Ranger, the Ranger.

23 Q: Please let me finish my questions.

24 A: Oh, I'm sorry.

25 Q: Are you talking about the leak detector?

1 A: Yes.

2 Q: Okay. If a Laclede employee installed the  
3 AMR, and the next day there were two leaks as you  
4 found on November 10th, in your experience, what  
5 would happen to the Laclede employee?

6 MR. ELBERT: Objection, calls for  
7 speculation, no foundation.

8 Q: (By Ms. Schroder) Would Laclede take some  
9 action?

10 A: I'd imagine they would. They -- they don't  
11 take too kind to leaving leaks.

12 Q: Mr. Elbert asked you questions about whether  
13 proofing work generally would make things safer. In  
14 your experience with these AMR installations, is  
15 there more or less reason -- more or less safety  
16 justification to check the work of the Cellnet  
17 employees?

18 MR. ELBERT: Objection, no foundation, no  
19 qualifications established for the Witness, calls  
20 for speculation.

21 A: I can't -- all of us guys -- all of us  
22 servicemen that work for Laclede have a lot of --  
23 have -- have I consider very good training, Laclede  
24 gives us good training.

25 I can't speak for the Cellnet people. All I

1 can say is what I -- you know, they -- what I saw on  
2 the TV, you know, whatever, they hired Manpower or  
3 whatever they hired from, I don't know where they  
4 hired from, you know.

5 I'd most definitely say that I feel all of  
6 our servicemen have more experience than if that's  
7 where they were getting the employees, I don't know.  
8 All I can say is what I've seen. I don't know where  
9 they come from or what their experience is or their  
10 qualifications, I don't know any of their  
11 qualifications. All I can speak for, for all of our  
12 qualifications, and I feel we're very qualified  
13 servicemen, and I feel we're that way because  
14 Laclede gives us good training.

15 Q: (By Ms. Schroder) All right. When  
16 Mr. Manglang came -- well, first of all, why was it  
17 necessary for you to call Mr. Manglang before you  
18 did anything to this meter on November 10th?

19 A: I -- I have no parts on my truck to fix this  
20 meter, I do not work on these meters, they're  
21 considered commercial meters. All that work is  
22 referred to our meter shop department where we have  
23 servicemen that work on these type meters and other  
24 large sets. They've been trained on working on  
25 these meters and these sets.

1 I have no training at all working on a meter  
2 set or a meter like this. I've not -- I've not done  
3 any work on it, anything like that. So, when we  
4 don't have any experience and we pretty much do not  
5 know what we're dealing with there, we're told to  
6 call the supervisor, call the meter shop and either  
7 get their technicians out or get their supervisor,  
8 which happened for me, he came out, and -- so we can  
9 remedy the situation, see if we can try and correct  
10 it.

11 Q: So, the fact that you didn't work on this  
12 actual meter for 40 minutes after you got there  
13 wasn't any reflection on the seriousness of the  
14 leak, was it?

15 A: I -- there's not anything I could have done  
16 to that meter. I have no -- me working on it would  
17 have accomplished nothing, because I don't have  
18 anything to fix it.

19 Q: All right. Mr. Elbert asked you a number of  
20 questions about shutting off the gas and why that  
21 didn't happen on this meter, and I just want to make  
22 sure that the record is clear about this. When are  
23 service employees allowed to turn off the gas on a  
24 commercial meter?

25 A: We're pretty much instructed on commercial

1 accounts that there can be loss of revenue for  
2 Laclede if you're at different restaurants or -- if  
3 you shut down big accounts. Sometimes you shut down  
4 a big account, it might take you two days to get it  
5 back on.

6 I pretty much go into the areas that leaks  
7 are reported, I check the areas out, I report my  
8 findings back to my foreman. My foreman are called  
9 on commercial jobs, and I do what my foreman  
10 instructs me. If my foreman instructs me to leave  
11 that gas on, that gas will stay on. If my foreman  
12 tells me to turn it off, it will be turned off.

13 But, most of the time, they'll tell you  
14 pretty much go with my opinion on what I -- based on  
15 what readings I tell them I have and what the  
16 situation is. They may call for a re-check back on  
17 the job. They may say the next day, if they call it  
18 in again, if that job gets called in again to our  
19 office and there's an odor right there of the same  
20 thing, that we may turn that gas off, we're going to  
21 --

22 Q: Mr. Johnson, is there a general rule about  
23 turning gas off on commercial meters, that's what  
24 I'm trying to get at?

25 A: Oh. I -- commercial -- when you're on a

1 commercial leak, the rules for residential things  
2 are different. No, there's no rule to turn it off.  
3 If I -- unless I got blowing gas -- if I have  
4 blowing gas, a broken line, if I got gas entering  
5 the building and I got a hazardous situation, I'm  
6 going to turn it off.

7 Q: And those are the only reasons that you  
8 would turn off gas at a commercial meter without  
9 management approval?

10 A: Right, yes.

11 Q: Okay. One more thing I want to go back to  
12 with the holes that you found on November 10th.  
13 You've indicated they were both on the right side of  
14 the meter. Does that give you any indication of how  
15 -- of how these holes may have come about? Does the  
16 placement of the holes indicate anything to you?

17 A: It was -- the only thing I can say about  
18 that is the left side was hard getting off, I needed  
19 this little midget screwdriver to get it off, and  
20 the right side was wide open, we could use -- it was  
21 a wide open area, you could use any screwdriver to  
22 get it off.

23 Q: Could you have used a power screwdriver on  
24 the right side?

25 A: You could have used anything.

1 Q: Did Mr. Manglang I think indicate he was  
2 going to do any further investigation of the  
3 situation on November 10th?

4 A: Yes.

5 Q: What was that?

6 A: He -- the maintenance man had said that he  
7 had -- this serviceman or whoever it was out there  
8 had signed in up at the front desk. And I was still  
9 downstairs, and he said -- he said that he was going  
10 to go upstairs, and he was going to get the name of  
11 the guy that -- or girl, whoever the serviceman --  
12 whoever was out there. And he went -- he left and  
13 went upstairs. Whether he went in and got it or  
14 not, I don't know, I didn't follow him up there to  
15 see it.

16 Q: All right. Did anybody inform you that --  
17 the person who installed the AMR the day before,  
18 whether that person was a Laclede employee?

19 A: No.

20 Q: I just need a minute. Oh. No, I'm sorry,  
21 I've got a couple more questions before we get  
22 there. The company has filed a response to a motion  
23 that we filed that includes some discussion of this  
24 November 10th incident, and one of the things that  
25 they talk about is that the -- the AMR installer

1 used the same tool Laclede uses. First of all, did  
2 you read -- did you review the affidavit of Patrick  
3 Seamands that was attached to Laclede's response?

4 A: Is that this?

5 Q: Yes.

6 A: Yes.

7 Q: All right. And Mr. Seamands refers -- Dr.  
8 Seamands refers to a tap tool to clean out the  
9 threads. Is that something -- a taper tap. Is that  
10 something that you have?

11 A: No. It's not one of -- I do not have that.

12 Q: Is that a tool that Laclede has ever  
13 assigned to you?

14 A: No.

15 Q: Also in the -- in his affidavit, Dr.  
16 Seamands talked about the fact that upon puncturing  
17 the hand hole plate, gas would have issued from the  
18 hole directly toward the person doing the drilling,  
19 and since there are two holes in the meter, whoever  
20 did the drilling had to drill the second hole while  
21 gas from the first hole leaked toward the driller.

22 In your experience and having worked on this  
23 particular meter on November 10th, do you think that  
24 that's necessarily accurate?

25 A: I -- I don't feel that there was any

1 drilling. I feel that there was some kind of  
2 pressure on top of this -- these screws, and it  
3 caused that casing or whatever it was to -- to crack  
4 or -- it doesn't take much on two pounds, crack or  
5 break or whatever, whatever happened in there.

6 Q: Well, putting aside the issue of whether it  
7 was drilled through or not, is there any reason to  
8 believe that the person working on the meter may not  
9 have instantly smelled it?

10 MR. ELBERT: Objection, calls for  
11 speculation, and it's leading.

12 A: I -- I smelt it when I was there, that's all  
13 I can say.

14 Q: (By Ms. Schroder) All right. If the hole  
15 was made by a screw going into the hole -- strike  
16 that. Okay. Just one minute and I think we'll be  
17 done.

18 (A brief recess was taken.)

19 Q: (By Ms. Schroder) Okay. I just want to  
20 clarify one thing for the record. Several times  
21 we've referred to these bolts as quarter inch or  
22 5/16th's inches. What dimension are you referring  
23 to there, height or width?

24 A: The --

25 Q: Or I should say length or width I guess?

1 A: On the 5/16th's, that would be the index  
2 bolt, the bolt that holds the index, the --

3 Q: But, I mean what -- when we're talking about  
4 5/16th's, what are you referring to, the length of  
5 the screw or the width of the screw?

6 A: The width of the screw.

7 Q: And is that the same with the one-quarter  
8 inch?

9 A: Yeah, the quarter inch, yes.

10 Q: Okay. I just didn't want to be --

11 A: So, I guess it's a bolt or whatever.

12 Q: Okay. No further questions.

13 EXAMINATION

14 QUESTIONS BY MR. ELBERT:

15 Q: Mr. Johnson, these rules with regard to  
16 commercial meters that you've talked about before,  
17 are they in writing anywhere?

18 A: No.

19 Q: Where did you get those rules?

20 A: You get them from working here, I mean  
21 you're supervised, pretty much known.

22 Q: You say you didn't have anything to fix the  
23 meter at -- on November 10. That's what you  
24 testified to just a few minutes ago; right?

25 A: I have no parts for that meter, I have

1 nothing to fix that with.

2 Q: And who did -- did Elgin bring the parts to  
3 fix it?

4 A: I don't know if he did or not. I think --  
5 to be quite truthful with you, I thought -- before  
6 this came off, I thought the -- the gear, the  
7 wiggler, whatever you want to call it, I thought  
8 that's what was leaking on this thing. And I don't  
9 know if he brought the part to fix something like  
10 that, because I've never been around it, I don't  
11 know. I don't know if he --

12 Q: Do you know whether those can even be  
13 repaired?

14 A: I think they can, I hear they can. I've  
15 never seen it.

16 Q: But, ultimately, you used Permagum to repair  
17 it; right?

18 A: Yes, sir.

19 Q: Where did that Permagum come from?

20 A: Off my truck.

21 Q: And where did the screwdriver come from?

22 A: Off my truck.

23 Q: So, in fact, all the parts came off your  
24 truck to fix this meter, didn't it?

25 A: This was a temporary repair.

1 Q: Is that -- is that a yes or a no to my  
2 question?

3 A: Yes.

4 Q: You said the only thing you know about the  
5 Cellnet people is what you've seen on TV?

6 A: Yes, sir.

7 Q: So, you don't know what their qualifications  
8 are?

9 A: No, sir.

10 Q: And you would agree, as you did before, that  
11 Laclede employees make mistakes; right?

12 A: Yes, sir.

13 Q: I'm going to show you what's been marked as  
14 Company Exhibit No. 4, which is a CIS ticket dated  
15 February 7, 2005, and it's signed by -- it's not  
16 something that you've signed. It looks like it's  
17 signed by somebody named Reitmeyer?

18 MS. SCHRODER: I'm going to object to this  
19 exhibit. It's inappropriate Cross or Redirect or  
20 whatever, Re whatever it is, because none of this  
21 came up when --

22 MR. ELBERT: This is a deposition.

23 MS. SCHRODER: -- in the initial -- well,  
24 you did have your initial --

25 MR. ELBERT: This is a deposition. I can --

1 MS. SCHRODER: Well, I'm going to object to  
2 it all the same.

3 MR. ELBERT: Well, object to it, that's  
4 fine.

5 MS. SCHRODER: You can do what you want with  
6 it, but --

7 Q: (By Mr. Elbert) Okay. Have you ever seen  
8 this document before?

9 A: This one?

10 Q: Yes.

11 A: No.

12 Q: Do you see down on the back side that it  
13 shows that there was a leak in the meter at this  
14 location?

15 A: It looks like he made a repair and charged  
16 the customer on -- what would he be charging the  
17 customer on?

18 Q: Well, it says he made a repair on the meter.  
19 Do you see that?

20 A: I don't know what he'd be charging the  
21 customer for on that.

22 Q: Well, also, he checked appliances, lit and  
23 checked appliances, tested fuel runs, made repair on  
24 meter. Do you see that?

25 A: Yes. But, he charged the customer. That's

1       our meter.

2           Q: I can't tell you about that. Do you know  
3       what the nature -- and you don't know what the  
4       nature of that repair was, do you?

5           A: No, I don't know what it would be charging a  
6       customer, that's our meter.

7           Q: I'm asking you about the repair to the  
8       meter. Do you know what the nature of the repair to  
9       the meter was?

10          A: No.

11          Q: Do you know whether there could have been  
12       holes in the meter at that time?

13          A: No.

14          Q: Those red tabs, do you carry those red tabs?

15          A: Yes, sir.

16          Q: Does everybody carry those red tabs who's in  
17       the SAID?

18          A: Yes, sir.

19          Q: So, you don't know whether anyone tampered  
20       with that meter between the time that the Cellnet  
21       person was there on November 9 and the time that you  
22       arrived on November 10, do you?

23          A: No, I don't.

24          Q: And do you know whether anyone used a power  
25       tool on that meter?

1 A: No, I don't.

2 Q: And do you know whether -- the size of the  
3 individual that worked for Cellnet who supposedly  
4 put on that AMR device on November 9?

5 A: No, I don't.

6 Q: Do you know -- are you saying that someone  
7 your size at 6'1", how much do you weigh?

8 A: 210.

9 Q: 210, do you think you could apply enough  
10 force to one of those bolts to actually make that  
11 meter casing crack?

12 A: There's no reason for it, there's no reason  
13 to tighten them up like that.

14 Q: I'm asking whether you could do it  
15 physically?

16 A: No.

17 Q: And you consider yourself pretty strong;  
18 right?

19 A: There's stronger.

20 Q: Do you consider yourself pretty strong, yes  
21 or no?

22 A: Yes.

23 Q: Do you have any idea how long that meter had  
24 been leaking when you arrived?

25 A: No, other than what -- other than what the

1 man told me, the maintenance guy said.

2 Q: And the first time he smelled gas --

3 A: Would be the next morning.

4 Q: Was on November 10?

5 A: Yes.

6 Q: So, we don't know whether gas was leaking at  
7 the time that the Cellnet person was there on  
8 November 9, do we?

9 A: No.

10 Q: And we don't know if somebody else came and  
11 tampered with that meter between the time the  
12 Cellnet employee was there and the time that the  
13 maintenance man came and said he smelled gas on  
14 November 10; right?

15 A: Right.

16 Q: You talked about gas buildup. Now, if that  
17 meter was leaking from the moment that the Cellnet  
18 man was there -- do you know what time he was there  
19 on November 9?

20 A: No.

21 Q: You don't know whether it was the morning or  
22 the afternoon?

23 A: No.

24 Q: And it had been leaking at this 20 percent  
25 level that you found at the meter?

1 A: Yes.

2 Q: Would you expected -- would you have  
3 expected to find air -- gas in air of over one  
4 percent?

5 MS. SCHRODER: Objection on -- never mind.  
6 Go ahead.

7 MR. ELBERT: I'm giving him the facts that  
8 occurred, Sherrie.

9 A: There's no telling on those -- on those  
10 things, it's -- how much --

11 Q: (By Mr. Elbert) You can't tell it in fact.  
12 What we do know is that when you arrived on November  
13 10 and you were at the highest point at the top of  
14 the stairs, there was no reading; isn't that  
15 correct?

16 A: That's correct.

17 Q: So, it's possible, isn't it, sir, that that  
18 gas could have been leaking at the meter for days  
19 without any problem at all, couldn't it? Isn't that  
20 possible?

21 A: Anything's possible.

22 Q: Isn't it possible that that level of gas at  
23 the meter at that location could have been leaking  
24 for months?

25 A: I'll tell you, inside leaks with pounds

1 meters, I wouldn't want to be going into months.

2 Q: Well, is it possible?

3 A: Everything's possible.

4 Q: Well, we know that you never found any gas  
5 in the air anywhere in that building, did you?

6 A: That's correct.

7 Q: Now, you testified that when RE devices were  
8 installed, sometimes they started -- the leak  
9 started right after they were installed; right?

10 A: They showed up sometimes.

11 Q: Yeah. And do you know whether the Union  
12 ever filed a complaint with the PSC complaining that  
13 its Union employee -- that its employees weren't --  
14 that its members weren't properly installing those  
15 RE devices?

16 A: Not that I know of.

17 Q: Do you know whether the Union ever sought  
18 discipline of any employees for failure to properly  
19 install those devices?

20 MS. SCHRODER: Objection, lack of  
21 foundation.

22 Q: (By Mr. Elbert) You've worked at Laclede  
23 for how many years?

24 A: Going on 28 now.

25 Q: And --

1 A: No.

2 Q: Do you go to Union meetings?

3 A: Once in a while.

4 Q: Were you a Union officer at any time?

5 A: Yes.

6 Q: When was that?

7 A: I was -- I was shop steward.

8 Q: How long were you shop steward?

9 A: A couple years, and then I got the Executive  
10 Board over SAID.

11 Q: For how long were you on the Executive  
12 Board?

13 A: About four years I guess.

14 Q: So, during any of those years, are you aware  
15 of any employee being disciplined -- where the Union  
16 sought discipline of any employee for failure to  
17 properly install RE devices?

18 A: No.

19 Q: In fact, are you aware of the Union ever  
20 seeking discipline of any employee for failure to  
21 follow safety procedures?

22 A: No.

23 Q: Are you aware of the company disciplining  
24 employees for failure to follow safety procedures?

25 A: Yes.

1 Q: And this training that you provided was with  
2 regard to appliances; right?

3 A: Yes, sir.

4 Q: It had nothing to do with installation of RE  
5 devices, did it?

6 A: No, sir.

7 Q: Did it have anything to do with meters at  
8 all?

9 A: No, sir.

10 Q: And why did you stop doing that training?

11 A: Well, they -- to be quite truthful, when I  
12 got shop steward, they -- when I became a shop  
13 steward, they called me down one day and said, "Give  
14 me your keys, we don't want you up there no more,  
15 you might hear stuff now," and that was it.

16 Q: So, they didn't want you doing the training  
17 at that point?

18 A: Right.

19 Q: And when you say -- when you were upgraded  
20 to working foreman, there's a procedure for that  
21 under the Collective Bargaining Agreement, isn't  
22 there?

23 A: Yes.

24 Q: And are you saying that you were upgraded  
25 pursuant to that procedure?

1 A: Yes.

2 Q: And you did it just for 30 days?

3 A: About that.

4 Q: And there are lots of employees who do it --  
5 lots of employees who are represented by the Union  
6 who do it a lot longer than 30 days, aren't there?

7 A: Oh, yeah.

8 Q: Months; right?

9 A: Months. They go right up to their time, six  
10 months, whatever it is.

11 Q: Six months. You mentioned I think, maybe I  
12 misunderstood you, that there was a meter casing in  
13 the shop that you saw that was cracked once?

14 A: It's not cracked, I said it -- I can tell  
15 where the screws -- on a 425 meter, where the top  
16 square plate goes on, there's a -- there's a top  
17 plate and then there's a little square plate where  
18 there's four screws that go on it on the top.

19 And that plate, that 425 plate would be the  
20 top of the meter, that was what would be screwed on  
21 to the top. It's -- it's off a meter and it's in  
22 our shop just to, you know, look at it and see, and  
23 you could see little like dimple type things that  
24 are in the casting where the screws go.

25 Q: Is that 425 a residential meter?

1 A: It could be on anything. We have -- you can  
2 have it on pounds or inches, it could be -- you see  
3 it in a lot of commercial jobs, too.

4 Q: Do you know what it's made of?

5 A: I think it's aluminum, cast aluminum, I'm  
6 not sure.

7 Q: You think it's aluminum?

8 A: I think it is, I don't know.

9 Q: But, this one at the location where the  
10 November 10 incident occurred, what was that one  
11 made of?

12 A: On my ticket, they say it's iron case.  
13 That's all I know.

14 Q: I don't have any other questions.

15 MS. SCHRODER: Robert?

16 MR. FRANSON: Yes.

17 MS. SCHRODER: You got anymore questions?

18 MR. FRANSON: Yes.

19 EXAMINATION

20 QUESTIONS BY MR. FRANSON:

21 Q: Mr. Johnson, on November 10th, 2006, who was  
22 your supervisor that day, foreman that day?

23 A: I was -- that was -- I'm thinking. My  
24 foreman out of my area is Jeff Slotey. I don't know  
25 if he was on that day or not.

1 Q: Was there a foreman on that day that you  
2 would call for anything you might need?

3 A: I didn't -- I didn't need the services of my  
4 foreman, I needed the services of a meter shop  
5 foreman.

6 Q: Okay. That wasn't my question. My question  
7 was: For any needs you might have, do you know  
8 whether there was a foreman on duty for you to call  
9 for anything you might have?

10 A: Yes, the -- well, I know for a fact that the  
11 superintendent was on, Gary Mehringer, because I  
12 talked to him.

13 Q: Is that your -- that's one of your foremen  
14 or people in your direct chain of command?

15 A: He's the -- he's the top of the command.  
16 He's --

17 Q: In your department?

18 A: Yes. He's over the foreman in the South  
19 District.

20 Q: And again, what was your department?

21 A: SAID.

22 Q: Okay. You did not call your superintendent,  
23 did you?

24 A: My boss?

25 Q: Right.

1 A: No.

2 Q: Okay. Under your statement before, if you  
3 needed to turn off a meter, that was the procedure  
4 that you were to follow; isn't that correct?

5 A: Yes, sir.

6 Q: And you didn't do that; correct?

7 A: Because I didn't turn the meter off.

8 Q: But, you didn't call your foreman about  
9 turning off the meter; correct?

10 A: No, because I had already talked to a  
11 superintendent, his boss. That's -- the  
12 superintendent is my boss -- my boss's boss.

13 Q: Okay. We've got some titles and names here.  
14 The superintendent, which superintendent was that?

15 A: Gary Mehringer.

16 Q: And then -- so, when you say  
17 "superintendent," you're talking about Mr.  
18 Mehringer, not --

19 A: Not Jeff Sloty.

20 Q: Okay. And not -- in your testimony, you  
21 talk about Superintendent Manglang. You're not  
22 talking about him either, are you?

23 A: No.

24 Q: So, you did talk to someone in your chain of  
25 command, Mr. Mehringer; correct?

1 A: Yes, sir.

2 Q: Did you talk about turning off the meter?

3 A: No, but I told him what I had, and I told  
4 him what I needed to do. And he said that he would  
5 get the foreman for me.

6 Q: And the foreman, was that a reference to a  
7 foreman in the meter shop?

8 A: Yes, sir.

9 Q: And the person you ended up talking to was  
10 Elgin Manglang?

11 A: Yes, sir.

12 Q: And you didn't think it was necessary to  
13 turn off the gas; correct?

14 A: That's correct.

15 Q: Then let's talk about Manpower. Have you  
16 ever met anybody who is a Manpower worker?

17 A: No.

18 Q: You don't know whether Manpower workers have  
19 adequate training to install AMR devices, do you?

20 A: No.

21 Q: You don't have any details about training  
22 that the Cellnet folks from Manpower have gotten, do  
23 you?

24 A: No.

25 Q: I don't believe I have any further

1 questions.

2 EXAMINATION

3 QUESTIONS BY MS. SCHRODER:

4 Q: Okay. Mr. Elbert asked you about your  
5 statement that you didn't have any parts for a  
6 commercial meter on November 10th. When you left on  
7 November 10th, was that meter -- had a permanent fix  
8 been done?

9 A: No, temporary.

10 Q: Did you have the parts on your truck to do a  
11 permanent fix?

12 A: No.

13 Q: And why did you do a temporary fix?

14 A: I was instructed by Laclede supervision.

15 Q: Is Permagum even permitted as a permanent  
16 fix?

17 A: Permanent, no.

18 Q: Referring you to Company Exhibit 4, the CIS  
19 form from 2005 for the same location that you were  
20 at on November 10th. Do you have that? No, that's  
21 3. There's -- I think it's 4, isn't it?

22 MR. ELBERT: Yeah.

23 Q: (By Ms. Schroder) Here you go, you can look  
24 at mine.

25 A: That's the other guy's.

1 Q: Right, but that's what I mean, that's what  
2 I'm trying to refer you to.

3 A: Oh, okay.

4 Q: Mr. Elbert asked you whether there could  
5 have been a leak on the -- or a hole in the meter on  
6 that day, and I think it's February '05, yes,  
7 February 7th of '05.

8 A: Uh-huh.

9 Q: If there was a hole in the meter, does  
10 Laclede procedure allow the service employee to  
11 leave without fixing that?

12 MR. ELBERT: Objection, no foundation.

13 A: Only with permission of the supervision.

14 Q: (By Ms. Schroder) Mr. Elbert also asked you  
15 about whether everybody on SAID carries these red  
16 tabs. Prior to November 10th of 2006, did you know  
17 that an AMR device was being installed on November  
18 9th at this location?

19 A: No.

20 Q: Have you ever been notified by Laclede or  
21 anybody else of where an AMR device was going to be  
22 installed except at your house?

23 A: No.

24 Q: Do you have any reason to believe that any  
25 of the Laclede Service Department employees know

1 ahead of time where an AMR device is going to be  
2 installed?

3 A: No.

4 Q: Does anybody -- to your knowledge, does  
5 Laclede issue those red tabs to anybody outside of  
6 the meter department -- I mean, I'm sorry, outside  
7 of the Service Department?

8 A: No.

9 Q: Mr. Elbert also asked you about whether you  
10 had the strength at 6'1" and 210 pounds to screw  
11 through the iron casing. Could you have done that  
12 with a power tool?

13 A: I imagine I could, yes.

14 Q: All right. If the meter at the location  
15 that you went to on November 10th, 2006 was leaking  
16 before the AMR installer got there, should that have  
17 been obvious to the AMR installer?

18 MR. ELBERT: Objection, calls for  
19 speculation.

20 A: I would hope it would be, yes. That's a  
21 two-pound meter. Leaks show up pretty quick on that  
22 set.

23 Q: (By Ms. Schroder) If it had been leaking  
24 before November 9th, would it have smelled the way  
25 it smelled when you got there?

1 MR. ELBERT: Objection, calls for  
2 speculation.

3 A: I had an odor, that's all I know.

4 Q: (By Ms. Schroder) All right. When you were  
5 there on November 10th, was the odor stronger when  
6 you were right above the meter?

7 A: Yes.

8 Q: No further questions.

9 MR. ELBERT: I have no questions.

10 MS. SCHRODER: All right. We'll read.

11 [Signature of the Witness was not waived.]  
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1 State of Missouri

2 SS.

3 County of St. Louis

4 I, KELLY L. GUILLIAMS, a Certified Court  
5 Reporter and a duly commissioned Notary Public  
6 within and for the State of Missouri, do hereby  
7 certify that pursuant to agreement of Counsel, there  
8 came before me at the offices of Hammond, Shinnars,  
9 Turcotte, Larrew and Young, P.C., 7730 Carondelet,  
10 Suite 200, in the County of St. Louis, State of  
11 Missouri,

12 JIM JOHNSON,

13 who was by me first duly sworn to testify to  
14 the truth and nothing but the truth of all knowledge  
15 touching and concerning the matters in controversy  
16 in this cause; that the witness was thereupon  
17 carefully examined under oath and said examination  
18 was reduced to writing by me; that the signature of  
19 the witness was not waived by agreement of all  
20 parties; and that this deposition is a true and  
21 correct record of the testimony given by the  
22 witness.

23 I further certify that I am not counsel,  
24 attorney or relative of either party, or clerk or  
25 stenographer of either party, or otherwise

1 interested in the event of this suit.

2 IN WITNESS WHEREOF, I have hereunto set my hand  
3 and seal this 22nd day of January, 2007.

4 My Commission expires May 29, 2009.

5  
6 *Kelly L. Williams*

7 Notary Public in and for the State of Missouri  
8

KELLY L. GUILLIAMS

Notary Public - Notary Seal

State of Missouri

Commissioned for St. Louis County

Expires: May 29, 2009

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State of Missouri

1 Gore Perry Gateway & Lipa Reporting

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4 Ms. Sherrie A. Schroder

5 Hammond, Shinnars, Turcotte, Larrew & Young, P.C.

6 7730 Carondelet, Suite 200

7 Enclosed please find the Original Signature pages  
8 and errata sheets for the deposition of:

9 Jim Johnson taken 1/19/2007 in the case of:

10 In the Matter of: USW Local 11-6 and Laclede Gas Company

11 Please read your copy of the transcript, noting  
12 any corrections on the enclosed erratta sheets,  
13 and return all pages for filing in court to:

14 Mr. Rick Zucker

15 Laclede Gas Company

16 720 Olive Street, Room 805

17 St. Louis, MO 63101

18  
19 Your prompt cooperation will be appreciated.

20 Sincerely,

21  
22 Gore Perry Gateway & Lipa Reporting

1 COURT MEMO

2 .

3 4

5 In the Matter of: USW Local 11-6 and Laclede Gas Company  
6 GC-2006-0390

7  
8 CERTIFICATE OF OFFICER AND  
9 STATEMENT OF DEPOSITION CHARGES

10  
11 DEPOSITION OF JIM JOHNSON  
12 TAKEN ON BEHALF OF THE RESPONDENT

13 1/19/2007

14 Name and address of person or firm having custody of  
15 the original transcript:

16 Rick Zucker

17 Laclede Gas Company

18 720 Olive Street,

19 St. Louis, MO 63101

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1 ORIGINAL TRANSCRIPT TAXED IN FAVOR OF:

2 Rick Zucker

3 Laclede Gas Company

4 720 Olive Street,

5 St. Louis, MO 63101

6 Total:

7 1 ONE COPY - TAXED IN FAVOR OF:

8 Robert Franson

9 Public Service Commission

10 PO BOX 360,

11 Jefferson City, MO 65102

12 Total:

13 1 ONE COPY - TAXED IN FAVOR OF:

14 Sherrie A. Schroder

15 Hammond, Shinnars, Turcotte, Larrew

16 7730 Carondelet, Sui,

17 Clayton, MO 63105

18 Total:

19

20 Upon delivery of transcripts, the above  
21 charges had not been paid. It is anticipated  
22 that all charges will be paid in the normal course  
23 of business.

24 GORE PERRY GATEWAY & LIPA REPORTING COMPANY

25 515 Olive Street, Suite 700

*Gore Perry Gateway Lipa Baker Dunn & Butz*  
*St. Louis 314.241.6750 St. Charles 636.940.0926*

1 St. Louis, Missouri 63101

2 IN WITNESS WHEREOF, I have hereunto set

3 my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_

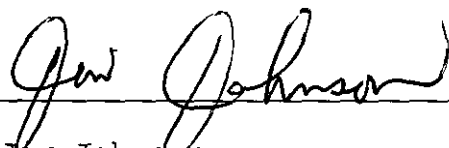
4 Commission expires \_\_\_\_\_

5 \_\_\_\_\_  
6 Notary Public

*Kelly L. Williams*

KELLY L. GUILLIAMS  
Notary Public - Notary Seal  
State of Missouri  
Commission for St. Louis County  
My Commission Expires: May 29, 2009  
03449999

1 Comes now the witness, Jim Johnson,  
2 and having read the the foregoing transcript  
3 of the deposition taken on the 1/19/2007,  
4 acknowledges by signature hereto that it is a  
5 true and accurate transcript of the testimony given  
6 on the date hereinabove mentioned.

7  
8   
9

10 Jim Johnson

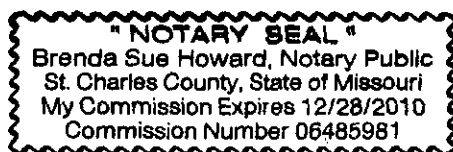
11  
12 Subscribed and sworn to me before this

13 9th day of February, 2007.

14 My Commission expires

15  
16   
17

18 Notary Public



### Jim Johnson Errata

Page/Line	Change	Reason
81/4, 85/14, 87/16, 87/21, 87/23, 87/24, 88/1, 120/2, 120/7, 120/14, 124/9, 135/17, 148/2, 157/10, 161/16, 161/17, 165/1, 182/21, 183/10	"Manglang" should be "Manalang"	Typo
180/24, 182/19	"Slotey" should be "Schlote"	Typo

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Page ~~181~~ Line 24 Should Read: JEFF SCHLOTE

Reason for change:

TYPO BOSS LAST NAME

Page ~~182~~ Line 19 Should Read: JEFF SCHLOTE

Reason for change:

TYPO BOSS LAST NAME

Page Line Should Read:

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DATE OF BIRTH		NAME		WAGE RATE RECORD LACLEDE GAS COMPANY ST. LOUIS		DATE OF ORIGINAL HIRE		DATE OF ACTION	
5-16-58		JOHNSON, JAMES M.		BADGE NO.		8-20-79			
DATE EFFECTIVE	DEPT. NO.	T	P	JOB CLASSIFICATION TITLE	JOB CODE	AMOUNT PER	CODE		
78-20-79	637	X		Helper - Central District	045	4.166	HR.		2-12-80
5-9-80		X		Comb. To a CO & Compl. TRK - Central	390	8.264		M	2-12-80
8-1-80					390	8.925			
8-1-81					390	9.728			
8-13-81		X		Special Adjust	607	10.154			
8-1-82					607	10.865			10-11-82
8-1-83					607	11.644			
8-1-84					607	12.459			
9-10-84	47	X		Special Adjust	607	12.459			
3-23-85	37	X		Special Adjust	607	12.459			
7-31-85		X		General Fitter	607	12.731			
8-1-85					607	13.240			
8-1-86					607	13.836			
8-1-87					607	14.459			
8-1-88					607	14.929			
8-1-89					607	15.452			
8-17-89	47	X		General Fitting	607	15.452			
<p>7947 Camelot (23) 9337 Fairbourn Apt F (23) 1623 Spring Chase Dr. Fifth Mo 6306</p> <p>4009 WEL Apt 307 (19) 102 Forest Garden Eureka, Mo. 63025</p> <p>9208 KENSTON CT (23) 1424 Stonew Meadows Apt F Valley Park Mo 63088</p>									
TEMP EMP. NO.		NAME		ADDRESS		CITY		SOC. SEC. NO.	
55553		Johnson, James M.		7947 Camelot (23)		9337 Fairbourn		500-68-5782	

EXHIBIT

Labels



[illegible]

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the matter of )  
 )  
USW Local 11-6, ) GC-2006-0390  
Complainant )  
and )  
 )  
Laclede Gas Company, )  
Respondent )

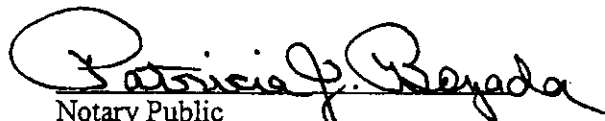
AFFIDAVIT OF JIM JOHNSON

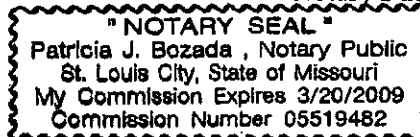
STATE OF MISSOURI )  
 ) ss  
COUNTY OF ST. LOUIS )

Jim Johnson, of lawful age, on his oath states: that he has participated in the preparation of the following Direct Testimony in question and answer form, consisting of 4 pages of Direct Testimony to be presented in the above case, that the answers in the following Direct Testimony were given by him; that he has knowledge of the matters set forth in such answers; and that such matters are true to the best of his knowledge and belief.

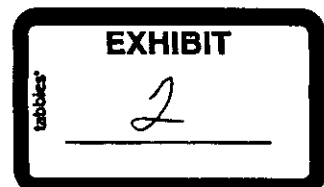
  
Jim Johnson

Subscribed and sworn to before me this 4<sup>th</sup> day of January, 2007.

  
Notary Public



My commission expires \_\_\_\_\_



**DIRECT TESTIMONY**  
**OF**  
**JIM JOHNSON**  
**SUBMITTED ON BEHALF OF USW 11-6**  
  
**LACLEDE GAS COMPANY**  
  
**CASE NO. GC-2006-0390**

1   **Q.**   Who is your current employer?

2   A.   I have been employed by Laclede Gas in the service department for 27 years.

3   **Q.**   Have you been involved with any recent gas leaks involving an AMR device?

4   A.   On November 10, 2006, I was called out to \*\*8520 MacKenzie Rd.\*\* because of  
5       a gas odor in the boiler room. I arrived at the address, a business known as  
6       \*\*W.A.C. Industries\*\*, which employs developmentally disabled children.

7       The business requires people to sign in before they are allowed inside, so after  
8       signing in, I met with \*\*Mike Tracey\*\*, the maintenance supervisor. He had  
9       called Laclede after smelling gas, and he led me to the boiler room, the location of  
10      the leak.

11   **Q.**   What did you find in the boiler room?

12   A.   There was an industrial-sized meter in the boiler room, about ten feet away from  
13       the boiler for the entire building. I immediately smelled gas upon entering. I ran  
14       my gas detector over the meter and I received a 25% reading near the AMR  
15       device. This means that 25% of the air surrounding the top of the meter was gas.  
16       Any gas leak so close to the boiler is particularly dangerous.

1 Q. What did you do next?

2 A. As a service employee, I am not trained or qualified to work on industrial meters.

3 Therefore, I called the meter shop to arrange that the meter be repaired. Unlike

4 service employees, meter shop employees are qualified to work on industrial

5 meters. However, that day was Veteran's Day, a holiday for the meter shop, so

6 no one answered. I then called the dispatcher, who connected me to

7 Superintendent Elgin Manalang, who was taking calls for the meter shop that day.

8 Superintendent Manalang suggested shutting the gas off until the meter shop

9 employees could come out after the weekend. However, the maintenance

10 supervisor said that the owner of \*\*W.A.C.\*\* would not be happy about having

11 no power over the weekend. Superintendent Manalang then said he was around

12 40 minutes away, and told me to wait until he arrived.

13 The boiler room had two large doors which lead outside, and I opened these up to

14 ventilate the area. I then stood outside the doors and chatted with the

15 maintenance supervisor. I never touched the meter until Superintendent

16 Manalang arrived.

17 Q. How did the leak occur?

18 A. The maintenance supervisor said that the day before he called the leak in, an

19 AMR device had been installed on the meter. He said he did not watch the

20 installation because he was busy at the time. However, the next morning he

21 entered the boiler room and smelled gas. He then called Laclede. Prior to the

22 installation, the maintenance supervisor did not smell gas at the meter.

23 Q. What did you do after Superintendent Manalang arrived?

1 A. After Superintendent Manalang arrived, I showed him the 25% reading on the  
2 AMR device. He then told me to take the AMR device off and he would give me  
3 instructions on how to work on the industrial meter. This procedure was required  
4 because Superintendent Manalang, a supervisor, is not supposed to perform any  
5 labor on gas meters.

6 I took the AMR device off, and once it was off I could hear gas blowing. Upon  
7 inspecting it, I discovered that one of the two screws used to install the AMR  
8 device had penetrated the meter casing, thus causing the leak.

9 At first, I thought the gas reading on the AMR device was coming from the  
10 wiggler, where AMR devices typically leak from. However, this leak was coming  
11 from under the screw itself.

12 Q. How did you repair the leak?

13 A. At Superintendent Manalang's direction, I performed a temporary repair by  
14 pushing Permagum in the hole, putting pipe compound on the screw, and then  
15 putting the screw back in.

16 Q. Did this fix the leak?

17 A. No. I still smelled gas even after plugging the hole caused by the screw that  
18 attached the AMR device. With the AMR device already off, I then unscrewed  
19 the two screws that hold the dial face over the wiggler. These are smaller, fatter  
20 screws, less than 1" in length. I noticed that one of the meter dial screws had also  
21 penetrated the meter. I performed the same repair on this screw as I did on the  
22 one that held the AMR device on.

1 Q. Do you know whether the screws that penetrated the meter were installed by  
2 hand or with a power tool?

3 A. I do not know. Laclede service employees are only equipped with hand  
4 screwdrivers. In my 27 years of working at Laclede, I have installed and removed  
5 numerous screws on gas meters. In this time, I have never penetrated a meter  
6 with a screw using a hand screwdriver.

7 Q. Has Laclede management in any way suggested that you had caused the  
8 meter to leak?

9 A. No. I have never been disciplined in my 27 years of working at Laclede. The  
10 maintenance supervisor was present the entire time I was at the address. Also,  
11 Superintendent Manalang was also with me while I performed work on the meter.  
12 Superintendent Manalang said that the installer had to have known that the meter  
13 was leaking. He also said that he would look at the sign-in book upstairs for the  
14 installer's name. Moreover, I have not been questioned about this job by either  
15 my immediate supervisor or the superintendent of SAID.

16 Q. Does this conclude your direct testimony?

17 A. Yes.

# REVIEW ORDER REASON

(F)ield (R)outed (D)ispatched:  
 Grid No. 13458  
 Date Scheduled 11/10/06  
 AM PM AL

Office Located  
 Order No. 061144973 Dist. Area  
 Account No. 596391001  
 Meter No. 610001027  
 Meter Size 41C Loc. I

SERVICE INFORMATION: Tee 15MMBL Main 17MMBL  
 Curb Box Riser Service 15MMBL  
 Material 18MMBL Branch Service

Leak Information  
 Leak # Class  
 Location  
 Detected Gas:  
 Source of Gas:

REQUIRED INSPECTIONS: SET ST ANG

Name WAC INDUSTRIAL  
 Service Address 8520 MAEKENZIE RD  
 Township ST LOUIS COUNTY  
 Special Inst:  
 Special Inst: MIKE

Soc. Sec. No.  
 Cust Phone  
 Owner/Tenant SCHOR

JOB DESCR.

EXHIBIT

3

TUB 42 004 AT BOWEN  
40 MORE AREA

0800  
000

Ordered By

OFFICE USE ONLY: Date Taken Time Taken Operator  
 Mailing Address City ST ZIP  
 Meter Sets: Town Code Route ZIP  
 Rate Revenue Class Norm Add Tax Code  
 SVC Press Geographic Location  
 MTR Press DEL Press Demand Branch Service

( ) CHECK IF EXTRA FIELD WORK DONE. SEE REVERSE FOR COMPLETED INFORMATION.

Main Meter COMPLETION INFORMATION

Old Meter No. 020001027  
 Device Number  
 No. of Dials:  
 Location: I Size: 41C

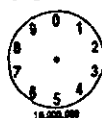
New Meter No. \_\_\_\_\_  
 Device Number \_\_\_\_\_  
 No. of Dials: \_\_\_\_\_  
 Location: \_\_\_\_\_ Size: \_\_\_\_\_

D.R. METER REPORT

Meter Found DR Not DR  
 Device Found DR Not DR

CURRENT METER READING:

NEW METER READING:



INDEX READING

Mult

INDEX READING

Mult

Top/Front/Meter 00443

Bot/Rear/Device

Veeder

HIGH/LOW READINGS FROM SYSTEM: Low High Verified

ORDER STATUS C EMPLOYEE NUMBER 563 DATE COMPLETED 11/10/06 TIME START 0925 TIME COMPLETE 1200  
 Service Person Signature [Signature]  
 Comment



(F)ield (R)outed (X)ispatch  
Grid No. B458  
Date Scheduled 2-7-05  
(AM) PM AL

Office Located  
Order No. 050067008 Dist 5 Area 3  
Account No. 596391-001  
Meter No. 001027  
Meter Size 4 1/2 Loc. I 21B

**BILLED**

SERVICE INFORMATION: Tee 15NVR Main 17ECLP  
Curb Box Steel Riser Steel Service Branch  
Material Steel Branch Service

Leak Information  
Leak # \_\_\_\_\_ Class \_\_\_\_\_  
Location \_\_\_\_\_  
Detected Gas: \_\_\_\_\_  
Source of Gas: \_\_\_\_\_

REQUIRED INSPECTIONS: 4  
See

Name WAC Ind  
Service Address 8520 Mackenzie  
Township St. Louis  
Special Inst: \_\_\_\_\_  
Special Inst: \_\_\_\_\_

Soc. Sec. No. \_\_\_\_\_  
Cust Phone \_\_\_\_\_  
Owner/Tenant Phin

JOB DESCR.

Change TBLG4259  
4813 1040

EXHIBIT

4

Ordered By 9:20

OFFICE USE ONLY: Date Taken \_\_\_\_\_ Time Taken \_\_\_\_\_ Operator \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_  
Meter Sets: \_\_\_\_\_ Town Code \_\_\_\_\_ Route \_\_\_\_\_ ZIP \_\_\_\_\_  
Rate \_\_\_\_\_ Revenue Class \_\_\_\_\_ Norm \_\_\_\_\_ Add \_\_\_\_\_ Tax Code \_\_\_\_\_  
SVC Press \_\_\_\_\_ Geographic Location \_\_\_\_\_  
MTR Press \_\_\_\_\_ DEL Press \_\_\_\_\_ Demand \_\_\_\_\_ Branch Service \_\_\_\_\_

( ) CHECK IF EXTRA FIELD WORK DONE. SEE REVERSE FOR COMPLETED INFORMATION.

Main Meter

COMPLETION INFORMATION

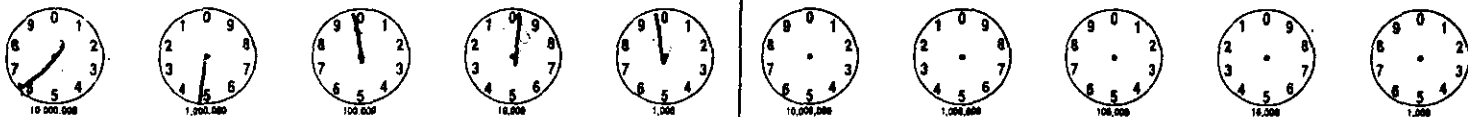
Old Meter No. 001027 New Meter No. \_\_\_\_\_  
Device Number \_\_\_\_\_ Device Number \_\_\_\_\_  
No. of Dials: 5 No. of Dials: \_\_\_\_\_  
Location: I Size: 4 1/2 Location: \_\_\_\_\_ Size: \_\_\_\_\_

D.R. METER  
REPORT

Meter Found DR \_\_\_\_\_ Not DR \_\_\_\_\_  
Device Found DR \_\_\_\_\_ Not DR \_\_\_\_\_

CURRENT METER READING:

NEW METER READING:



INDEX READING

Mult

INDEX READING

Mult

Top/Front/Meter 64999 / \_\_\_\_\_

Bot/Rear/Device \_\_\_\_\_ / \_\_\_\_\_

Veeder \_\_\_\_\_ / \_\_\_\_\_

HIGH/LOW READINGS FROM SYSTEM: Low \_\_\_\_\_ High \_\_\_\_\_ Verified \_\_\_\_\_

KP-22  
Feb  
2005

ORDER STATUS C EMPLOYEE NUMBER 684 DATE COMPLETED 2-7-05 TIME START 0940 TIME COMPLETE 1300  
Service Person Signature [Signature]  
Comment \_\_\_\_\_

APPLIANCE INSPECTION			
APPLIANCES	LIT	OK	VENT
RANGE			
WATER HTR			
TEMP. SETTING	LOW <input type="checkbox"/>	NORMAL <input type="checkbox"/>	HOT <input type="checkbox"/>
SPACE HTR			
CENTRAL HH			
DRYER			
AIR COND			
GAS LIGHT			
GRILL			
OTHER			

**GAS METER INSPECTION**

**METER FOUND:** On X Off \_\_\_\_\_  
Locked \_\_\_\_\_ Off At Curb \_\_\_\_\_  
No Access \_\_\_\_\_

**METER LEFT:** On Same Customer X  
On New Customer \_\_\_\_\_ Off \_\_\_\_\_  
Locked \_\_\_\_\_ Off At Curb \_\_\_\_\_  
Removed \_\_\_\_\_ No Access \_\_\_\_\_

**SPOTTED METER** X No Access \_\_\_\_\_

Yes ☒ No Access ☐

Date 11/1/78 SS # 100-443888

EXHIBIT

5

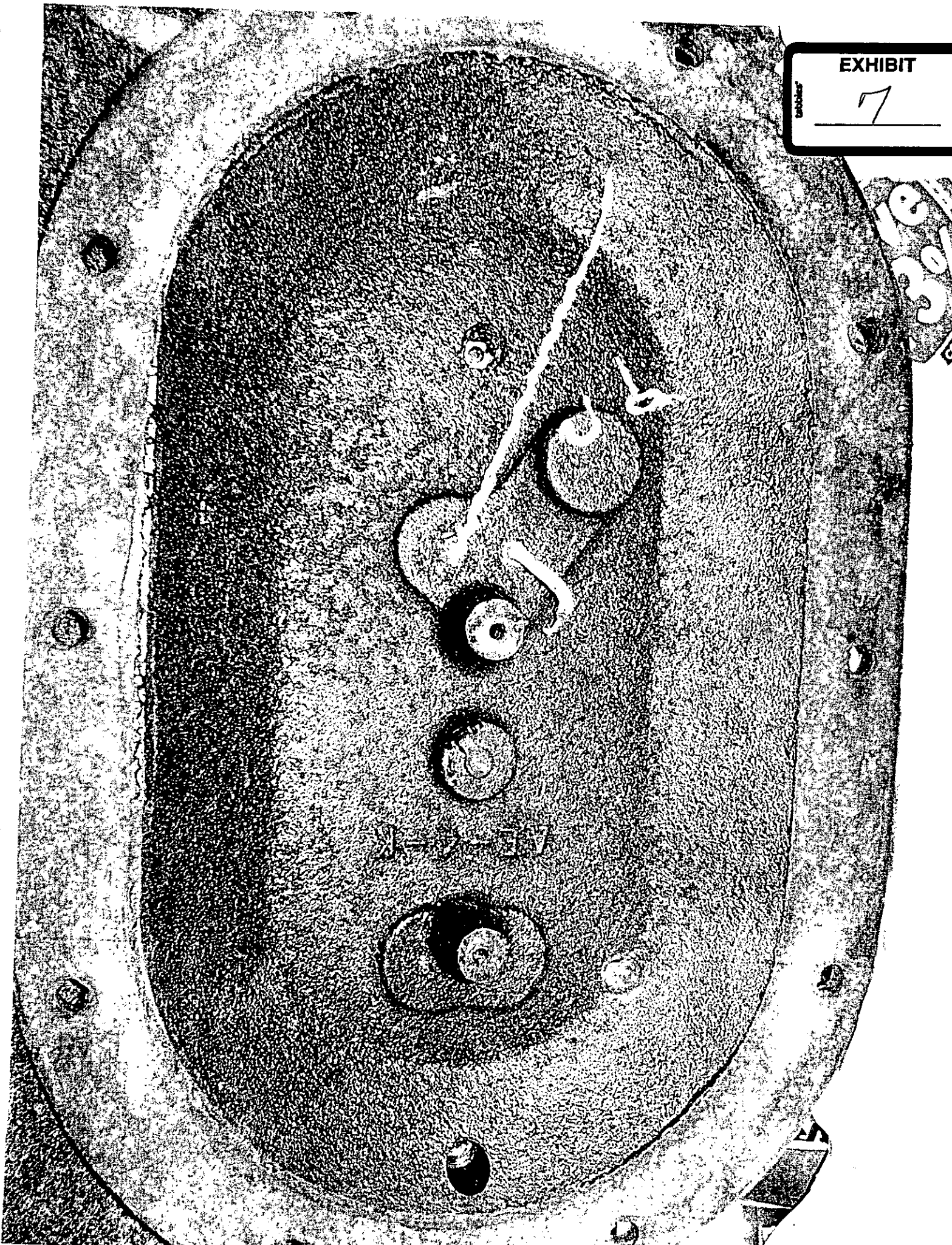
000000

PowerLAN Address

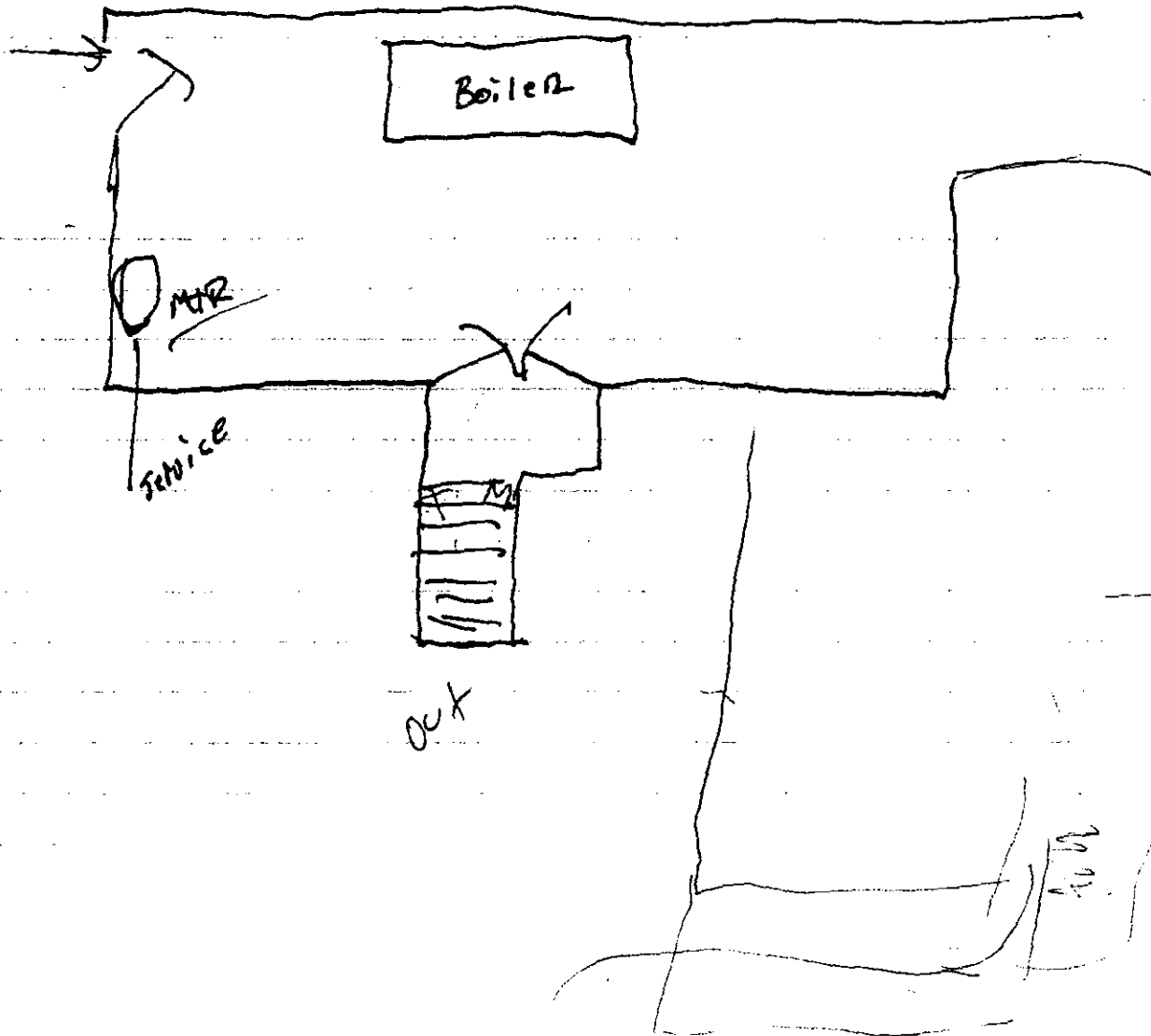


EXHIBIT

7



8520 Mackenzie



8520 Mackenzie Rd, St Louis, MO 63123 - Google Maps - Microsoft Internet Explorer provided by

Article 666 600 600

File Edit View Favorites Tools Help

Back Forward Home Search Favorites Media Print Settings

Address <http://maps.google.com/maps?q=8520+Mackenzie,+Saint+Louis,+MO>

Go Links

Saved Locations | Sign in | Help

Google

Web Images Video News Maps more

Search Maps

Search the map Find businesses Get directions

Maps

Print Email Link to this page



Done

Internet



**Gas Leak Investigation - Inside**

The technician should be aware of the surrounding conditions when leaving the truck and approaching the customer's premises.

Never use the doorbell, always knock so customer can hear you. Have CGI cleared, zeroed, and ready for sampling as you enter the building. If you are alerted by the CGI to dangerous readings proceed to the "Combustible Readings" Section 19-5 below.

**Combustible Readings**

**Readings of 1% or above for Free Air**

If there is a strong odor of gas and the CGI indicates a reading of 1% gas or above in free air in any part of the building, the condition must be considered very serious and the following actions shall be taken as quickly as possible. Extreme care to protect the customer, yourself and property shall be exercised at all times.

1. Inform customer not to turn on/off electrical switches or appliances.
2. Clear the building of all occupants.
3. Ventilate structure – open windows on the highest floor, preferably from the top, when possible.
4. In cases where gas is emanating from Company facilities, turn off supply at meter or curb cock.
5. Eliminate all probable sources of ignition such as smoking, striking matches, operating electric switches, etc. Note: Be aware of any electric power interruptions to residences and/or commercial buildings that may have UPS (Uninterrupted Power Supply) for computers or any other type of emergency power backup systems. You will need to ask the customer about these systems.
6. Stay out of building and keep others away at a safe distance.
7. Notify dispatcher or leak division supervisor on duty or correct situation.
8. CGI monitoring should continue until the area is considered safe. After the free air in the structure is determined to be safe, begin the leak investigation sequence (section 19-8).
9. If the inside gas readings are not decreasing and are at 1% or above in free air, notify the Fire Department.
10. If the inside gas readings are not decreasing and are at 3% or above in free air, follow the emergency procedure in section 24 for "Uncontrolled Gas Due to Main or Service Damage/Failure."

EXHIBIT

9

Issued: 6-2000

Revise: 1-03

## **LEAK INVESTIGATIONS**

Section 19-6

### **Readings Less Than 1% in Free Air**

If a less than 1% gas reading is obtained using a CGI at the entrance way, proceed into the building. Ask the customer where the odor was noticed and then inform customer and all other occupants in the area not to operate any electrical switches or appliances. Check area where odor was noticed first, then check the rest of the structure using a CGI.

**Note:** CGI readings less than 1% in free air within a building should be considered potentially dangerous and must be handled quickly and thoroughly.

After the free air in the structure is determined to be safe, begin the leak investigation sequence (Section 19-8).

### **Gasoline Odors**

If there is a strong odor of gasoline in a building, the condition must be considered very serious. The following actions must be taken as quickly as possible. Extreme care to protect the customer, yourself and property shall be exercised at all times.

1. Inform customer not to operate any electrical switches or appliances as you and all occupants exit the building.
2. Turn off gas from outside of building, either at outside riser or curb cock. Eliminate all possible sources of ignition such as smoking, striking matches, operating electric switches, etc. **Note:** Be aware of any electric power interruptions to residences and/or commercial buildings that may have UPS (Uninterrupted Power Supply) for computers or any other type of emergency power backup systems. You will need to ask the customer about systems.
3. Call Central Dispatching to call the Fire Department and inform area Supervisor or Supervisor on duty.
4. Monitor conditions in area until the situation has been corrected.
5. Stay out of building and keep others away at a safe distance until structure is considered safe.

If gasoline is suspected and you do not have a gasoline (heavy hydrocarbon) filter for your CGI, contact your supervisor.

Issued: 6-2000

Revise: 1-03

## LEAK INVESTIGATIONS

Section 19-7

### Gasoline continued

Should a CGI reading indicate gasoline in a sewer opening inside a building, notify Central Dispatching to call the Fire Department and inform area Supervisor or Supervisor on duty.

If the source of the gasoline is **Known**, it is permissible to flush the sewer with water.

If the source of gasoline is **Not Known**, do not flush the sewer with water.

Note: Always fill sewer traps with water to help keep the odor from getting into the building. Normally one or two gallons of water will fill a trap, this is not considered as flushing a sewer. Flushing a sewer is letting a continuous flow of water run into the sewer.

After the free air in the structure is determined to be safe begin the leak investigation sequence (section 19-8).

### Propane

Propane (LP: Liquid Petroleum) is heavier than air and will gravitate in pockets to the lowest point before migrating. Propane has a LEL (Lower Explosive Limit) of 2.2% and a UEL (Upper Explosive Limit) of 9.5%. The ignition temperature Fahrenheit in air is 957 – 1090. If the CGI (Gas Ranger) indicates a reading of 1% propane or above in free air in any part of the building, a CGI (Trak-it) displays an NSR message in a building connected to a propane distribution system or CGI checks are unable to be taken because there is no entry and there is reason to believe propane may be migrating into the building, the condition must be taken very serious and the actions outlined in Section 24-5 (B – “Uncontrollable Propane Due to Main or Service Damage / Failure”) of this procedure manual should be taken as quickly as possible.

If CGI readings of less than 1% propane are obtained with a Gas Ranger in free air in a building, or a strong odor of propane exist, the condition must be considered very serious and the following actions must be taken as quickly as possible. Extreme care to protect the customer, you and property shall be exercised at all times.

1. Inform customer not to turn on/off electrical switches or appliances.
2. Clear the building of all occupants.
3. Ventilate structure – open any accessible windows or exterior doors while evacuating building.
4. Turn off propane supply at outside riser.

Propane continued

5. Eliminate all probable sources of ignition such as smoking, striking matches, operating electric switches, etc. **Note:** Be aware of any electric power interruptions to residences and/or commercial buildings that may have UPS (Uninterrupted Power Supply) for computers or any other type of emergency power backup systems. You will need to ask the customer about these systems.
6. Stay out of building and keep others away at a safe distance.
7. Notify Dispatcher, Area Supervisor or Leak Supervisor on duty for assistance or correct situation.
8. CGI monitoring shall continue until the area is considered safe and the situation is corrected. Once the area is considered safe, begin the leak investigation sequence (section 19-8).
9. If the inside gas readings are not decreasing, call Central Dispatching for assistance in notifying the Fire Department.

Investigation Sequence

Locate all fuel lines and ensure all open lines/valves are capped or plugged.

If the meter is found off, leave it off until the source of odor is eliminated or identified as other than natural gas.

If the meter was shut off by Laclede or the Fire Department, turn the meter on and check the meter's 1/4 or 1/2 foot test hand for other than normal movement. If the meter's test hand is larger than 1/2 foot refer to "Turn-On Information" Section 10-5 that refers to meter size and test hands. If there is an abnormally fast movement of the test hand, shut the meter off and determine where gas is going.

Shut off all pilots, then spot the meter's 1/4 or 1/2 foot test hand. If the meter's test hand is larger than 1/2 foot refer to "Turn-On Information" Section 10-5 that refers to meter size and test hands.

1. If the meter test hand does not move, make sure the meter will register low consumption.
2. If the meter does not register low consumption it must be changed.
3. If meter test hand moves, use leak detection equipment to check all fuel line connections and fittings for leaks.

If the meter test hand registers movement - isolate meter and regulator from fuel lines, then use a manometer (U gauge) to pressure test fuel lines. The manometer should also be used to pressure test services on low-pressure systems. Use a spring gauge to pressure

**Investigation Sequence continued**

test fuel lines or services operating on high pressure systems. Also, check all equipment connections for leakage and operation.

Leak soap detector should not be used until all other means have been exhausted, including using a manometer to check fuel lines.

Check downstream of manual and/or automatic gas shut off on all appliances to ensure the controls, valves, and fittings are gas safe.

Do Not overlook the possibility that gas may be migrating inside from a leak from a gas main or service leak.

Be aware of negative air pressure pulling odors into building through cracks or other openings only when HH blower or attic fan is in operation.

Check inside the premises with a CGI at these locations and any additional locations that could allow gas to enter the building:

1. Inside foundation walls, structural walls, false ceilings and floors, attic, etc.
2. Cracks in foundation, basement floors, slab floors
3. Service entry (point of entry)
4. Meter facilities and relieving regulator being drawn back into house
5. Along top of foundation at floor joist.
6. Sanitary sewer outlet in basement (in case of a house without a basement, sanitary sewer outlet utility room)
7. Electrical receptacles in walls (Do Not Remove Cover Plate)
8. Water service entrance, if possible
9. Any other conduits that may enter the building not mentioned above.
10. Basementless Buildings: crawl spaces, or openings below the floor level.

**No Odor Present - No Leak Found**

If no leak is found, it is important that the technician on the initial leak investigation determine if the customer was aware of a GAS odor or if it was a false leak complaint.

**Odor Present - Source Not Found**

In situations where gas is detected but the source cannot be located, contact area Supervisor or Supervisor on duty and request further assistance. When there is a faint gas odor and the CGI shows no indication of gas on the instrument in the free air of any part of the building, a complete investigation of meter and fuel line piping should be made.

Odor Present - Source Found

1. Leaking from outside premises with readings of 1% or above in the free air.

Follow "Combustible Readings" Section 19-5 Above

2. Leaking from outside premises with readings of less than 1% in the free air.

If the CGI readings indicate that gas is migrating inside a building from an outside source:

- a. Shut off service to building at curb, if possible.
- b. Ventilate building
- c. Notify Leak Department Supervisor and Central Dispatching. Technician should have Central Dispatching notify their area Supervisor or the Supervisor on duty.
- d. Monitor premises and surrounding areas until Leak Department crew arrives. After Leak Department arrives and is advised of problem, continue to monitor premises and surrounding areas for migrating gas.

**Note:** When a CGI reading is obtained from underground sources it is the primary function of S.A.I.D. to determine the extent that the gas is migrating and the impact of the migration to cause a potential emergency situation(s). It is the primary function of the Leak Department to locate the source and repair the underground leaks. Even after the Leak Department arrives and is advised of the problem, continue to monitor premises and surrounding areas for migrating gas until released by Supervision.

3. Leaking from Laclede's facilities:

Any leak found on a lock cock, service riser, regulator, meter, header or any of Laclede's facilities on the premises must be repaired.  
(See Special Curb Box Inspection, Section 19-12)

4. Leaking from customer's equipment:

Advise customer that Laclede can make repairs on a time and material basis. If a customer is a tenant, get owner's approval before beginning repairs. When an approval for repairs is not obtained, try to isolate leak so the customer can use gas and have at least one appliance functioning. If this can be done, issue a "Hazardous Appliance Report" (F-627) for the leaking section of fuel line.

Odor Present – Source Found - continued

5. Leaking from a concealed location:

When a leak is in a concealed fuel line and this fuel line cannot be isolated from fuel lines to other appliances, or there is only one fuel line, shut off the gas at the meter. The meter must be locked and a "Hazardous Appliance Report" (F-627) issued to the customer. Notify Central Dispatching if this action could result in a severe hardship to the customer.

If the meter test hand registers movement where concealed fuel lines are involved-isolate meter and regulator from fuel lines, then use a manometer (U gauge) to pressure test fuel lines.

If possible isolate concealed fuel lines from exposed fuel lines. Be sure that the leak is in the area that is considered concealed. All accessible fuel lines should be checked thoroughly.

The amount of leakage should be noted in the Serviceman's remarks sections on the back of the CIS form.

If significant property damage (ex....broken water lines in freezing temperatures) could result from this action first contact the on-site maintenance personnel. If unavailable, contact the area supervisor or supervisor on duty.

After making leak repairs or isolating any leaking fuel lines and/or appliances:

1. Use manometer to ensure that system is gas safe.
2. Light and check all appliances for gas safe operation.
3. Make sure all sources of escaping gas have been eliminated.
4. Check for excessive gas pressure-greater than 8 1/2" W.C. on Low Pressure System and abnormal lock-up on other systems. Do not overlook the possibility of a creeping regulator.
5. Notify Central Dispatching and Systems Control of any abnormal service pressures.

**Investigation Completion**

Never leave the site of an inside leak complaint until:

- A. leak has been repaired,
- B. or meter or service has been shut off, or
- C. odor is determined to be other than natural gas, or
- D. a complete investigation shows all tests inside and outside to be negative.
- E. If a gas odor or other odor is still present contact your Supervisor.

When standing by for assistance, continuous monitoring of area shall be performed until situation has been corrected and released by Supervision.

Note: When a CGI reading is obtained from underground sources it is the primary function of S.A.I.D. to determine the extent that the gas is migrating and the impact of the migration to cause a potential emergency situation(s). It is the primary function of the Leak Department to locate the source and repair underground leaks. Even after the Leak Department arrives and is advised of the problem, continue to monitor premises and surrounding areas for migrating gas until released by Supervision.

**Special Curb Valve Inspection**

**Inside Meter - Leak Repair is made - Medium or higher service pressure**

If a leak repair is made where there is an inside meter which is supplied by a medium or higher service pressure, an inspection of the curb box must be performed. This inspection consists of making sure the curb box is up to grade, clear of debris, and that a curb key will fit on the lug of the curb cock. Do Not Turn the Curb Cock Lug!

**Leak Investigation - Outside**

Note: When a CGI reading is obtained from underground sources it is the primary function of S.A.I.D. to determine the extent that the gas is migrating and the impact of the migration to cause a potential emergency situation(s). It is the primary function of the Leak Department to locate the source and repair underground leaks. Even after the Leak Department arrives and is advised of the problem, continue to monitor premises and surrounding areas for migrating gas until released by Supervision.