

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

USW Local 11-6)	
)	
Complainant,)	
)	
v.)	
)	
Laclede Gas Company,)	Case No. GC-2006-0390
)	
)	
Respondent.)	

**STAFF'S CORRECTED SUBMISSION OF JIM JOHNSON DEPOSITION TESTIMONY
AND REQUEST FOR LEAVE TO FILE ONE DAY OUT OF TIME**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and respectfully submits as follows:

1. On January 29, 2007, Staff filed its testimony in this case including the Submission of Jim Johnson Deposition Testimony.

2. Staff inadvertently omitted certain copies of the deposition of Jim Johnson. Staff submits this Corrected Submission of Jim Johnson Deposition Testimony with the copies of inadvertently omitted pages and requests leave to file it one day out of time. No Party will be prejudiced by the granting of this request.

3. The relevant parts of Jim Johnson's testimony from his deposition, taken January 19, 2007 are as follows and are attached hereto:

p. 11, line 23 through p. 12, line 2

p. 18, line 20 through p. 20, line 10
p. 31, line 1 through p. 33, line 16
p. 70, line 14 through p. 73, line 2
p. 73, lines 1-24
p. 80, lines 12-16
p. 82, lines 4-9
p. 104, line 23 through p. 105, line 12
p. 120, line 22 through p. 121, line 12
p. 123, line 16 through p. 124, line 6
p. 172, line 24 through p. 173, line 1
p. 173, lines 2-23

WHEREFORE, Staff respectfully submits the relevant parts of Jim Johnson's deposition, the inadvertently omitted copies of the relevant pages, and requests leave to file this evidence one day out of time.

Respectfully submitted,

/s/ Robert V. Franson

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 30th day of January, 2007.

/s/ Robert V. Franson

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(1) Q: BIT is the name of the school?
(2) A: Right, Basic Institute of Technology.
(3) Q: Where is that located?
(4) A: It was down -- at the time, it was Shaw and
(5) Vandeventer, right around that area, the city.
(6) Q: What type of courses did you take there?
(7) A: Heating and air conditioning or
(8) refrigeration.
(9) Q: So, did you learn to work on furnaces and --
(10) A: Yes.
(11) Q: -- air conditioners?
(12) A: Yes, sir.
(13) Q: Have you taken any other courses besides
(14) those?
(15) A: I've taken a sheet metal class, sheet metal
(16) at South County Tech.
(17) Q: When did you take that?
(18) A: I took that since I've been employed at
(19) Laclede, maybe '87, '88, somewhere around in there.
(20) Q: What was the subject matter of that class
(21) besides sheet metal?
(22) A: That's all it was, just sheet metal, working
(23) with sheet metal, bending sheet metal, making, you
(24) know, ductwork.
(25) Q: Oh, it's for ductwork?

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(1) A: Yeah.
(2) Q: Did you learn anything about other types of
(3) metals while you were in that class?
(4) A: No, just sheet metal.
(5) Q: Have you taken any courses relating to iron
(6) or steel?
(7) A: No.
(8) Q: Do you understand the properties of iron and
(9) steel?
(10) A: No.
(11) Q: Have you taken courses regarding minimum
(12) federal standards for gas safety?
(13) A: Anything -- are you -- well, can I ask you
(14) are you referring to like a Laclede safety program?
(15) Q: Let's talk about ones outside of Laclede
(16) first. Have you taken any outside of Laclede?
(17) A: No.
(18) Q: At Laclede, have you taken some courses with
(19) regard to federal pipeline safety regulations?
(20) A: I take a class every year, qualification
(21) class, annual qualification.
(22) Q: Have you taken courses regarding natural gas
(23) incident investigations?
(24) A: Explosions, is that what you mean?
(25) Q: Yes. Well, any type of -- any type of

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(1) natural gas incident, whether --
(2) A: Right.
(3) Q: -- it can be an explosion?
(4) A: Yes.
(5) Q: You have taken some courses in that. Have
(6) those been at Laclede Gas Company?
(7) A: Laclede Gas.
(8) Q: Have you taken courses regarding
(9) installation of gas meters?
(10) A: At Laclede.
(11) Q: Have you taken courses regarding --
(12) MS. SCHRODER: Wait, wait, wait. Was that a
(13) yes or a no?
(14) THE WITNESS: Yes.
(15) MR. ELBERT: Thank you, Sherrie.
(16) Q: (By Mr. Elbert) Have you taken courses
(17) regarding the maintenance of gas meters at Laclede?
(18) A: Yes.
(19) Q: Have you taken courses regarding the
(20) installation of AMR devices at Laclede?
(21) A: Yes, just plugging the battery in, that's
(22) the only course I have.
(23) Q: All right. Have you ever learned how to
(24) actually install an AMR device?
(25) A: If I can ask you, the device itself?

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(1) Q: Yes, the device itself.
(2) A: No.
(3) Q: And just so there's no misunderstanding, do
(4) you know what an AMR device is?
(5) A: Yes.
(6) Q: That's an automatic meter reading device?
(7) A: That's -- yes.
(8) Q: Have you received any types of awards for
(9) industrial safety?
(10) A: No.
(11) Q: Have you received any awards or honors of
(12) any kind in connection with your job?
(13) A: No.
(14) Q: Have you ever done any studies on AMR
(15) devices?
(16) A: No.
(17) Q: Have you ever done any studies on gas
(18) safety?
(19) A: Yes.
(20) Q: Okay. Tell me about those.
(21) A: At Laclede.
(22) Q: Where you actually performed a study?
(23) A: On -- I was studying that.
(24) Q: Oh, okay. I'm sorry, the question was
(25) confusing. What I'm asking you is whether you have

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[1] Laclede.

[2] Q: General fitting is generally work that is
[3] done on customer premises?

[4] A: Or on commercial establishments.

[5] Q: Okay. Well, residential, commercial or
[6] industrial; correct?

[7] A: That's correct.

[8] Q: Can you explain the difference between the
[9] general fitting job that you have and work and what
[10] you referred to before as the Street Department?
[11] Would you do any work in the Street Department?

[12] A: Never, never did any work in the Street
[13] Department.

[14] Q: So, you're in what's called the Service &
[15] Installation Department?

[16] A: Right, hired straight into the service.

[17] Q: And as part of that, tell me what your --
[18] with a little more specificity, what do you do, do
[19] you install meters for example?

[20] A: I install meters, work on appliances, run
[21] emergency calls, leak calls, troubleshooting orders,
[22] anything that -- install fuel runs, work on pool
[23] heaters, put pool heater lines in, generators, put
[24] in lines to generators.

[25] Q: Do you ever install or have you ever

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[1] that you have never installed an AMR device?

[2] A: I've installed an AMR device. The only
[3] thing I have done is plug in the battery. It's on
[4] the meter already.

[5] Q: Right. What I'm asking is: Have you ever
[6] actually affixed the AMR device to the meter?

[7] A: No.

[8] Q: Okay. Now, let's put AMR devices aside for
[9] the moment. Have you ever affixed an ME device to
[10] the meter?

[11] A: Yes.

[12] Q: Did you do that frequently as part of your
[13] job?

[14] A: Yes.

[15] Q: Did you ever affix an RE device to the
[16] meter?

[17] A: Yes.

[18] Q: Did you do that frequently as part of your
[19] job?

[20] A: Yes.

[21] Q: Did you ever affix a TRACE device to the
[22] meter?

[23] A: No, it was on the meter already.

[24] Q: Okay. You've never done that work?

[25] A: I've put them on, the same thing, you put

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[1] installed remote reading devices?

[2] A: Other than plugging the battery in, no.

[3] Q: Even with regard to the --

[4] A: Now, are you talking about -- no -- well, we
[5] can rephrase something. Okay?

[6] Q: Yeah, let --

[7] A: Are we just talking about the AMR, or are we
[8] talking about Laclede's devices ever since I've been
[9] here?

[10] Q: Ever since you -- when I asked -- the
[11] question I asked was on remote reading --

[12] A: Remote meters, okay.

[13] Q: So, that would include the so-called --

[14] A: The ME.

[15] Q: -- ME or --

[16] MS. SCHRODER: Let him finish his question.

[17] Q: (By Mr. Elbert) That's okay. It's helpful
[18] if only one of us speaks at a time.

[19] A: Okay. Sorry.

[20] Q: What I was trying to cover, Mr. Johnson, was
[21] remote reading devices, which would include the
[22] so-called ME, RE and TRACE. You've already
[23] testified, if I understood you correctly, that
[24] you've never learned how to install an AMR device.
[25] And correct me if I'm wrong, but is it fair to say

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[1] the thing in -- you put the -- the device is on the
[2] meter and you put it in.

[3] Q: So, you have installed a TRACE device?

[4] A: Yes. It's on the meter.

[5] Q: Well, that's what I'm asking. I'm a little
[6] confused.

[7] MS. SCHRODER: I'm confused, too.

[8] Q: (By Mr. Elbert) The TRACE device, are you
[9] saying they come on the meter?

[10] A: Right.

[11] Q: Yeah, okay. So, you've never actually
[12] installed one, you --

[13] A: Well, the installation for theirs is you
[14] took the tag off -- that had came with a tag. You
[15] had a tag, you pulled the tag off, and you put the
[16] tag with your paperwork. That was considered their
[17] installation for that.

[18] Q: Can you describe for me how you go about
[19] installing an ME device on a meter?

[20] A: The ME device had four screws on it that
[21] held it on, and the meters were of a -- like a 5-B
[22] range, 5-M range. They had tabs that came off, four
[23] tabs on the front of the meter, and this device was
[24] held on with the four tabs.

[25] It went on the front, and you had wiring.

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(1) be putting a fuel run in all day, I'll be at one
(2) house the whole day.
(3) Q: Good point. How often do you work off the
(4) board?
(5) A: I'm a Sunday man, so I'm guaranteed I'll be
(6) working that Sunday off the board all the time. I
(7) get a lot of service work. I'll be work -- but,
(8) I've worked the board a lot also. It all depends.
(9) When your bosses come in, they change your
(10) assignments, there's no set you do this work, you
(11) come in and --
(12) Q: But, on Sundays, you work off the board?
(13) A: All the time.
(14) Q: How long have you been working on Sundays?
(15) A: I'm a seasonal worker, so I work from
(16) October to probably March, somewhere around -- just
(17) for the cold season.
(18) Q: Let's talk about those Sundays. About how
(19) often on a Sunday -- how many leaks do you get on a
(20) Sunday generally?
(21) A: Four or five.
(22) Q: And that's been pretty consistent over
(23) your --
(24) A: Yes, yes.
(25) Q: -- your term of employment at Laclede --

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(1) A: Yes.
(2) Q: -- as a fitter?
(3) MR. ELBERT: Thank you, Sherrie.
(4) MS. SCHRODER: Robert, just for your
(5) information, we're just correcting the exhibit right
(6) now with an additional page.
(7) MR. ELBERT: We're putting -- just for the
(8) record, this is Page 19-7 of the leak
(9) investigations.
(10) MR. FRANSON: Sherrie, this is Robert. We
(11) will be attaching the exhibits to the deposition I
(12) assume, because obviously, I don't have that one?
(13) MS. SCHRODER: Yes.
(14) MR. FRANSON: Okay.
(15) MR. ELBERT: We can do that.
(16) Q: (By Mr. Elbert) I'm going to try this
(17) again. This is Page 19-7, Mr. Johnson. I just want
(18) to make sure that looks like a correct copy to you
(19) as well?
(20) A: Yes.
(21) Q: And that's part of Exhibit 9. Okay?
(22) A: Yes, sir.
(23) Q: Now, on Sundays, you said you had four to
(24) five leaks, if I understood you correctly, on a day?
(25) A: Yes.

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(1) Q: How many of those leaks on average, if you
(2) can recall, and I'm just asking for an average,
(3) would relate to an ME or an RE device before AMR was
(4) installed obviously?
(5) MS. SCHRODER: And now you're saying ME or
(6) RE?
(7) MR. ELBERT: Right.
(8) MS. SCHRODER: Okay. Because previously,
(9) you were just talking about MEs.
(10) MR. ELBERT: Right.
(11) Q: (By Mr. Elbert) Well, we can -- we can
(12) break it down. If you can recall whether it's an ME
(13) or an RE, I don't -- we can break it down by ME
(14) devices first, that's fine. Do you know how many
(15) would relate to an ME device?
(16) A: It's just speculating. I --
(17) MS. SCHRODER: Yeah, no.
(18) Q: (By Mr. Elbert) Well, I'm not asking you to
(19) speculate, I'm asking you --
(20) A: I just -- you know, I -- if you want to give
(21) me all my route sheets and, you know, all my work --
(22) you know, work that I've done, I can go right
(23) through it with you, but I don't -- you know, I
(24) don't --
(25) Q: I'm just asking for a general estimate, I'm

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(1) not trying to hold you to a specific number. I mean
(2) do you have -- out of the four or five leaks you'd
(3) get in a day, would one relate to a remote reading
(4) device, would zero, would five?
(5) MS. SCHRODER: And I'm just going to object
(6) again that I -- not only does this call for
(7) speculation, but I suspect that it varies across
(8) time.
(9) THE WITNESS: It does.
(10) MS. SCHRODER: There's times when there's
(11) more MEs out there, et cetera.
(12) MR. ELBERT: Right. That may be true.
(13) MS. SCHRODER: So, I don't know if he can
(14) answer that.
(15) Q: (By Mr. Elbert) Do the best you can to
(16) answer the question, please.
(17) A: Well, you know, if I -- if I had to say
(18) maybe on the MEs, most of the leaks on an ME meter
(19) would be the lead seal was leaking up -- or lead
(20) would be leaking up around the top, or you'd have up
(21) around where the swivels were, they'd leak on that.
(22) So, you're not necessarily saying that it's
(23) the ME, it's the actual meter itself. You say the
(24) ME, but it's actually the meter itself, you know, is
(25) leaking. The ME's not leaking, it's the meter.

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(1) You know, on that given day, there -- you
(2) know, five, five a week with the ME if you just want
(3) me to -- that's just speculation, that's all I can
(4) tell you. If you want to give me some route sheets,
(5) you'd have to go back a long way.

(6) Q: I understand. How about with respect to the
(7) RE, about how many of those would leak?

(8) MS. SCHRODER: And again, just same
(9) objection. You can answer subject to that.

(10) A: I'd say you'd be around in that area, too,
(11) with more drive gear issues, you know, leaking.

(12) Q: (By Mr. Elbert) So, in the RE case, that
(13) was more the device itself was leaking as opposed to
(14) the --

(15) A: Not the -- the device itself is not leaking,
(16) it's the meter that's leaking.

(17) Q: Well, where are the gears?

(18) A: The gears are on the meter -- the drive gear
(19) is on the meter. There's an ME device -- or RE
(20) device, there's a drive gear that comes off the
(21) device, but it's attaching to the meter. You're not
(22) going to get gas from the device, the device is not
(23) going to give you gas, the meter will give you the
(24) gas.

(25) Q: I understand that. So, are all the leaks

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(1) haven't asked this question, but if I ask you
(2) questions about AMR devices leaking, is that going
(3) to be speculation also?

(4) A: No, I could -- I told you what -- we'll say
(5) six on the REs.

(6) Q: Six a week?

(7) MS. SCHRODER: Wait a second.

(8) THE WITNESS: If that's what he wants.

(9) MS. SCHRODER: You need to answer his
(10) question though. If he asks you questions about the
(11) AMR meters, is that going to be speculation?

(12) Q: (By Mr. Elbert) On the number of AMR -- if
(13) I ask you questions about the number of AMR meters
(14) leaking, is that going to be speculation also?

(15) A: No.

(16) Q: So, you know the numbers of AMR meters
(17) leaking?

(18) A: Well, this right -- we're talking right now
(19) work I'm doing right now. Okay? Work you're
(20) talking about is when I started 28 years ago.

(21) Q: Well, no.

(22) A: Okay? I can -- I can remember a lot better
(23) what I did this week than what I did 28 years ago,
(24) okay, on meters, as far as meters go, what numbers
(25) do I have. Okay?

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(1) caused by the drive area from the meter, is that
(2) what you're saying?

(3) A: No.

(4) Q: Where else are they caused?

(5) A: They're caused from the seal up around the
(6) top, you can get there's -- where the meter --
(7) there's a top -- without working in the meter shop,
(8) I don't know how the meter's put together, if
(9) there's a seal up there at the top.

(10) Q: On top of the meter?

(11) A: On top of the meter. There's four screws
(12) and there's like a tamper thing up on the top, and
(13) that's a little square plate. They leak up around
(14) that. They leak around the gasket that holds the
(15) top of the meter to the bottom of the meter where
(16) they put the two sections of the meter together.
(17) There's a gasket, and they leak around there.

(18) Q: So, that's the meter leaking?

(19) A: That's where you asked me, where else would
(20) a meter leak.

(21) Q: And you think you might have had five a week
(22) also of REs leaking, RE meters leaking?

(23) A: It's speculation. You know, I can't -- you
(24) know, I --

(25) Q: Well, is it speculation with -- and we

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(1) Q: When did AMR start -- when did Laclede start
(2) installing AMRs?

(3) A: I think it was like 2005.

(4) Q: So, prior to 2005, it was either REs, MEs or
(5) TRACE devices; right?

(6) A: That's correct.

(7) Q: Okay. So, are you saying that anything --
(8) you can remember anything since they've started
(9) installing AMR devices in 2005? You can remember
(10) any leaks since they've started AMR devices in 2005,
(11) is that what you said -- is that what you're saying?

(12) MS. SCHRODER: Do you understand his
(13) question?

(14) Q: (By Mr. Elbert) Let me rephrase the
(15) question. Are you stating that you can recall the
(16) number of leaks that you have investigated relating
(17) to AMR devices since 2005?

(18) A: Not all of them.

(19) Q: How many of them can you remember
(20) specifically?

(21) A: Well, I'm going to go back to the same thing
(22) I had told you before. If you can get me route
(23) sheets, I could tell you on the meters, when it goes
(24) to a meter change on different things, I can let you
(25) know what the numbers are.

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[1] Q: Okay. So, you turned left, which is south,
[2] and then where did you go?

[3] A: Well, when he opened up the door, he said to
[4] me, he said, "This is -- the boiler room's down
[5] here." He says, "The gas -- there's a gas odor as
[6] soon as you open this door." So, he opened the
[7] door.

[8] Q: Was that on the same level?

[9] A: Same -- well, it's on the same level, the
[10] door is, to go down to the basement.

[11] Q: So, you had to go down the basement?

[12] A: Yes, sir.

[13] Q: About how many steps down, do you recall?
[14] Sort of standard, like 10 or 12?

[15] A: Twelve, 12 or 13. It was a deep basement.

[16] Q: So, about 12 -- let's just say you went down
[17] about 12 steps or whatever. Then what did you do?

[18] A: Well, we went down. He said, "You know, I
[19] smelled the -- I think it's the meter," you know.
[20] He says, "The people came out, put that new device
[21] on yesterday."

[22] Q: That's what he told you?

[23] A: This is what he's saying as we're going --
[24] you know, we're going down there and he's trying to
[25] direct me towards the meter. I said, "I got some

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[1] other checks I need to do first." I checked -- you
[2] know, went through the leak -- our standard leak
[3] procedure, going through checking our services
[4] coming in, you know, the cracks in the foundation,
[5] checking that, checked the sanitary sewer.

[6] Q: You were doing that all from the inside?

[7] A: Yes, sir. I went through that and checked
[8] that. I wanted to make sure that whatever I was
[9] smelling wasn't coming from somewhere else,
[10] migrating outside or something.

[11] Q: When did you first start smelling the gas?

[12] A: When he opened that door. The same thing he
[13] said -- the same thing he said I smelled.

[14] Q: And as soon as you opened that door, did
[15] your device go off?

[16] A: No, it didn't.

[17] Q: So, you get down to the bottom of the steps.
[18] Did your device go off when you got down to the
[19] bottom of the steps?

[20] A: No, it didn't.

[21] Q: So, what happened next?

[22] A: Well, I checked -- ran our check -- my
checks that I normally run.

[24] Q: Did the device go off at any of those
[25] checks?

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[1] A: No. I was checking our service, sanitary
[2] sewers.

[3] Q: You checked the Laclede facilities, the
[4] sanitary sewer?

[5] A: First, right.

[6] Q: You didn't start on the fuel runs yet?

[7] A: No. I was wanting to make sure that it
[8] wasn't migrating --

[9] Q: Wasn't migrating in.

[10] A: -- in from anything, so I wanted to make
[11] sure that it wasn't anything on our end of it coming
[12] into this building. Even though he kept saying to
[13] me, you know, "I think it's around that meter, you
[14] know," and I said, "Well, we're going to get to
[15] that, you know, I just need to go through this stuff
[16] first."

[17] Q: So, you checked all of the Laclede
[18] facilities, and what did you do next?

[19] A: Then I went around the meter, got over
[20] towards the meter. I was working towards the
[21] regulator. It comes in, it's a big meter set, it's
[22] got a big, I don't know, two-inch regulator or
[23] something that's right over -- kind of swung over.
[24] I checked around the regulator and made sure the
[25] regulator bowl wasn't leaking, lock cock coming in

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[1] there, checked all that.

[2] Q: Did your equipment go off?

[3] A: Didn't go off. Then I went around the meter
[4] itself, around the casing around the back and the
[5] front to see if anything was going on. It didn't go
[6] off. Then I went around the top where the AMR is,
[7] and it went off where the AMR --

[8] Q: So, when you say when you went around the
[9] top where the AMR is, you were just on the top of
[10] the -- right at the top of the meter?

[11] A: Right. It doesn't look like that anymore.

[12] Q: No, I know it doesn't. So, you actually
[13] held which device up?

[14] A: The Ranger.

[15] Q: You held the Ranger up to that and it went
[16] off, and what did it show?

[17] A: It showed 20, 25 percent, somewhere around
[18] there. I think it was 20 percent, 25, I don't know,
[19] somewhere in there.

[20] Q: And if you went -- did you then go -- so,
[21] you had gone within just a couple of feet on it, and
[22] it wasn't showing anything, right?

[23] A: I was by the regulator, yes.

[24] Q: And it wasn't showing --

[25] A: No, sir.

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(1) Q: It wasn't even showing one percent?
(2) A: No, sir.
(3) Q: Is it unusual if the -- well, if you hold a
(4) device up to the meter, right up to the meter, is it
(5) unusual if there is a leak to get a reading as high
(6) as 25 percent?
(7) A: No.
(8) Q: Did you consider that to be a dangerous
(9) situation?
(10) A: I didn't have explosive readings, you know,
(11) where you'd be, you know, one percent -- over -- one
(12) percent or over, you know, and I didn't consider,
(13) you know, where we needed to evacuate or anything
(14) like that considering we got a leak on a meter.
(15) Q: Right. Because if you had had a serious
(16) leak there, you would have had to evacuate the
(17) building, right?
(18) A: If I would have had one percent or over in
(19) the open air, we would have been leaving.
(20) Q: And you didn't have that?
(21) A: No, sir.
(22) Q: And you did a thorough check to make sure:
(23) right?
(24) A: Yes, sir.
(25) Q: How far was the entrance to the basement

(1) Q: Okay. Did you feel that you needed to shut
(2) off the gas?
(3) A: It's a commercial account. You wouldn't
(4) normally shut off a commercial account.
(5) Q: Well, did you feel the situation warranted
(6) --
(7) A: No, I didn't have a broken line or didn't
(8) have gas entering the building.
(9) Q: And you didn't have one percent in the --
(10) A: Right.
(11) Q: -- open air, right?
(12) A: Correct.
(13) Q: So, that would not warrant shutting off the
(14) gas, would it? Right?
(15) A: No, right.
(16) Q: Now, I'd like to refer you to Exhibit 2.
(17) Page 1, which is your affidavit, and if you look
(18) down at the third line from the bottom, you stated
(19) that you had a 25 percent reading at the meter. You
(20) see that?
(21) A: Yes, sir.
(22) Q: But, your CIS form says 20 percent, and you
(23) just testified that was the true amount?
(24) A: That's what it says. That's what -- 20, 25
(25) percent, I was just -- you know, I knew it was in

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(1) from the meter?
(2) A: Not even five feet, six feet. Six feet
(3) maybe. Are you talking about the double door?
(4) Q: No.
(5) A: The top entrance?
(6) Q: The top entrance.
(7) A: Top entrance. Oh, Oh, it's 30 -- 30 -- 30
(8) feet.
(9) Q: So, you could smell the gas 30 to 40 feet
(10) away?
(11) A: Up top.
(12) Q: Up top, but it wasn't even a one percent
(13) reading anywhere?
(14) A: Not in the open air, no.
(15) Q: In the open air?
(16) A: You could smell gas though.
(17) Q: Yeah, okay. On your order form, and you --
(18) can you tell me what percentage you wrote down on
(19) the back? Does it say you found --
(20) A: Twenty.
(21) Q: It says you found 20 percent, right?
(22) A: Twenty percent, yes, sir.
(23) Q: And is that what you found?
(24) A: Yes, sir. If that's what I wrote, that's
(25) what I found.

(1) that range. When I gave this affidavit, you know, I
(2) didn't have any information to say exactly what it
(3) was, because I always write exactly what it is on
(4) this Laclede document.
(5) Q: So, the document is the correct one, right,
(6) 20 percent, not 25 percent?
(7) A: Yes, sir.
(8) Q: You're saying your affidavit's wrong:
(9) correct?
(10) A: Yes.
(11) Q: And you also said here that this was -- any
(12) gas leak so close to the boiler is particularly
(13) dangerous?
(14) A: Yes.
(15) Q: What do you base that statement on?
(16) A: I base it on this being that it was a
(17) two-pound meter, this was not an inches meter, it
(18) was a two-pound set. It was a large meter, it was a
(19) 1,000 Iron case meter. Also, it was a confined
(20) area, this boiler room was confined.
(21) Q: But, you just previously testified, if I
(22) understood you correctly, that this was not in your
(23) view a serious leak, because it was less than one
(24) percent in the air, isn't that right?
(25) A: Yes. But, it was --

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[1] Q: Well, why would this be so dangerous if you
[2] had less than one percent in the air?
[3] A: This -- I have no idea of knowing how long
[4] this was going to build up in that room. I don't
[5] know how long this maintenance man aired that room,
[6] if he aired this room out before I got there.
[7] Q: Did you ask him?
[8] A: No. And as soon as I got there, I opened
[9] that -- there's two double doors, there's that
[10] entrance and then there's another entrance out off
[11] the back. After I ran my tests and all that, I
[12] ventilated that room. I had two big double doors
[13] open.
[14] Q: Then what did you do after you ventilated
[15] the room?
[16] A: I ran my check outside with an SEI, there's
[17] a service check on the outside. There's an asphalt
[18] parking lot that goes all the way up to the service.
[19] I ran probe holes down through the asphalt to check
[20] the service coming in to the building, probe holes
[21] on the outside, SEI holes, and then -- well, I --
[22] let me take that -- take that back.
[23] I want to -- before I did that, I made calls
[24] to my superintendent. I made calls to the
[25] superintendent, tried calling the meter shop. It

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[1] was their holiday that day, okay, Laclede's. Their
[2] meter shop was Veterans' Day holiday; I think it was
[3] honored on a Friday I guess, because they're
[4] normally off on a Saturday.
[5] So, I called the south meter shop phone
[6] number I have for south district. The phone kept
[7] ringing and kept ringing, kept ringing. I thought,
[8] that's odd, it usually goes over to the stenographer
[9] real quick.
[10] Well, Gary Mehringer picked it up, the
[11] superintendent of the whole SAID Department. And he
[12] answered the phone, and I told him, I said -- he
[13] says, "What do you got?" I said, "I'm trying to
[14] find the meter shop foreman. You know, I've got a
[15] meter leaking out the top by the AMR over here, I've
[16] got a pounds meter, and I'm going to need the meter
[17] shop." So, he said, "Let me see who's on. You
[18] know, it's the holiday for that, I didn't know who
[19] it was for them" he tells me, you know, it was
[20] holiday for them. "Somebody will be on. Let me
[21] call you back. Let me get the phone number and call
[22] you back."
[23] So, I'm outside. He calls me back and says
[24] this Elgin, is that his name, Elgin, he's on, and so
[25] I called him.

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[1] Q: Who is Elgin?
[2] A: He's -- I don't know if he's a
[3] superintendent or he's in the meter shop, but he's a
[4] foreman I guess. I don't -- I've never met the guy
[5] before, I don't know him.
[6] Q: So, you called him?
[7] A: I called him.
[8] Q: And what did you tell him?
[9] A: I told him I have a meter, 1,000 meter on
[10] two pounds. I've got readings around the AMR device
[11] on the top of the meter, can he get somebody over,
[12] or how does he want to handle it. He said, "Man, I
[13] don't have anybody on. There's nobody on for this
[14] weekend. How about doing this on Monday or
[15] something? Can we just turn it off and come back
[16] and do this on Monday?"
[17] So, the maintenance guy was standing right
[18] next to me, and he said, "Well, run it by him." I
[19] go, "The maintenance guy's right here." He goes,
[20] "Run it by him, what I just said, and then call me
[21] back." So, I ran it by him, and the maintenance guy
[22] goes, "Oh, no, you're not turning off that gas, it's
[23] your job to fix it." He said, "I'm not going to do
[24] it yet, but my" -- his superintendent or whoever,
[25] whoever runs that place over there, she's a direct

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[1] contact to -- she's a hotline to Channel 2.
[2] He says, "You don't fix this," he says,
[3] "you're probably going to be having Channel 2 out
[4] here," that's what he said to me. So, I called
[5] Elgin back and told him, I said, "I think you better
[6] get somebody out here," I said, "because I don't
[7] think we want the media, and we don't want problems
[8] out here." He says, "I'm not anywhere near that
[9] job," he said, "but I'll be on my way." He didn't
[10] give me any time or how long it would take to get
[11] there or whatever.
[12] I'm thinking it took him like 45 minutes to
[13] get to the job, getting over to the job, and when he
[14] arrived, I was outside talking to the maintenance
[15] guy right on those steps outside the boiler where we
[16] was sitting there venting it.
[17] Q: You were standing out there. Were you
[18] smoking a cigarette?
[19] A: I don't even smoke. I've never smoked in my
[20] life.
[21] Q: So, you weren't smoking?
[22] A: No. I never smoked in my life.
[23] Q: And you said that Elgin didn't tell you how
[24] long it would take him to get there; right?
[25] A: He said, "I'm on my way. I'll be on my way,

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[1] I'm not anywhere around there. I'll be on my way."
[2] Q: I want to refer you to Page 2 of your
[3] affidavit, Lines 11 and 12. It says,
[4] "Superintendent Mangiang then said he was running 40
[5] minutes away and told me to wait until he arrived."
[6] Is that a true statement, or is the testimony you
[7] just gave that he didn't tell you the true
[8] statement?
[9] A: Well, I know it was like 40 minutes away, I
[10] know that. So, I -- you know, when I said that --
[11] Q: Did he tell you he was 40 minutes away or
[12] not?
[13] A: He must -- he told me -- I -- when I said
[14] this, I had recollection of it, I know it's like 40
[15] minutes, you know, 40 -- I remember 40 minutes.
[16] Whether he said "40," or "I'm not" -- you know, "I'm
[17] coming" or --
[18] Q: Are these your words in this affidavit?
[19] A: Yes, they are.
[20] Q: So, if these are your words, then I want to
[21] know which statement is the true statement. Did he
[22] tell you that he was 40 minutes away as stated in
[23] your affidavit, or did he not tell you as you just
[24] stated in your testimony?
[25] A: This -- it's 40 minutes away any way you

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[1] look at it.
[2] Q: Is that your answer to my question?
[3] A: Yes. That's the way I recall.
[4] Q: And if this leak was particularly dangerous,
[5] why didn't you evacuate the building?
[6] A: I didn't feel there was any need to evacuate
[7] the building right then, because I'm not at the
[8] levels where Laclede considers I need to start
[9] evacuating. I didn't have any open air readings.
[10] Q: So, the leak really wasn't very dangerous,
[11] was it?
[12] A: Not at the time when I -- the readings that
[13] I had right there, I -- I've got no way of knowing
[14] what -- you know, like I said, it was in a confined
[15] area.
[16] Q: Was the leak dangerous or not?
[17] A: It's an inside -- it's an inside leak,
[18] Laclede considers them all dangerous.
[19] Q: Laclede considers -- will you show me in the
[20] SAID Manual where it says they're all dangerous?
[21] MS. SCHRODER: Do you have the manual for
[22] him?
[23] MR. ELBERT: Yes, he's got the -- it's
[24] Exhibit No. 9, "Leak Investigations."
[25] A: Well, it's treat all odors, all odors are to

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[1] be treated. They're to be fixed before you leave or
[2] not. That's the way that you're taught here, you
[3] know, you --
[4] Q: (By Mr. Elbert) Please show me in the
[5] manual where it says that a leak where you have no
[6] reading in the open air is, as you call it,
[7] particularly dangerous.
[8] A: Well, I can't show that. I mean I can't --
[9] you know, it's not in --
[10] Q: You can't show it, because it's not true, is
[11] it?
[12] MS. SCHRODER: Objection, that's --
[13] Q: (By Mr. Elbert) Well, is it true?
[14] MS. SCHRODER: That's an improper question,
[15] because whether it's in the manual or not doesn't
[16] mean it's not true.
[17] Q: (By Mr. Elbert) Tell me what your basis is
[18] for --
[19] A: How I am -- I'm the serviceman out on the
[20] job. It's how I interpret the job. It's how I --
[21] I'm on that job, and I say what I have there is a
[22] confined space. This is not in the open air, this
[23] is not out -- the meter's not outside. It's in a
[24] basement, the basement is not very large at all.
[25] Q: Well, if you thought it was dangerous,

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[1] Mr. Johnson --
[2] A: I --
[3] Q: -- then you should have evacuated the
[4] occupants of the building, shouldn't you, under the
[5] manual?
[6] A: I didn't have --
[7] MS. SCHRODER: Objection.
[8] MR. ELBERT: Well, no, let --
[9] MS. SCHRODER: Objection, you are badgering
[10] the Witness at this point.
[11] MR. ELBERT: I am not badgering him, no.
[12] He's not answering my question.
[13] A: I'll answer your question.
[14] Q: (By Mr. Elbert) Answer my question.
[15] A: I'll answer your question. I had -- after I
[16] investigated this, I had those doors open, I had
[17] that room ventilated. I had fresh air going into
[18] that room. That's two big double doors going into
[19] that room.
[20] Q: Did you shut off the gas?
[21] A: I did not shut the gas off, no, I didn't,
[22] because on commercial accounts when you work here at
[23] Laclede, the last thing you do is shut that gas off,
[24] unless there's a broken line or I have one percent
[25] and I need to evacuate that building, the gas needs

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

A: I don't know.

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

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?

MR. ELBERT: Yes.

MS. SCHRODER: Okay.

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?

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[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?

A: Correct.

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

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[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

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[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

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(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

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(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?

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(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

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(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

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111 Q: -- is that 20 percent of LEL, or is that 20
121 percent in the air?

131 A: It's not in the air, it's 20 percent on a 0
141 to 100 scale. That meter has LEL, and it has 0 to
151 100 scale.

161 Q: So, you were --

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

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

221 A: I would say right in this room here. I would
231 consider an open air reading would be right about in
241 the middle of this desk here.

251 Q: So, when you're talking about -- the reading
261 you got was right at the -- essentially, right at
271 the leak, right?

281 A: Yes.

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

331 A: Yes.

341 Q: Was he smoking?

351 A: No.

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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.

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111 please.

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

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

161 THE WITNESS: I'm bad.

171 MS. SCHRODER: Robert, do you want to go
181 next?

191 MR. FRANSON: I think that would be the
201 logical order.

211 MS. SCHRODER: I do, too.

221 EXAMINATION

231 QUESTIONS BY MR. FRANSON:

241 Q: Mr. Johnson, I'm Robert Franson, I'm an
251 attorney for the staff of the Public Service
261 Commission. Good afternoon.

271 A: Good afternoon.

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

311 A: Yes, sir.

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

341 A: Yes, sir.

351 Q: And was this maintenance supervisor there

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

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

141 A: I guess that's his name.

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

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

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

221 A: Yes, sir.

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

251 A: Yes, sir.

261 Q: Was the maintenance supervisor there by you
271 when you made that call?

281 A: Yes, sir.

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

311 A: Yes, sir.

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

341 A: Yes, sir, just the -- at Laclede now, the

351 AMR device comes on the meter already, and I plug in

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(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) 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?

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(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) 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.

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(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.

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(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 --

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(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

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(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?

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111 A: No, I don't.

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

115 A: No, I don't.

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

118 A: 210.

119 Q: 210, do you think you could apply enough
120 force to one of those bolts to actually make that
121 meter casing crack?

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

124 Q: I'm asking whether you could do it
125 physically?

126 A: No.

127 Q: And you consider yourself pretty strong;
128 right?

129 A: There's stronger.

130 Q: Do you consider yourself pretty strong, yes
131 or no?

132 A: Yes.

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

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

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136 man told me, the maintenance guy said.

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

138 A: Would be the next morning.

139 Q: Was on November 10?

140 A: Yes.

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

144 A: No.

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

150 A: Right.

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

155 A: No.

156 Q: You don't know whether it was the morning or
157 the afternoon?

158 A: No.

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

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161 A: Yes.

162 Q: Would you expected -- would you have
163 expected to find air -- gas in air of over one
164 percent?

165 MS. SCHRODER: Objection on -- never mind.
166 Go ahead.

167 MR. ELBERT: I'm giving him the facts that
168 occurred, Sherrie.

169 A: There's no telling on those -- on those
170 things, it's -- how much --

171 Q: (By Mr. Elbert) You can't tell it in fact.
172 What we do know is that when you arrived on November
173 10 and you were at the highest point at the top of
174 the stairs, there was no reading; isn't that
175 correct?

176 A: That's correct.

177 Q: So, it's possible, isn't it, sir, that that
178 gas could have been leaking at the meter for days
179 without any problem at all, couldn't it? Isn't that
180 possible?

181 A: Anything's possible.

182 Q: Isn't it possible that that level of gas at
183 the meter at that location could have been leaking
184 for months?

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

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

187 Q: Well, is it possible?

188 A: Everything's possible.

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

191 A: That's correct.

192 Q: Now, you testified that when RE devices were
193 installed, sometimes they started -- the leak
194 started right after they were installed; right?

195 A: They showed up sometimes.

196 Q: Yeah. And do you know whether the Union
197 ever filed a complaint with the PSC complaining that
198 its Union employee -- that its employees weren't --
199 that its members weren't properly installing those
200 RE devices?

201 A: Not that I know of.

202 Q: Do you know whether the Union ever sought
203 discipline of any employees for failure to properly
204 install those devices?

205 MS. SCHRODER: Objection, lack of
206 foundation.

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

209 A: Going on 28 now.

210 Q: And --