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BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION vs.
MISSOURI PIPELINE COMPANY, ET AL.

Case No. GC-2006-0378 and GC-2006-0491

DEPOSITION OF PATTY HAWKINS
TAKEN ON BEHALF OF THE COMPLAINANT
AUGUST 28, 2006

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I N D E X

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Direct Examination by Ms. Shemwell

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EXHIBITS

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Exhibit 16

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Exhibit 17

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PUBLIC SERVICE COMMISSION)

COMPLAINANT,)

VERSUS) CASE NUMBER GC-2006-0378

MISSOURI PIPELINE COMPANY) and GC-2006-0491

ET AL.,)

RESPONDENT.)

Schedule 4-3

1 MS. SHEMWELL: Let's go on the record, please.

2 I'm Lera Shemwell. I represent the Missouri Public
3 Service Commission. To my right is Janis Fischer; she's one
4 of our accountants.

5 We're here to today to take the deposition of Miss
6 Patty Hawkins. There are two case numbers, GC-2006-378 and
7 GC-2006-0491.

8 I would note that we are taking this as highly
9 confidential today. We will ask that the company read
10 through the deposition and determine what may be released as
11 public documents.

12 Miss Hawkins, if there's a question that you don't
13 understand, just ask me to clarify and I'll do so. Otherwise
14 I will assume that you understand the question. I just ask
15 that we try not to talk over one another for the court
16 reporter.

17 Would you administer the oath, please.

18 PATTY HAWKINS,
19 of lawful age, being produced, sworn and examined on behalf
20 of the Public Service Commission depose and saith:

21 DIRECT EXAMINATION

22 BY MS. SHEMWELL:

23 Q Would you state your name for the record, please.

24 A Patty Hawkins.

25 Q And spell Patty for the court reporter.

1 A P-a-t-t-y.

2 Q H-a-w-k-i-n-s?

3 A Correct.

4 Q Miss Hawkins, have you ever given your
5 deposition?

6 A No.

7 Q Have you had conversations with anyone about your
8 testimony?

9 A Yes.

10 Q Other than Mr. DeFord?

11 A No.

12 Q Is there anything to prevent you from testifying
13 fully and completely?

14 A No.

15 Q Not on any medications to make you sleepy or
16 anything like that?

17 A No.

18 Q You received a subpoena from the Missouri Public
19 Service Commission?

20 A Through Mr. DeFord.

21 Q Have you seen that subpoena?

22 A Yes.

23 Q Did you bring any documents with you today?

24 A Two.

25 Q Would you identify those, please.

1 A It's what I send to Panhandle every day.

2 Q Is that a sample of what you send to Panhandle
3 every day?

4 A Yes, and the other one --

5 Q Other one?

6 A -- is the confirmation of nominations from
7 Panhandle.

8 Q If you would hand those to me, please. We'll mark
9 them.

10 THE REPORTER: Off the record?

11 MS. SHEMWELL: Okay.

12 (Whereupon there was a discussion held off the record).

13 MS. SHEMWELL: We will mark these Exhibit 15 and
14 16. And 15 will be the one that says Panhandle Eastern
15 Pipeline Company confirmation by location report dash by
16 operator at the top. And 16 says Missouri Pipeline Company
17 daily gas control report.

18 Would you please describe your job duties?

19 A I answer the phone, open the mail and do some data
20 entry.

21 Q Do you work at the 100 Algana Court, St. Peters,
22 Missouri, location?

23 A Yes.

24 Q Is that where you report daily?

25 A Yes.

1 Q Do you have a title?

2 A Officer manager.

3 Q Do you supervise anyone?

4 A No.

5 Q To whom do you report?

6 A Dave Wallen.

7 Q For whom else do you do work?

8 A Missouri Pipeline.

9 Q Mr. Ries?

10 A Missouri Pipeline.

11 Q And specifically who that would be?

12 A Dave Wallen and Dave Ries.

13 Q What about Mr. Martz or Mr. Lodholz before Mr.

14 Martz?

15 A Yeah, Mr. Martz.

16 Q And what do you for Mr. Wallen?

17 A I open the mail and do the data entry.

18 Q What kind of data entry?

19 A It's the volume controls every day.

20 Q Where do you get that information?

21 A From the SCADA system.

22 Q And how does that come to you?

23 A It's computerized.

24 Q So it arrives daily on your computer?

25 A Uh-huh.

1 Q Then you enter it into what?

2 A Our volume tracking system.

3 Q Is that a spreadsheet or --

4 A Yes.

5 Q What kind of mail do you get? Bills,

6 advertisements, whatever you --

7 A Telephone, electric.

8 Q What about invoices and receipts and --

9 A We get those. I process those.

10 Q When you say process, what does that mean?

11 A Request checks.

12 Q From whom?

13 A Mike Martz.

14 Q And when you get a -- do you get payments in from

15 customers of Missouri Pipeline?

16 A Yes, they go to Mike Martz.

17 Q Do you open those?

18 A Yes.

19 Q Right down --

20 A I open them and give them to Mike Martz.

21 Q Date stamp anything?

22 A No.

23 Q What might you open and give to Mr. Wallen?

24 A Any maps, easements, agreements. That's about

25 it.

1 Q Is there an ongoing lawsuit having to do with an
2 easement these days; are you aware of that?

3 A Not that I'm aware of.

4 Q And what kind of mail might you get for Mr. Ries?

5 A I can't think of any right now.

6 Q Do you get mail from anyone like Yvette Korb?

7 A Rent, insurance; that's about it.

8 Q And when you say rent, will that be a request for
9 payment of rent?

10 A It's a lease.

11 Q So she's --

12 A Lease rent.

13 Q -- sending you a copy of what; the bill that she's
14 received?

15 A Yes.

16 Q For the rent on the Algana Court?

17 A For the rent on the Shawnee.

18 Q Oh, so you pay the rent for -- or Missouri Pipeline
19 pays the rent for Shawnee?

20 A Correct.

21 Q And so she gets the monthly lease bill and you then
22 give that to Mr. Martz, ask him to cut a check; is that
23 right?

24 A Yes, yes.

25 Q Do you ever co-sign checks?

1 A Do I co-sign checks?

2 Q Uh-huh.

3 A No.

4 Q Do you sign any checks?

5 A No.

6 Q What else is involved in your job duties?

7 A Answering the telephone, opening the mail and doing

8 the data entry.

9 Q Do you write letters?

10 A No.

11 Q Don't mail letters? Might Mr. Ries come in and

12 write a letter and you'd mail it?

13 A No.

14 Q Make bank deposits?

15 A No.

16 Q Who would do that?

17 A Mike Martz.

18 Q Do you do filing for these gentlemen?

19 A No.

20 Q Make copies?

21 A I do make copies occasionally, but very seldom.

22 Q Is there anything else that you perform on a daily

23 basis other than what you've mentioned?

24 A No.

25 Q What about duties that might occur weekly or

1 monthly as opposed to daily?

2 A Balance reports, send out invoices.

3 Q What is a balance report?

4 A The OBA.

5 Q What does that mean, OBA?

6 A Operational balancing report.

7 Q And you send those out weekly?

8 A No, I balance to that. I balance it once a month;

9 I don't send that out.

10 Q Is this what that report looks like? I'm handing

11 her a report that has OBA on that it we have previously

12 marked as an exhibit.

13 A No.

14 Q Is that the document you're describing?

15 A No.

16 Q Did you bring one of those documents --

17 A Yes.

18 Q -- today? And is that 15 or 16 that you're

19 referring to?

20 A I'm sorry. I didn't bring it.

21 Q Can you send one of those with Mr. DeFord tomorrow,

22 please?

23 A (Witness nodded).

24 Q What does that look like? Does it have columns

25 and --

1 A It has three columns on it.

2 Q Is it this?

3 A No.

4 Q That's not one of them either.

5 To whom would you send that report?

6 A I don't send that.

7 Q For whom do you perform that task?

8 A It's my balancing at the end of the month.

9 Q What's the purpose of the report then?

10 A To balance with Panhandle.

11 Q And if is there a range where you're out of balance

12 you call somebody?

13 A Yes.

14 Q And who do you call?

15 A Sandy Hawk.

16 Q At?

17 A Panhandle.

18 Q What's the range?

19 A That I would be off?

20 Q Yes, where you would need to call her?

21 A One.

22 Q How often do you call her? Twice a year,

23 monthly?

24 A Once a year.

25 Q And then if you're off by one, what does she do?

1 A I don't know.

2 Q Do you let anybody else know?

3 A Dave Wallen.

4 Q Do you know what he does as a result of that?

5 A No.

6 Q And if you couldn't reach Mr. Wallen -- has there

7 been a situation where you couldn't reach Mr. Wallen?

8 A No.

9 Q When you say off by one, what does that mean?

10 A It means I don't balance with the total I need to

11 balance to.

12 Q What are the columns that you balance? What are

13 they titled; do you know?

14 A I'm not sure.

15 Q What do you do for Missouri Gas Company?

16 A The same as I do for MPC.

17 Q Do you work for MIG as well?

18 A Yes.

19 Q Did you work for Omega? Did you do some work for

20 Omega?

21 A A little bit.

22 Q When you say a little, can you give me a --

23 A Opening the mail.

24 Q And then where would that mail go; to whom?

25 A To David Ries.

1 Q What about any of the other companies; PSI or
2 Gateway?
3 A I don't do anything.
4 Q Are there any other entities for whom or for which
5 you perform routine tasks?
6 A No.
7 Q How long have you worked for Mr. Ries? In this job
8 I'm asking.
9 A Two and a half years.
10 Q Did he hire you?
11 A No.
12 Q Who hired you?
13 A Dave Wallen.
14 Q Can you remember what the headings are on the
15 balancing report?
16 A The OBA balancing report?
17 Q Yes.
18 A No. I can see the paper, but I can't recall the
19 headings on it.
20 Q Do you know what the numbers are, what they
21 represent that you're adding?
22 A It's the MMBTUs.
23 Q Do you know how many numbers there are in a column;
24 twenty, two thousand?
25 A However many days of the month there is.

1 Q So it's one number per day?

2 A Correct.

3 Q For every day of the month?

4 A Correct.

5 Q Do you also visit with Ms. Korb, Yvette Korb? Did

6 you talk with her on the phone?

7 A Today.

8 Q Any day?

9 A Yes.

10 Q Every day?

11 A No.

12 Q Once a week?

13 A Once every six months.

14 Q Do you know what her job duties are?

15 A No.

16 Q Has she been to Algana Court? Have you met her?

17 A One time.

18 Q What about Mr. Ryan Ries; do you know who he is?

19 A Yes.

20 Q And how often do you speak with him; daily, weekly,

21 monthly?

22 A Twice a year.

23 Q Do you know what he does for the company?

24 A Yes.

25 Q And what is that?

1 A The gas accounting, the volume daily tracking.

2 Q And when you say that, are you indicating that he

3 gets the same SCADA reports that you do, the same SCADA

4 information?

5 A Yes.

6 Q Do you know what he does with that information?

7 A No.

8 Q What else does he do?

9 A I don't know.

10 Q Do you know who he works for?

11 A Missouri Pipeline Company.

12 Q Do you know in saying that does that include

13 Missouri Gas Company and Omega and or MIG?

14 A It's MPC, MGC and MIG.

15 Q What about Omega; are you aware of him working for

16 Omega?

17 A No.

18 Q Have you written checks to Ryan Ries?

19 A No.

20 Q Or anyone written checks to Ryan Ries?

21 A Not that I'm aware of.

22 Q Did you see expense accounts from any of the

23 employees who are field employees?

24 A I don't see expense reports.

25 Q So you're not involved in processing them, handling

1 the checks, mailing the checks? Do you mail the expense
2 account checks to the employees?

3 A I mail the payroll checks.

4 Q Do you put the -- so the expense account checks go
5 in there?

6 A Correct.

7 Q But you would only see the check; you wouldn't see
8 the report on which the check was based?

9 A Correct.

10 Q Who is Preston Price?

11 A Our IT.

12 Q Your IT?

13 A Our computer person.

14 Q What kind of work has he done for you?

15 A Set up my computer when I started.

16 Q Under what circumstances would you visit with
17 Mr. Price?

18 A Email not working correctly.

19 Q Where is his office?

20 A Shawnee.

21 Q Does he visit the Algana Court location?

22 A Maybe once a year.

23 Q Do you know if he's also responsible for SCADA?

24 A I don't know.

25 Q Do you know any more about his work

1 responsibilities?

2 A No.

3 Q Do you know Tino Monaldo?

4 A Yes.

5 Q Have you met Mr. Monaldo?

6 A No.

7 Q Do you know what he does?

8 A No.

9 Q You don't know his job title then or his

10 responsibilities?

11 A No.

12 Q When would you have reason to be in contact with

13 him?

14 A When he sends me an attorney bill.

15 Q And what do you do with that bill?

16 A Process it for payment.

17 Q So you would give it to Dave Wallen -- you tell me

18 what processing it for payment means?

19 A I send it to -- I email a copy to Dave Ries for

20 approval and then I ask Mike Martz for a check.

21 Q And you mail the check then to Mr. Monaldo?

22 A Yes.

23 Q At what address; do you know?

24 A Shawnee office.

25 Q Does Mr. Monaldo ever sign checks for MPC or MGC?

1 A No.

2 Q Do you have any responsibility to make sure that
3 there are two signatures on the check?

4 A Yes.

5 MS. SHEMWELL: Let's go off the record for just a
6 second.

7 (Whereupon there was a discussion held off the record).

8 MS. SHEMWELL: Back on the record.

9 Q (By Ms. Shemwell) You said how often you spoke with
10 Mr. Monaldo, but I didn't get it noted. What did you tell
11 me?

12 A I only email.

13 Q Miss Hawkins, are you familiar with the tariffs
14 that MGC and MPC have filed with the Commission?

15 A No.

16 Q Have you ever seen those tariffs?

17 A No.

18 Q Did you type any of the tariffs?

19 A No.

20 Q Do you understand that MPC and MGC are regulated by
21 the Missouri Public Service Commission?

22 A Yes.

23 Q Do you understand what that means?

24 A No.

25 Q Do you have a copy of MPC and MGC tariffs in your

1 office?

2 A I don't know.

3 Q Do you know who's responsible to ensure that the
4 company's in compliance with its tariffs that are on file
5 with the Commission?

6 A Mr. Ries.

7 Q Have you discussed that with him?

8 A No.

9 Q And you have not discussed your testimony here
10 today with him?

11 A No.

12 Q Do you know who's responsible for Missouri Gas
13 Company to assure that they're in compliance with their
14 tariffs?

15 A Mr. Ries.

16 Q Do you gather any customer information other than
17 the SCADA reports that you mentioned?

18 A No.

19 Q Do you get phone calls -- for whom do you get phone
20 calls?

21 A Customers.

22 Q For whom I was asking? Mr. Ries, Mr. Wallen or who
23 calls the office?

24 A Mr. Ries.

25 Q And who else do you get phone calls for? Mr.

1 Martz? I guess what I'm asking is when a customer has a
2 problem, do they call your office?

3 A Yes.

4 Q And who typically would they be asking for?

5 A Typically Mr. Wallen.

6 Q Do you know who answers the phone after hours?

7 A It's a call center.

8 Q And do you know where that is?

9 A I believe it's in Shawnee.

10 Q Do you know who operates it?

11 A Aquila.

12 Q What are your regular hours?

13 A Eight to 4:30.

14 Q Five days a week, Monday through Friday?

15 A Yes.

16 Q Have you been called in on emergencies?

17 A No.

18 Q Do you know who to call in the event of an
19 emergency call?

20 A Dave Wallen.

21 Q So can you always get a hold of him, cell phone or
22 whatever?

23 A Yes.

24 Q Besides the SCADA information what data do you
25 collect?

1 A That's it.

2 Q What did you tell me when I asked if you list the
3 checks as they came in? Did I ask you that?

4 A (Witness shook head).

5 Q Do you list the checks when they come in?

6 A No.

7 Q Do you stamp them for deposit only or --

8 A No.

9 Q -- anything?

10 Who then keeps a record of what comes in?

11 A I do. It goes in a file. I put it in a file for
12 that week's checks to be mailed out.

13 Q Who gets that file?

14 A I keep it.

15 Q And then when it comes time for checks?

16 A I do the check request and then I give it to Dave
17 Wallen for approval.

18 Q Is the check request a form that you complete?

19 A Yes.

20 Q And from whom do you receive checks?

21 A Customers.

22 Q ** _____ **

23 A ** _____ ** I think
24 that's it.

25 Q I'm going to mention a few others; just tell me if

1 you get checks from them. What about ** _____

2 _____ **

3 A Yes.

4 Q ** _____ **

5 A No.

6 Q ** _____ **

7 A No.

8 Q ** _____ **

9 A No.

10 Q ** _____ **

11 A Yes.

12 Q Any others that you have thought of as we've gone

13 through?

14 A ** _____ **

15 Q ** _____ **, okay. And what about ** _____

_____ **

16 A Yes.

17 Q Do you know what ** _____ ** -- I mean what

** _____ **

18 ** _____ ** does?

19 A No.

20 Q What about the municipals like Sullivan, the cities

21 on the pipeline? Sullivan is Rolla; do you get checks from

22 them? Sullivan, Missouri? Waynesville?

23 A It's part of ** _____ **

24 Q And then before you send -- to whom do you send

25 checks? Anybody besides employees? Yvette you said?

25

1 A Yeah.

2 Q Who else?

3 A When we pay the bills that have come in.

4 Q Who's your natural gas supplier or electric

5 company? Do you get those bills?

6 A Yes. Laclede.

7 Q Laclede and Ameren?

8 A Uh-huh.

9 Q Any other bills that you pay regularly? You said
10 Yvette Korb, she's out there?

11 A The rent in the St. Peters office.

12 Q Phone bill?

13 A Yes. AT&T, SBC, Cingular.

14 Q Besides the OBA report that you've mentioned, what
15 other documents do you create on a monthly basis?

16 A On a monthly basis?

17 Q Uh-huh.

18 A The invoices.

19 Q So as these bills come in that we've talked by are
20 you going to list them so you'll keep track of what's come in
21 that month? Is that in a report?

22 A It's on a form.

23 Q Who gets that?

24 A Dave Wallen for approval.

25 Q Do you have any responsibility for assuring the

1 checks are correct before they go out?

2 A Yes.

3 Q So you check what?

4 A I make sure the amount is correct, there's two

5 signatures on the check and it's made out to who it's

6 supposed to be made out to.

7 Q And then you put it in the envelope?

8 A Correct.

9 Q Check the address and --

10 A Correct.

11 Q Have your job duties changed in the last -- since

12 you first came to the company?

13 A No.

14 Q Did you have experience with a natural gas pipeline

15 before you came to this company?

16 A No.

17 Q What did you do before you started this job?

18 A Delta Environmental.

19 Q Delta Environmental. What did you do there?

20 A Reimbursement.

21 Q What does that mean?

22 A They would clean up stations and be reimbursed from

23 the State of Missouri for the expenses they had spent on

24 it.

25 Q When you say station, are you talking about a

1 gasoline filling station?

2 A Yes.

3 Q They would go remove the tanks and --

4 A Yes.

5 Q And check the soil and that sort of thing?

6 A Yes.

7 Q Did you do any work other than what you've

8 described for Omega Pipeline?

9 A No.

10 Q Do you know who worked for Omega?

11 A Who works for Omega?

12 Q Uh-huh.

13 A David Shockley and Jim Newton.

14 Q When Omega was sold, did you gather together any

15 documents?

16 A No.

17 Q Did you box up any documents?

18 A No.

19 Q Did you ship any documents anywhere?

20 A No.

21 Q Did you is shred any documents?

22 A No.

23 Q Did you see anyone carrying documents from the

24 building?

25 A No.

1 Q Did you see anyone carrying boxes or other
2 equipment from the building?

3 A No.

4 Q How did you transfer what data you had about Omega
5 in your computer to someone else or did you?

6 A I didn't.

7 Q Did you have information concerning Omega in your
8 computer?

9 A Yes.

10 Q Is it still on your computer?

11 A The daily volumes.

12 Q It's the daily volumes. Did you print any of that
13 out for anyone?

14 A No.

15 Q And didn't mail it to anybody?

16 A No.

17 Q So it's still there on your computer, those daily
18 volumes?

19 A Yes.

20 Q Have you visited with anyone from Omega in the
21 past -- or since June 1, 2006?

22 A Jay Hopper.

23 Q Is that H-o-p-p-e-r?

24 A Yes.

25 Q Who is Mr. Hopper or is it Hopper?

1 A Hopper.

2 Q Okay. Do you know who he is?

3 A The owner.

4 Q And what have you talked to him about?

5 A The bills.

6 Q Say a little more about that, please.

7 A The telephone bills, the electric bills that he

8 will be receiving.

9 Q So explain to me how that happens; you get the bill

10 and you call him. Tell me how the process is?

11 A The bill comes in the mail and I send him an

12 envelope as needed.

13 Q To his address in Colorado?

14 A Correct.

15 Q Do you send him email as well? Do you he email

16 him?

17 A No.

18 Q When you get calls for Omega, what do you do?

19 A I don't receive any calls for Omega.

20 Q Did you prior to June 1?

21 A No.

22 Q You didn't get calls for Mr. Shockley or --

23 A I got only if it was an emergency gas leak.

24 Q Do you know who would call with that; was it from

25 the Fort?

1 A Correct.

2 Q So somebody from the Fort would call you and say

3 what?

4 A There was a gas leak.

5 Q And? I mean --

6 A I would call him and report it.

7 Q You'd call Mr. Shockley and report that there was a

8 gas leak?

9 A Correct.

10 Q Who would you visit with from the Fort? Was there

11 a particular person that would call?

12 A No.

13 Q What about when construction was going on; did you

14 receive calls about that?

15 A What construction?

16 Q Construction at the Fort?

17 A No.

18 Q The daily volumes, are you providing those to Mr.

19 Hopper?

20 A Yes.

21 Q Do you know what he does with that information?

22 A No.

23 Q Who handled that information prior to June 1?

24 A Mr. Ries.

25 Q Have you destroyed any documents in the last ninety

1 days?

2 A No.

3 Q Past one hundred twenty days?

4 A No.

5 Q How long do you keep your emails?

6 A How long do I keep my email? As soon as I do

7 whatever they pertain to, then I delete them.

8 Q Are there any particular emails that you keep

9 indefinitely?

10 A No.

11 Q From whom would you receive an email on a daily

12 basis?

13 A On a daily basis? ** _____ **

14 Q ** _____ **

15 A No emails.

16 Q Just those two?

17 A Yes.

18 Q Just those two?

19 A Correct.

20 Q Mr. Ries; from Mr. Ries?

21 A Not daily.

22 Q Weekly; who would you receive emails from on a

23 weekly basis?

24 A Nobody.

25 Q How often would you receive emails from Mr.

1 Wallen?

2 A Hardly ever. He's in the office with me.

3 Q Would the same be true for B.J.?

4 A Yes.

5 Q Mr. Martz?

6 A Yes.

7 Q What about Mr. Ries?

8 A As needed.

9 Q Do you get email from Yvette Korb?

10 A Once every six months.

11 Q From Ryan Ries?

12 A Hardly ever.

13 Q And Mr. Price?

14 A Hardly ever.

15 Q What about the gentlemen at the Fort; do you get

16 emails from them? Do they have email access?

17 A They do have access, but hardly ever.

18 Q The emails from ** _____ **, do you retain

19 those?

20 A No.

21 Q What do you do with them?

22 A I get the daily volume from that.

23 Q Who would send you that information?

24 A It comes over like a cell -- comes out of this

25 computer system over a cell phone like system. It's no

1 person; it's not from a person.

2 Q And that is the information that you would enter
3 into the OBA report; is that correct?

4 A The daily volume tracking.

5 Q Would information about other customers come in a
6 different way?

7 A It's either the SCADA system or the email.

8 Q One or the other?

9 A Yes.

10 Q Do you know why ** _____ ** is different?

11 A No.

12 Q Or ** ____ **, do you know why it was different?

13 A No.

14 Q But ** _____ ** would come in through this
SCADA
15 system; is that --

16 A Correct.

17 Q The others besides what you mentioned would come in
18 through SCADA?

19 A Correct.

20 Q Okay. And all of the others that we talked
21 about -- ** _____ ** and ** _____ ** -- do all of
those come in
22 --

23 A SCADA.

24 Q -- through SCADA?

25 Do you know where the Omega documents are stored?

34

1 A No.

2 Q Where were they stored prior to June 1?

3 A I don't know.

4 Q Did you ever see any documents related to Omega?

5 A No.

6 Q So you didn't have them at Algana Court that you
7 know of?

8 A No.

9 Q Did you assist anyone in preparing documents for
10 the depositions other than gathering these two?

11 A No.

12 Q Would you tell me specifically about document 15;
13 for whom did you prepare that?

14 A I do not prepare this.

15 Q What is that document?

16 A This comes from Panhandle. It's their confirmation
17 of nominations.

18 Q What does that mean?

19 A It means they nominate gas to Panhandle.

20 Q Who's they?

21 A These customers.

22 Q And that's your record from Panhandle telling you
23 what?

24 A That I should balance with this total.

25 Q Do you get one of those on a daily basis?

35

1 A Yes.

2 Q Including weekends?

3 A Yes.

4 Q And how do you receive that; email or --

5 A It's faxed.

6 Q What do you do with that on a daily basis? You get
7 that faxed in; what do you do with it?

8 A I verify the totals to the computer and I hold it
9 until the end of the month.

10 Q And then at the end of the month where does that
11 go?

12 A I destroy it.

13 Q Shred it?

14 A Yes.

15 Q And if it doesn't -- you have two little checkmarks
16 down here; do you put those there?

17 A Yes, that's when I've balanced with it.

18 Q And when you say off by one, when we used that
19 phrase earlier, is this off by one?

20 A Yes. When I say I'm off by one, if those totals do
21 not come to those exact totals.

22 Q And match?

23 A Exactly.

24 Q So this would have been a day that you would have

25 called Panhandle; is that right?

36

1 A No.

2 Q It's just at the end of the month if it doesn't
3 balance you call them?

4 A I'm sorry. Maybe I misunderstood your question.

5 Q These numbers are not exactly the same, right?

6 A Correct.

7 Q So are they off by one?

8 A No. This is the total for the 25th, so I have to
9 match to the total to the 25th. This is the total for the
10 26th; I have to match that total for the 26th.

11 Q And you're matching for that total in what you have
12 in your system from the SCADA and from the emails?

13 A Correct.

14 Q On those -- okay. Daily?

15 A Correct.

16 Q And your check marks indicate that --

17 A I've balanced.

18 Q Say you call Panhandle and say, okay, I'm off by
19 six or whatever. What happens then?

20 A We verify the nominations that I received from
21 those customers to the nominations they received.

22 Q Can you show me where the date is on here?

23 A The date?

24 Q Uh-huh.

25 A Right here.

37

1 Q The date; I can't see a date there.

2 A Day twenty-five.

3 Q Day twenty-five of what?

4 A August.

5 Q ** _____

6 _____

7 _____

8 _____ **

9 A ** _____ **

10 Q ** _____ **

11 A ** _____ **

12 Q So the information that you have in your computer
13 would match that?

14 A Yes.

15 Q Hopefully?

16 A Yes.

17 Q ** _____

18 _____ **

19 A ** _____ **

20 Q Do you know why Omega has zero for those days?

21 A No.

22 Q Do you know what the column service requester
23 stands for?

24 A May I see the paper? I'm sorry. Which --

25 Q Service requester?

1 A No.

2 Q On here sometimes the service requester matches

3 Laclede Gas. It's on both -- it says up or down name. Do

4 you know what that means?

5 A No.

6 Q ** _____

7 _____

8 _____ **

9 A ** _____ **

10 Q Under month is that a monthly total quantity? Is

11 that --

12 A I don't know.

13 Q I assume that's what month stands for?

14 A Yeah. I don't match to that.

15 Q Who does?

16 A I don't know.

17 Q Do you ever call the companies if your nominations

18 don't match?

19 A Yes.

20 Q And under what circumstances would you call Union

21 Electric?

22 A If Panhandle has a different amount than I have.

23 Q How would that get resolved? You'd call Union

24 Electric and say I have a different number than Panhandle;

25 what happens then?

1 A They would tell me who has that correct number; if
2 I have the correct number or Panhandle has the correct
3 number.
4 Q So they're somewhere keeping a number themselves?
5 A Yes.
6 Q What about if Missouri Pipeline Company's doesn't
7 match? If your numbers don't match for Missouri Pipeline,
8 who do you call?
9 A They've always matched.
10 Q What about ** _____ **; same situation as with
11 ** _____ **? If they don't match --
12 A Yes.
13 Q -- you call them?
14 A Yes.
15 Q And ** _____ **?
16 A I call them.
17 Q Do you know what they're reading to tell you? Do
18 you know what they're looking at --
19 A No.
20 Q -- when they tell you whether they're off or not?
21 A No.
22 Q Do you know who ** _____ **?
23 A It's ** _____ **.
24 Q Do you know what this ONT --
25 A No.

with

1 Q Do you know what that means?

2 A No.

3 Q Let's just take ** _____ **. Do you know

4 whom ** _____ ** makes its nominations?

5 A I'm sorry?

6 Q Do you know where they nominate their gas, who they

7 call to make their nominations?

8 A Me. I receive an email.

9 Q And it says nominate ** ____ ** for us today?

10 A Yes.

11 Q And so how do you process that?

12 A It's on my computer system; it's in my volume

13 tracking.

14 Q So if they say nominate 350 for us today, do you

15 call someone?

16 A No.

17 Q Do they let you know that they have nominated?

18 A They send me a form; they email me a form.

19 Q And then what do you do with that form?

20 A I retain it until the end of the month.

21 Q You don't send it on to anyone else?

22 A No.

23 Q Would the same be -- would ** _____ **

be

24 handled the same way?

25 A Yes.

41

1 Q They send you a form?

2 A Uh-huh.

3 Q You --

4 A Enter it in the system.

5 Q Okay.

6 A And I hold it to the end of the month.

7 Q You don't print out the form?

8 A No.

9 Q Let's just say it was an error entering the number.

10 How do you check that?

11 A I verify it against the email form that they
12 sent.

13 Q So you go back and look at the form to make sure it
14 was entered correctly? And then if it doesn't add up and you
15 and Panhandle don't add up, you --

16 A I call.

17 Q ** _____
**

18 A ** _____

19 _____ **

20 Q ** _____ **

21 A ** _____

22 _____ **

23 Q Do you know if they're in their gas buying
24 departments?

25 A I don't know where they're at.

1 Q And on Missouri Pipeline you said you didn't ever
2 have an imbalance, so you don't have to go back and check or
3 call anyone or --

4 A No.

5 Q Would you get the form daily from someone at
6 Missouri Pipeline?

7 A No.

8 Q You didn't get a form saying nominate 350 or
9 whatever?

10 A No.

11 Q Did you get that from Omega?

12 A No.

13 Q ** _____ **

14 A ** _____ **

15 Q ** _____

16 _____ **

17 A ** _____ **

18 Q ** _____
19 **

19 A ** _____ **

20 Q Did you take nominations from Fidelity before they
21 were purchased by Laclede?

22 A Yes.

23 Q Did that situation then change after the
24 purchase?

25 A No.

1 Q It just continued to operate as it had in the past.

2 ** _____ **, any of those others that we mentioned,

3 ____ **, do they send you nominations? Is that what we were

4 talking about?

5 A ** _____ ** sends the nomination.

6 Q ** _____ **, okay. So I'm wanting to determine

7 what they email you. What does ** _____ ** -- what do

8 and ** _____ ** email you that's different from what UE and

9 email to you?

10 A We assume what ** _____ ** and ** _____ ** takes

11 going to -- they don't send me a nomination. What they take

12 is what they take.

13 Q So they send you --

14 A ** _____ ** I don't get a nomination for

15 them.

16 Q What about ** _____ ** and the others; do you get

17 nominations from --

18 A ** _____ **.

19 Q ** _____ **. Is that true of all of the rest

20 them that we discussed? ** _____ **?

21 A ** _____ **.

22 Q And ** _____ **?

do?

23 A ** _____ **.

24 Q ** _____ **

25 A ** _____ **

44

1 Q ** _____ ** --

2 A ** _____ **

3 Q Do you know who ** _____ ** is and what they

4 A No.

5 Q What about ** _____ **?

6 A Who noms for them?

7 Q Uh-huh.

8 A I'm not sure.

9 Q But you're not hearing from them on a daily

10 basis?

11 A I'm sorry. ** _____ ** noms for them.

12 Q ** _____ ** noms for ** _____ **, okay.

13 Did you tell me ** _____ ** did it for City of

14 Cuba? Do you know who noms for City of Cuba?

15 A I'm not sure.

16 Q Does anyone at Missouri Pipeline nominate for

17 anybody?

18 A No.

19 Q What about Omega? Do you hear from Omega, anyone

20 at Omega, for the Fort on a daily basis for their noms?

21 A No.

22 Q Do you hear from them monthly? Do you know who

23 nominates for the Fort?

24 A It's as needed. I don't know.

25 Q So you might hear from the Fort less regularly

1 then?

2 A Correct.

3 Q Do you hear from the Fort or do you hear from
4 Omega; how is that --

5 A Omega.

6 Q Who is that actually from?

7 A Jay.

8 Q And who was it from before the 1st? Who were you
9 getting the information from about the nominations?

10 A Mr. Ries.

11 Q When saw Mr. Ries, you're talking about David Ries,
12 not Ryan Ries, correct?

13 A Correct.

14 Q If you intend to say Ryan Ries, would you just say
15 that otherwise we'll just refer to Mr. Ries.

16 So how often do you hear from Mr. Hopper for Omega
17 nominations?

18 A As needed.

19 Q Can you give me an estimate; is that twice a week
20 or once a month?

21 A Once a month.

22 Q Do you know if the Fort is actually using gas on a
23 daily basis?

24 A No.

25 Q There was a list of perhaps fifteen documents

1 attached to your deposition. Did you look for those
2 documents?

3 A Yes.

4 Q And did you find them?

5 A Most of them are not retained.

6 Q So the imbalance summary by contract reports is not
7 maintained?

8 A I'm sorry. Which one?

9 Q The imbalance summary by contract reports?

10 A Correct.

11 MS. SHEMWELL: Let's just take a couple minutes.
12 I'll go make a copy for everybody so that it will be easier.

13 (Whereupon there was a brief recess).

14 MS. SHEMWELL: Let's go back on the record.

15 Q (By Ms. Shemwell) The imbalance summary contract
16 reports are not retained; is that correct?

17 A That's electronic.

18 Q That's electronic. So is that something you can
19 print out?

20 A No.

21 Q Why not?

22 A It's huge. That's our volume tracking.

23 Q Is that something you can put on a CD?

24 A I don't know.

25 Q Do you know what is contained in that imbalance

1 summary? Is it daily tracking?

2 A Yes.

3 Q For the history of the pipeline?

4 A Yes.

5 Q Let's look at the next one, daily gas control and

6 contract balance reports. Are those what we have been

7 looking at? Tell me the documents that we've marked as 15

8 and 16, what are those are on this list of documents? What

9 are those responsive to, which number?

10 A This one is Number 8.

11 Q And you're referring to Exhibit 16; is that

12 correct?

13 A Yes.

14 Q And what about Exhibit 15?

15 A That is Number 9.

16 Q Your imbalance summary, is that like an Excel

17 spreadsheet or how is that kept?

18 A Excel spreadsheet.

19 Q So tell me what Number 2 is, daily gas control and

20 contract balance reports? How is that kept?

21 A That's electronically also.

22 Q Is it electronic as well?

23 A Yes.

24 Q Now, the next asks you for communications,

25 correspondence, notes and emails between MPC and MGC and

1 Panhandle Eastern related to system imbalances. Why have you
2 not produced that?

3 A It's electronically.

4 Q And how is that maintained; is it a Word or is it
5 Excel?

6 A It's Excel.

7 Q When you call Panhandle as we've talked about with
8 these documents because like 15 and it doesn't balance, do
9 you keep any records of those calls?

10 A No.

11 Q Have you ever been unable to balance?

12 A Yes.

13 Q So what happens when you and Panhandle don't agree?
14 You call Laclede and they have a third number. What happens
15 then?

16 A That's whenever I call Panhandle and we compare the
17 nominations that they have sent me and they've sent them.

18 Q And if there's a difference, then how do you
19 resolve that? Let's say the numbers don't match. Has that
20 happened?

21 A No.

22 Q Okay. So you always figure it out?

23 A Yes.

24 Q How much exactly?

25 A Yes.

1 Q How does the lost and unaccounted for percentage
2 work in there?

3 A I'm not sure.

4 Q Number 4 it says documents, correspondence,
5 communications by Ryan Ries sent to you.

6 A That's electronically.

7 Q And have you retained those as well?

8 A Do I retain them?

9 Q Uh-huh.

10 A No.

11 Q So when you say no, what does that mean? That you
12 don't have any?

13 A Or if I have what we work on for this year, what
14 we're working on for this year.

15 Q So any emails he's sent you for this year you
16 have?

17 A No, I've deleted them as I've taken care of
18 whatever he's asked for.

19 Q So you don't have any; is that what you're
20 saying?

21 A Right.

22 Q You don't currently have any?

23 A Right.

24 Q Look at Number 5 and tell me about that situation,
25 if you have those?

1 A No.

2 Q And then your response is no because you have
3 deleted these after you've received them?

4 A Correct.

5 Q Is that a company policy?

6 A No. It's just my policy.

7 Q Your practice. Next it asks for copies of
8 documents that you created that you provided to Mr. Ries, Mr.
9 Wallen, Mr. Lodholz, Mr. Martz. Are there no documents that
10 you have created for any of these other employees that you
11 retain?

12 A No.

13 Q You haven't typed any letters for them? What about
14 the notes that you keep about checks?

15 A I don't retain them.

16 Q You don't keep those either. What about expense
17 accounts; do you retain those?

18 A I don't have anything to do with expense
19 accounts.

20 Q So it's just the checks --

21 A Yes.

22 Q -- that you mail? Do you keep any copies of
23 those?

24 A No.

25 Q Have you had any communications with Mr. Langley?

1 A No.

2 Q Do you know who he is?

3 A Barely.

4 Q What do you know about him?

5 A I just know he's in Shawnee.

6 Q Do you know if he's a shareholder of any of the

7 companies?

8 A I don't know.

9 Q But would you know him if he walked in the door?

10 A No.

11 Q Number 10 asks for spreadsheets and we've talked

12 about the three at the top that are Excel. Are there any

13 other spreadsheets that you create or maintain or enter data

14 into?

15 A No.

16 Q Number 1, to whom would you send that information,

17 the imbalance summary?

18 A David Ries.

19 Q Anybody else?

20 A Dave Wallen.

21 Q Anything go to Mr. Hopper these days?

22 A No.

23 Q On Number 2 to whom do you send the daily gas

24 control contract balance report?

25 A It's our customers.

1 Q How do you send that?

2 A Email.

3 Q ** _____

4 _____ **

5 A ** _____ **

6 Q ** _____

7 _____

8 _____ **

9 A (Witness nodded).

10 Q And then the system imbalance as discussed in

11 Number 3, to whom would those be sent?

12 A Number 3?

13 Q Yes.

14 A That's the gas -- that's the volume tracking.

15 Q Who do you send that to? Do you send it to
16 anyone?

17 A David Ries.

18 Q Not Ryan?

19 A Ryan does get it.

20 Q And Mr. Wallen?

21 A Uh-huh.

22 Q Mr. Hopper?

23 A No.

24 Q Any of this do you send to Mr. Hopper?

25 A He gets the daily report.

1 Q Is that Number 2 that you're referring to?

2 A He gets the daily report for ** _____ ** and
 ** _____ **.

3 Q And Omega?

4 A And the Fort, yes.

5 Q But not ** _____ **?

6 A Yes, he gets that, too.

7 Q And City of Cuba?

8 A Yes, he gets that.

9 Q And the others? Does it help for me to go through
 10 them? ** _____ **?

11 A ** _____ **.

12 Q ** _____ **?

13 A ** _____ **

14 Q ** _____ **?

15 A ** _____ **.

16 Q And do you send -- distinguish for me -- I'm sorry.
 17 What do you send ** _____ **, any of
 18 these?

19 A They get the daily report, the volumes.

20 Q And that's Number 2?

21 A Yes.

22 Q Did you bring one of those with you? Is it one of
 23 the daily reports? Did you bring a copy of one of those with
 24 you?

25 A No.

1 Q I'm going to ask if you could print out just a
2 sample. If you are able to print out samples of 1, 2 and 3
3 and if you would send them in with Mr. Wallen tomorrow if
4 that's possible, just samples. Will Mr. Wallen be familiar
5 with these documents?

6 A Yes.

7 Q And Mr. Ries will, too, then I suspect. Okay.

8 When a check goes for Yvette Korb for a lease, do
9 you keep a copy of the check and put it in to show that it's
10 been mailed or what you put in the mail?

11 A There's a bottom of the check that we tear off and
12 keep.

13 Q And how long do you keep those?

14 A I don't know.

15 Q Are they kept in your office in the Algana Court
16 office?

17 A Mike Martz' office.

18 Q Which was B.J.'s office?

19 A Correct.

20 Q Mr. Lodholz described for us a document that he
21 kept that was a copy of -- I think it was the face sheet of
22 the monthly invoices; do you know what I'm talking about?

23 A Yes.

24 Q Do you know where those are?

25 A We don't retain them.

1 Q Because he had indicated that he kept them for --
2 A He does. I don't keep a copy of them.
3 Q I'm going to ask for you to say I, I don't keep, as
4 opposed to we?
5 A Okay.
6 Q So I understand.
7 A Okay.
8 Q So would those be in Mike's office Mike Martz'
9 office as far as you know?
10 A I don't know.
11 Q Do you know if Mr. Martz still keeps those in his
12 office?
13 A I don't know.
14 Q Do you keep calendars, anyone's calendar?
15 A No.
16 Q So you don't keep appointments for anyone?
17 A No, no.
18 Q Who walks into your office?
19 A Salesmen.
20 Q Like?
21 A Pitney Bowles.
22 Q Copy machine people?
23 A (Witness nodded).
24 Q Who else?
25 A People that we order office supplies from.

1 Q Anybody else?

2 A No.

3 Q Do you ever see the guys from Fort Leonard Wood?

4 A No.

5 Q Are there any monthly meetings of people?

6 A No.

7 Q Were there any meetings held there?

8 A For Omega?

9 Q No, for any of the companies?

10 A No.

11 Q For Missouri Pipeline. No meetings, no safety --

12 monthly safety meetings or -- I don't know --

13 A No.

14 Q Did you receive any documents, correspondence from,

15 for example, the landlord? You've discussed the bill;

16 anything else you would have received from the landlord?

17 A The bill every month.

18 Q Did he come by the office?

19 A Mail.

20 Q Number 14, we asked for all spreadsheets in

21 electronic format. You've mentioned the three at the top and

22 that they're large documents in Excel. Do you keep any other

23 spreadsheets?

24 A No.

25 Q And then Number 15 asked for reports that you

1 generated. Are there reports other than what we have
2 discussed? We've looked at these, we've discussed these
3 three at the top. Any other reports?

4 A No.

5 Q Do you believe you've described all of the tasks
6 that you perform for Omega prior to the June 1 sale?

7 A Yes.

8 Q And, Patty, since that June 1 sale are you still
9 performing pretty much the same tasks?

10 A Yes.

11 Q You just talk to Jay Hopper instead of Mr. Ries; is
12 that largely the change? Is that a correct assessment that
13 I'm hearing?

14 A Yes.

15 Q When you get his mail, is that when you call him or
16 do you mail it on to him? What do you do when you get Omega
17 mail?

18 A I put it in an envelope and mail it to him once a
19 week.

20 Q Would you refresh my memory of which of the top
21 three you send to him? Was that Number 2 that you sent?

22 A To Mr. Hopper?

23 Q Uh-huh.

24 A It's the daily volumes.

25 Q And I'm sorry. Is that Number 2?

1 A Yes.

2 Q Have you met him?

3 A Yes.

4 Q He's been in the office?

5 A Once.

6 Q And that is emailed to him?

7 A Yes.

8 Q Who prepared the invoices for customers?

9 A I do.

10 Q And did you do that monthly, daily?

11 A Monthly.

12 Q Who signed them? Did anyone sign them?

13 A No.

14 Q You just put them in the mail?

15 A Dave Ries approves them, Dave Wallen approves

16 them.

17 Q Both all the time?

18 A Yes.

19 Q And if a customer had a problem with their bill,

20 who would they call?

21 A Me.

22 Q And what kind of problems would they discuss with

23 you?

24 A I haven't had anybody call.

25 Q So nobody's called and said our nominations seem

1 off this month or I don't think we used that much or would
2 you check our meter, have somebody check our meter or --

3 A If they would call, I would communicate that to
4 Dave Wallen and we would check it out.

5 Q But you don't recall any phone calls of that
6 nature?

7 A No.

8 Q Did anybody ask to have their meters examined?

9 A Not that I'm aware of.

10 Q What about replaced?

11 A Not that I'm aware of.

12 Q ** _____
13 _____

14 _____ **
15 A ** _____ **
16 Q ** _____ **

17 A ** _____ **

18 Q ** _____ **

19 A ** _____ **

20 Q Uh-huh.

21 A MPC.

22 Q Was the process any different?

23 A Was it any different? No.

24 Q So you would get an invoice, you'd look at it, put
25 it in the file?

1 A I would verify that we received whatever was on the
2 invoice.
3 Q So if it was for pipe --
4 A Yeah.
5 Q -- what would you do?
6 A Ask Dave Wallen.
7 Q And say to him what?
8 A Did we receive this much pipe.
9 Q And then he says yes; what happens next?
10 A Then I put it on my check request to have the check
11 cut.
12 Q And who would then cut the check?
13 A B.J. or Mike.
14 Q ** _____
15 _____
16 _____ **
17 A ** _____ **
18 Q So I'm taking that to mean, no, you didn't --
19 A Yeah.
20 Q -- get those checks; is that correct?
21 A Yes.
22 Q Your answer is no? I don't want to be talking in
23 circles here. Sorry.
24 A Yeah.
25 Q Who prepared the bills for Omega's customers?

when

25 Q Do you know who they are or what they do?

62

1 A No.

2 Q Do you know where they are?

3 A No.

4 Q Did you deal with anybody from ** _____ **?

5 A No.

6 Q Did you generate the bills to ** _____ **?

7 A No.

8 Q Was that Mr. Ries; do you know?

9 A Yes.

10 Q Did you have any interaction with anyone from --

11 any individual from ** _____ **?

12 A No.

13 Q MPC and MGC's bills to Omega, did you prepare
14 those? Did MPC and MGC send bills to Omega?

15 A No.

16 Q They did not send bills or you just didn't --
17 you're not -- you don't know?

18 A I'm not aware of any bills.

19 MS. SHEMWELL: Excuse me.

20 Q (By Ms. Shemwell) What do you know about ** _____

21 _____ **?

22 A It's part of Omega.

23 Q Did you interact with anyone from ** _____ **?

24 A No.

25 Q Did you generate a bill for ** _____ ** --

63

1 A No.

2 Q -- from MPC or MGC to Willard for anything?

3 A No.

4 Q Do you know what Willard does?

5 A No.

6 Q Do you know how much gas they take on a normal
7 month?

8 A No.

9 Q That's something you'd enter on a daily basis
10 though, right?

11 A Yes.

12 Q And was ** _____ ** one that came in; it's a SCADA
one,

13 right?

14 A No.

15 Q It's one of the emailed ones then?

16 A Yes.

17 Q Do you know if ** _____ ** usage varied
throughout

18 the year? Is that something you would pay attention to or
19 know?

20 A It would be different every day.

21 Q Would you collect any other information besides --
22 were you getting noms from them or usage? I'm sorry. Was it
23 their nominations or was it their usage?

24 A Usage.

25 Q After you got that daily usage, was that part of

64

1 something that you kept?

2 A Until the end of the month.

3 Q Do you know what ** _____ ** does?

4 A No.

5 Q Did you prepare any bills for them?

6 A No.

7 Q How did you get information from them?

8 A ** _____ **?

9 Q Uh-huh.

10 A ** _____ **

11 Q Daily?

12 A Yes.

13 Q Did you ever talk to anyone at ** _____ **?

14 A No, no.

15 Q Did you talk to ** _____ ** about the ** _____ **
account?

16 A Yes.

17 Q What would you discuss?

18 A Usually that I didn't get the number for day.

19 Q So you'd called somebody at ** _____ ** and say --

20 A Yes.

21 Q ** _____ ** or whoever? Did you deal with
Emma;

22 do you remember?

23 A Who?
24 Q ** _____ **?
25 A Doesn't -- no.

65

1 Q ** _____
2 _____ **
3 A ** _____ **?
4 Q ** _____ **?
5 A From Ameren, no.
6 Q Has the way you get information from ** _____ **
changed
7 in the last two and a half years or during your job?
8 A Yes.
9 Q And did you get it from ** _____ ** at one time
directly
10 or who else did you get it from?
11 A Got it from ** _____ **.
12 Q Directly?
13 A Yes.
14 Q Do you remember when it changed to ** _____ **?
15 A No, I don't remember.
16 Q Can you give me an approximate?
17 A I think it was -- complete guess -- November of
18 last year. I don't remember.
19 Q When you say last year, that's '05, sometime in
20 '05?
21 A I'm not sure.
22 Q And then would the bills also go to ** _____ ** for

23 ** _____ ** for their usage, the bills?

24 A Now?

25 Q Well, let's talk about originally. Do MPC and MGC

66

1 or did they mail bills directly to ** _____ **?

2 A ** _____ **.

3 Q So you would send -- did you send a bill or did you
4 receive anything -- no. Let me start over.

5 ** _____

6 _____ **

7 A ** _____ **

8 Q And now that it's ** _____ ** has that changed?

9 A Yes.

10 Q You send ** _____ ** a bill?

11 A ** _____ **

12 Q Okay.

13 A So I don't send Omega bills.

14 Q Again, the information you collect about ** _____ **
is

15 the daily usage?

16 A Yes. I get that from ** _____ **.

17 Q So help me out again. You get from ** _____ ** --

18 A ** _____ ** number.

19 Q And ** _____ **, does that come
through

20 ** _____ **?

21 A ** _____ **.

22 Q Who else comes through ** _____ ** besides
** _____ **?
23 Anybody else? ** _____ **?
24 A ** _____ **.
25 Q What about City of Cuba; did you send bills to the

67

1 City of Cuba on behalf of Missouri Pipeline?
2 A That's Omega.
3 Q Who did you deal with at City of Cuba?
4 A I'm sorry?
5 Q Who did you deal with at the City of Cuba? Did you
6 deal with an individual?
7 A No.
8 Q You knew that that was one of the cities along the
9 pipeline route though, right?
10 A (Witness nodded).
11 Q ** _____
12 _____ **
13 A ** _____ **
14 Q And, again, that was something you only kept until
15 the end of the month? You would keep their usage amounts;
16 would you keep that beyond just the end of the month?
17 A That's electronically.
18 Q So you have that in the Excel spreadsheet, okay.
19 Let's discuss 16 if we may.
20 MS. SHEMWELL: Shall I make a copy --

21 A Please.

22 MS. SHEMWELL: -- of this. Let's go off the
23 record.

24 (Whereupon there was a brief recess).

25 MS. SHEMWELL: All right. Let's go back on the

68

1 record.

2 Q (By Ms. Shemwell) Miss Hawkins, if you'll consider
3 yourself still sworn, okay.

4 I'm looking at Exhibit 16. I've made copies for
5 you. Does everyone have a copy?

6 Would you explain to me what this daily gas control
7 report, what information it contains?

8 A It's the information to Panhandle that I send
9 daily.

10 Q Let's look under the first column is the date, but
11 the next column the first line reads ** **. What does
that
12 represent?

13 A That's the volume we took from Panhandle.

14 Q On August 1st?

15 A Correct.

16 Q And on the 2nd there's ** **. Is that volume
you
17 took on the second?

18 A Yes.

19 Q Is that kind of difference between one day and the

20 next typical?

21 A Yes -- no.

22 Q Do you know why the difference?

23 A They had the pipeline shut down to work on
24 Laclede's line.

25 Q Do you do a similar report for MRT?

69

1 A A similar report? Yes.

2 Q And does the MRT also list the volumes that you've
3 taken by day?

4 A Yes.

5 Q Can you send a copy of that back with Mr. DeFord
6 and Mr. Ries tomorrow, please?

7 We've talked almost exclusively about Panhandle.
8 Do you have the same daily conversations with MRT?

9 A No.

10 Q How come?

11 A We don't take gas from them that often.

12 Q So, for example, on their report it might have a
13 number of zeros in here?

14 A Yes.

15 Q And then you would take on a few days. Do you know
16 the circumstances under which you take from MRT?

17 A No.

18 Q I was going to ask why the zeros at the bottom, but
19 it's because we haven't gotten to those dates, right?

20 From Panhandle would there be days where there was
21 no volume taken? Like in the middle of August, are there any
22 days where there are no volumes?

23 A Yes.

24 Q Nobody takes any volumes from Panhandle?

25 A The zeros will be on line 301. There will always

70

1 be volumes on 300.

2 Q So what does 301 represent?

3 A It's another line coming from Panhandle.

4 Q To points where you take gas?

5 A Correct.

6 Q So only sometimes do you take from whatever the
7 line 301 represents?

8 A The summer is usually 300 and then in the winter in
9 the really cold days we'll use 301.

10 Q Do you know what the two are; one's Curryville and
11 one's another point?

12 A I believe both of them are Curryville.

13 Q So then we get to line three and that is the total
14 of 300 and 301; is that right?

15 A Yes.

16 Q Do you know what dry BTU means? Is there a wet
17 BTU?

18 A No, not that I'm aware of.

19 Q So it just always says dry BTU?

20 A Yes.
21 Q Do you know what those lines mean, specific
22 gravity?
23 A The specific gravity and the CO2 and N2.
24 Q Uh-huh. What those are?
25 A I believe it has something to do with the BTU.

71

1 Q The content of the gas; is that accurate?
2 A Correct, correct.
3 Q So the next line with MPC 300 it says MMBTU, those
4 are the MMBTUs that you take from the two Panhandle --
5 A That's MCF divided by the BTU.
6 Q At the bottom it says that if they have any
7 questions, to call you or Mr. Wallen.
8 A That's when we don't match.
9 Q So Panhandle calls one of you?
10 A (Witness nodded).
11 Q If you're not in that day, they talk call to Mr.
12 Wallen; is that the way it works?
13 A Correct.
14 Q Are you receiving gas through MRT? Have you
15 received any gas from MRT in the last month?
16 A No.
17 Q You said it's mostly in the winter that you do
18 that?
19 A Correct.
20 Q November through March; is that what you'd consider

21 winter?

22 A Correct.

23 Q How do you know if gas is coming through MIG?

24 A That's MRT.

25 Q So one of these is MRT?

72

1 A No.

2 Q These are both Curryville?

3 A This is Curryville.

4 Q Do you have a separate sheet for gas coming in
5 through MIG?

6 A MRT.

7 Q sorry, I didn't catch that. Do you have any way of
8 knowing the pressure on the system; is that something that
9 you would know?

10 A On the SCADA system.

11 Q What happens if you get a SCADA reading that is
12 unexpected, that's not typical of what you usually get?

13 A I speak with Dave Wallen.

14 Q Do you have things that you think may have happened
15 when that occurs? I mean do you know why that might occur?

16 A No.

17 Q What happens when the phone lines are down? Are
18 the phone lines ever down?

19 A To the SCADA system?

20 Q Uh-huh. Does it happen?

21 A Yes.

22 Q So that you might not get reading for a day or
23 longer?

24 A One day.

25 Q What do you do when that happens? How do you

73

1 recreate that data?

2 A We get it the next day.

3 Q So it's not like you lost that day's data?

4 A No.

5 Q I believe that this list contains all of the
6 customers. We were looking for a list of customers. Would
7 you look through this list and tell me if it does -- if
8 you're familiar with these customers. Or it might be easier
9 if you just tell me if there are any with whom you were not
10 familiar?

11 A No, these --

12 Q Okay. So where it says, for example, ** _____
13 _____ **, those are the people from whom you hear on a
14 regular basis? As opposed to let's say ** _____ ** you
15 would hear from ** _____ **?

16 A Correct.

17 Q Are you familiar with this particular document?

18 A Yes.

19 Q And are you the one who inputs the information?

20 A Yes.

21 Q Do you know why under some contracts for that day
22 there was no usage? I'm looking under line four. It
23 actually says prior month and there's no usage for ** _____
24 _____ **; do you know why?
25 A No.

74

1 Q Does that mean that you would not have heard from
2 Ameren on that day?

3 A Prior month it has zeros because it was -- this
4 particular sheet is the very first day of May.

5 Q Of May?

6 A So the prior month would have been -- this is the
7 sheet that starts out for the very first day of May.

8 Q So do the zeros indicate no imbalance? Is that --

9 A Yes.

10 Q -- how I'm reading that? Do you know why Fort
11 Leonard Wood would have what I'm going to describe as a
12 significant imbalance in comparison to the others? ** _____

13 _____ **

14 A ** _____
15 _____ **

16 Q To whom would you give this document?

17 A David Ries and Ryan Ries.

18 Q David and Ryan. Where did you put this document?

19 I'm looking at three hole punches that would indicate to me
20 that it's gone in some notebook or something. Did you punch

21 it and put it in a notebook?

22 A No, this was the one that was accidentally sent and
23 it had papers on top of it that I had punched holes in. This
24 is --

25 Q So after you send it to Mr. Ries and Mr. Ries what

75

1 do you do with the document?

2 A It's electronically -- it's electronic.

3 Q So you'd have these electronically going back?

4 A (Witness nodded).

5 Q Do you know why Laclede's OBA summary, which is
6 right over here, why is it separated specifically when other
7 customers are not?

8 A I don't know.

9 Q When you say accidentally, did you send this to
10 Laclede every day?

11 A No.

12 Q Anyone else every day besides --

13 A No.

14 Q -- the Misters Ries?

15 A I'm sorry. Dave Wallen gets it every day.

16 Q Okay. Would B.J. as well? Do your accounting
17 people get it every day, too?

18 A No.

19 Q Do you know how Mr. Wallen uses this information?

20 A No.

21 Q Do you know if it's a concern to him when someone
22 has a significant imbalance? I shouldn't use the word
23 significant. **

24

25

 **

76

1 A That's Omega.

2 Q Yes, Omega across from Fort Leonard Wood on the
3 very left, right?

4 A Are we at the bottom or the top?

5 Q **

6

7

 **

8 A Yes.

9 Q Do you know what that information means to him?

10 A No.

11 Q Is this prepared for every day of the month
12 including weekends?

13 A It's daily.

14 Q How do you do it on Saturday and Sunday; what
15 happens?

16 A We do it on Monday.

17 Q And when there's a holiday, you just do it then the
18 first day you're in?

19 A Or I go in.

20 Q Like on Monday.

21 A Or I go in on the holiday.
22 Q Okay. How do you send this information to them?
23 A Email.
24 Q Do you know why there are contract numbers
25 listed?

77

1 A No.
2 Q On the third sheet. No?
3 Do you know what Mr. Ries and Mr. Wallen do with
4 the information?
5 A No.
6 Q Has either of them ever called you and been
7 concerned that these numbers are not what they are
8 expecting?
9 A Yes.
10 Q And what do they say; what's the conversation?
11 A Usually to verify the numbers on here as correct,
12 so I have to do research.
13 Q And where do you find the answer?
14 A Back on the daily input sheet.
15 Q And what's usually the -- what's the cause of the
16 problem or that the number is not right?
17 A I've inputted something incorrect.
18 Q So you've just typed something wrong?
19 A (Witness nodded).
20 Q Have you had any need to go back and look at these;

21 let's say to go back and look at January? Has there been an
22 occasion where you need to go back months and look at a
23 particular day?

24 A Of that year, of the current year?

25 Q Uh-huh.

78

1 A Not that I can remember.

2 Q Would you describe this as sensitive information?

3 A Yes.

4 Q Do you know why?

5 A It basically has all the volumes on one sheet; it's
6 like the whole volume tracking sheet on one sheet.

7 Q For the system?

8 A It's like a snapshot of the whole system, yeah.

9 Q For a day?

10 A Yeah.

11 Q On this day are you aware of whether or not there
12 were any errors?

13 A No.

14 Q There were no errors or you're not aware? You
15 don't recall?

16 A There wasn't any errors.

17 Q Panhandle doesn't get a copy of this either; is
18 that right?

19 A That's correct.

20 Q Or MRT?

21 A Correct.

22 Q Do you know what the current inventory, do you know
23 what that means?

24 A No.

25 Q Do you know what linepack is?

79

1 A No.

2 Q Does that number change from day to day?

3 A I don't look at that number, so I'm not sure.

4 Q Do you look down at the right hand corner where it
5 says additional information current MDT imbalance; do you
6 look at that and compare it with something?

7 A No.

8 Q Do you know what actual LUG percentage means?

9 A I know it's loss of gas, but I don't -- other than
10 that I don't know what it means.

11 Q Linepack daily delta, do you know what that
12 means?

13 A No.

14 Q Do you know if the daily average pressure
15 changes?

16 A I don't look at it, so I don't know.

17 Q As we look over on the left side at the bottom it
18 has over slash short report summary, total deliveries. What
19 do you match that to?

20 A I don't.

21 Q Total receipts month to day, do you match that to
22 anything?

23 A No.

24 Q The customers or shippers that are listed there,
25 have they changed since you came with the company?

80

1 A This list on the side?

2 Q Yeah, uh-huh.

3 A No.

4 Q Are there any customers missing from that list?

5 A No.

6 Q Do you know what ** _____

7 — **?

8 A I think it's a hospital, but I'm not sure.

9 Q And other than ** _____ **, do you know where
it is?

11 A No.

12 Q Right below ** _____ ** it says NA; do you
know what that is?

14 A No.

15 Q Do you know why ** _____ ** is not on here?

16 A No.

17 Q When you enter the information is it directly into
18 something on the computer that looks like this?

19 A Does it look like this? Not when I enter it.

20 Q So you enter it on to something and then it
21 produces this?
22 A (Witness nodded).
23 Q So it's some sort of program --
24 A Correct.
25 Q -- that it goes through?

81

1 Right in the middle of the page it says negative
2 imbalance means gas left on pipeline, positive imbalance
3 means additional gas needed to meet shippers needs. Do you
4 know why those definitions need to be there?
5 A It's for Mr. Wallen's purpose and Mr. Ries'
6 purpose.
7 Q I guess my question is why would two people as
8 experienced as they are need that reminder; do you know?
9 A (Witness shook head).
10 Q Was this data available for you when you came with
11 the company?
12 A Was what?
13 Q This information available to you?
14 A Yes.
15 Q So you did not input the agent's name next to the
16 shipper; is that right?
17 A That's correct.
18 Q Has it changed since you started with the company,
19 the agent's name?

20 Q And do you know why?
21 A No.
22 Q And we discussed that you don't know what the NA
23 is, right?
24 A Correct.
25 Q But at least it has no imbalance.

83

1 Have other agents changed over time?
2 A ** _____ **
3 Q And it used to be?
4 A ** _____ **
5 Q ** _____
6 _____
7 _____ **
8 A ** _____ **
9 Q ** _____ **
10 A ** _____ **
11 Q Do you know where they are?
12 A No.
13 Q Do you know where Busy Bee is?
14 A No.
15 Q Do you know if the ** _____ **
location
16 listed here is in Rolla or do you know where it is?
17 A I believe it is.
18 Q Do you know if all of these shippers ship through

19 either MPC and or MGC?

20 A Yes.

21 Q Do you know if these shippers generally -- let me
22 ask it a different way. Do any of these shippers not take
23 gas daily?

24 A Do they not take gas daily?

25 Q Are there any of them that don't take gas on a

84

1 daily basis?

2 A Sometimes ** _____ ** doesn't.

3 Q What about ** _____ **, does it?

4 A Daily.

5 Q They use daily. And is ** _____ **, is that
daily
6 as well or are they seasonal in any way?

7 A It's daily.

8 Q Do you know where ** _____ ** is?

9 A No.

10 Q ** _____

11 _____ **

12 A ** _____ **

13 MS. SHEMWELL: I need to know that we've been
14 talking about this as an exhibit. I'm go to ask the court
15 reporter to go off the record.

16 (Whereupon there was a brief recess).

17 MS. SHEMWELL: I've handed you what we will have
18 marked as Exhibit 17. And in the upper left-hand corner when

19 you're looking at this in landscape mode it says Missouri
20 Pipeline Company daily gas control slash, forward slash,
21 contract balance report; is that correct?

22 A Yes.

23 Q And this first one says Laclede Gas Company,
24 right?

25 A Yes.

85

1 Q Could you describe to me what your role is in
2 preparing this document?

3 A This is a combined daily volumes for Laclede that
4 goes behind the invoice that they receive at the end of the
5 month.

6 Q And this is for the entire month of March, 2006; is
7 that correct?

8 A Correct.

9 Q So as we look at the next group of columns, we show
10 the nominations on Panhandle Eastern; is that correct?

11 A Yes.

12 Q Do you know what the fuel adjustment allocation
13 is?

14 A No.

15 Q Is that a number that you enter?

16 A No.

17 Q As we look at the next row, is that indicating that
18 they took nothing from MRT in the month of March, '06?

19 A I'm sorry. Which column are we referring?

20 Q We're in the third group of columns.

21 A Where it says delivery nominations to Laclede?

22 Q MRT nominations.

23 A Okay, MRT nominations.

24 Q ** _____

25 _____ **

86

1 A ** _____ **

2 Q And then the next row is delivery nominations to
3 Laclede. Can you describe for me what the first row, Laclede
4 net receipts, indicates?

5 A That's the difference between what it's -- that's
6 the difference between what they nomed and what we took off
7 Panhandle.

8 Q So that's what Laclede actually took from
9 Panhandle; is that what you're saying?

10 A Yes.

11 Q The zero end user receipts, do you know why there
12 would be zero here?

13 A No.

14 Q But, anyway, the result where it says total
15 receipts is the exact same number as the net receipts; is
16 that correct?

17 A Correct.

18 Q Where do these numbers come from?

19 A This is from the numbers that I input daily to make
20 this sheet.

21 Q So you have the noms daily, the nominations, and
22 then you input what they actually receive?

23 A Yes. And this sheet is created from that.

24 Q So you don't necessarily put it in something that
25 looks exactly like this?

87

1 A No.

2 Q And then that larger column over to the right, it
3 says deliveries and in parentheses physical, close paren, to
4 Laclede. Do you know what those various --

5 A Those are the actual deliveries to those stations
6 or to those points.

7 Q So when it says South Point, that's a receipt point
8 on --

9 A Yes.

10 Q -- the Laclede system?

11 A Yes.

12 Q Do they have an Algana receipt point? I'm just
13 noticing that the name is the same as your street name?

14 A Yes.

15 Q Do you know why all of a sudden like on the 22nd in
16 there they took some at that point?

17 A Do I know why they took it?

18 Q Uh-huh, why it would come into that receipt

19 point?

20 A They would need more volume of gas.

21 Q At that point?

22 A Yeah.

23 Q Do you know why?

24 A Probably if it's in March, it's cold; they're going

25 to need more volume.

88

1 Q Nothing at St. Paul. I see nothing coming at St.

2 Paul; is that right?

3 A Right.

4 Q I suppose that next column is the NA one?

5 A I don't know.

6 Q What do you look at here to make sure that it
7 balances? Is there anything that you add up totals to make
8 sure that they agree with something else?

9 A The total deliveries matches my invoice sheet.

10 Q ** _____

11 _____

12 _____ **

13 A ** _____ **

14 Q Over under the total deliveries here it doesn't
15 quite match; do you know why?

16 A If you take the difference between the imbalance
17 from last month.

18 Q So that's an imbalance amount is the difference?

19 A (Witness nodded).
20 Q So you have your number down at the bottom. Do you
21 get calls on this?
22 A Do I get calls on this?
23 Q Uh-huh, yes.
24 A Not normally.
25 Q Is this something you send to Laclede monthly?

89

1 A This?
2 Q Yes.
3 A Yes.
4 Q Who else gets it besides Laclede?
5 A Nobody.
6 Q Again, is this something that you would consider to
7 be sensitive information?
8 A Yes.
9 Q As we look at the second page, is this the same
10 information but for Ameren?
11 A Yes.
12 Q Do you know why it's in a slightly different
13 format?
14 A Other than there's more stations for Laclede then
15 there is for Ameren. And this is for AmerenUE.
16 Q As opposed to?
17 A The other Ameren stations that -- all of Laclede's
18 stations are on this one where Ameren has multiple sheets.

19 Q And as we go through here can you point out the
20 other sheets for Ameren?

21 A It's AmerenUE. This is where I get confused.
22 Rolla, Salem and Owensville.

23 Q You can't tell that by looking at the sheet, can
24 you? You're doing that from memory?

25 A Correct.

90

1 Q If you see a large cumulative imbalance, is that
2 something you bring to anyone's attention?

3 A Yes.

4 Q And who do you mention that to?

5 A Dave Wallen.

6 Q Do you know what he does with that information?

7 A We research it.

8 Q Do you research it to determine if it's a numerical
9 error?

10 A Yes.

11 Q Do you know if there are penalties for large
12 imbalances? Do you send out a statement --

13 A I believe there is.

14 Q -- penalizing someone or charging them for a
15 penalty? Does that occur monthly where someone has a penalty
16 because of an imbalance amount?

17 A I'm not sure.

18 Q Would you be the one who would send that out to the

19 customer saying here's your penalty for imbalance?
20 A No.
21 Q Who would send that?
22 A Dave Wallen or Dave Ries.
23 Q The next sheet is Fidelity. In looking through
24 this do they just have a single delivery point?
25 A Yes.

91

1 Q Would you generate all of this on a monthly
2 basis?
3 A Yes.
4 Q And mail it to each customer, like in this case
5 Fidelity, at the end of the month?
6 A Yes.
7 Q ** _____
8 _____
9 _____ **
10 A ** _____ **
11 Q ** _____
12 _____
13 _____ **
14 A ** _____ **
15 Q ** _____
16 _____
17 _____
18 _____

19 _____ **
20 A ** _____ **
21 Q ** _____
22 _____
23 _____ **
24 A ** _____ **
25 Q ** _____
92

1 ** _____ **
2 A ** _____ **
3 Q ** _____
4 _____ **
5 A ** _____ **
6 Q Do you know if LNU, is that lost and unaccounted
7 for?
8 A Yes, it is.
9 Q Owensville in a single point?
10 A Yes.
11 Q ** _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____ **
18 A ** _____ **

19 Q ** _____
20 _____
21 _____ **
22 A ** _____ **
23 Q ** _____
24 _____
25 _____ **

93

1 A But this exhibit is for 4/30.
2 Q But is the prior month this, March --
3 A No.
4 Q 2006? The prior month is April? Under the prior
5 month column is the prior month April or March?
6 A March.
7 Q So on our March list you're right in sync when you
8 look at 17, right?
9 A Yes.
10 Q Let's look at -- and Rolla is the same, right,
11 between -- we're on the next sheet. These are not numbered.
12 We're looking at the Rolla report. Again, a single delivery
13 gas point, right?
14 A Correct.
15 Q ** _____
16 _____
17 _____ **
18 A ** _____ **

19 Q Would you check and tell me if the same thing is
20 true of Salem; do those match as well between the prior month
21 on Exhibit --

22 A Yes.

23 Q A single receipt point for Salem. And as we go
24 through St. Robert and look over here on St. Robert, would
25 you continue to expect these to match as we go through them

94

1 from the prior month to what you have in the bottom right
2 hand corner for St. Robert? ** _____ **

3 A ** _____ **

4 Q After St. Robert is Waynesville and then Fort
5 Leonard Wood, right?

6 A Waynesville and Fort Leonard Wood, yes.

7 Q ** _____
8 _____ **

9 A ** _____ **

10 Q Do you know if a penalty was charged to Fort
11 Leonard Wood?

12 A I don't know.

13 Q ** _____
14 _____ **

15 A ** _____ **

16 Q So even though it has your name down here, they
17 wouldn't call? It says please call --

18 A Correct.

19 Q -- if you have questions. They wouldn't call you.

20 And let's see. ** _____

21 _____ **

22 A ** _____ **

23 Q That doesn't match this sheet. Do you know why the
24 difference? Do you agree with me that doesn't match?

25 A I do agree it doesn't match.

95

1 Q Do you know why?

2 A No.

3 Q Did anyone call you about this?

4 A No.

5 Q ** _____

6 _____ **

7 A ** _____ **

8 Q ** _____

9 _____ **

10 A ** _____ **

11 Q And we're talking about Exhibit 17. But they got
12 deliveries; is that right?

13 A Correct.

14 Q But on the -- let's see -- prior month are we
15 showing deliveries to them? ** _____ **. They're not
16 showing any deliveries on Exhibit 14; is that right?

17 A Correct.

18 Q Do you know why?

19 A No.
20 Q When you input the data here, is it the same data
21 that is used to generate this? Does the same data generate
22 both of these reports?

23 A Yes.

24 Q ** _____

25 _____ **

26

96

1 A Correct.

2 Q Do you know why when you're putting in the same
3 information for both of these the results may be different?

4 A No.

5 Q ** _____

6 _____

7 _____

8 _____ **

9 A ** **

10 Q ** _____ **

11 A ** _____ **

12 Q ** _____

13 _____

14 _____ **

15 A Yes.

16 Q Let's looks like at just one more. ** _____

17 _____ **; it's back a couple more. A single delivery

18 point, correct?

19 A Yes.

20 Q ** _____

21 _____

22 _____

23 **

24 A What report?

25 Q -- of the deliveries. ** _____

97

1 _____

2 _____

3 **

4 A ** _____ **

5 Q ** _____ **

6 A ** _____ **

7 Q ** _____

8 _____

9 **

10 A ** _____ **

11 Q ** _____

12 **

13 ** _____ **

14 A ** _____ **

15 Q ** _____ **

16 A ** _____ **

17 Q ** _____

18 **

19 A ** **

20 Q **

21
**

22 A ** **

23 Q **

24 **

25 A * * * *

98

1 Q **

2 * *

3 A * * * *

4 Q * * * *

5 A * * * *

6 Q Do you know the difference between decatherms and

7 MMBTUs?

8 A No.

9 MS. SHEMWELL: We need to regroup. We'll take five

10 if that's all right.

11 THE WITNESS: Okay.

12 (Whereupon there was a brief recess).

13 MS. SHEMWELL: Are we ready to go back on the

14 record?

15 Q (By Ms. Shemwell) We're still looking at 17 and

16 14, Exhibit 17 and Exhibit 14.

17 I'm looking for the one having to do with Cuba.

18 Before we get started, I'd like to ask you, Patty, if Mr.

19 Ries gave you any instructions about your deposition during
20 the break?

21 A No.

22 Q Did you visit with Mr. DeFord about the
23 deposition?

24 A Yes.

25 Q I don't suppose you want to tell me about your

99

1 discussion?

2 MR. DEFORD: Actually, it was you'll get an
3 opportunity to read this and correct it. How complicated is
4 that?

5 A Uh-huh.

6 Q (By Ms. Shemwell) ** _____

7 _____

8 S _____ **

9 A ** _____ **

10 Q ** _____

11 _____ **

12 A ** _____ **

13 Q ** _____

14 _____ **

15 A ** _____ **

16 Q ** _____

**

17 A ** _____

18 _____

19 _____ **

20 Q ** _____

21 _____

22 _____ **

23 A ** _____ **

24 Q ** _____

25 _____ **

100

1 A ** _____ **

2 Q ** _____

3 _____ **

4 A ** _____ **

5 Q ** _____

6 _____ **

7 A ** _____ **

8 Q ** _____

_____ **

9 A ** _____ **

10 Q ** _____

11 _____

12 _____

13 _____ **

14 A ** _____ **

15 Q ** _____

16 _____ **

17 A ** _____ **

18 Q When you get the reading though every day you put
19 it into the computer on a daily basis?

20 A Yes.

21 Q So you know the daily deliveries?

22 A Yes.

23 Q Does Fort Leonard Wood use gas on a daily basis?

24 A That's Omega also.

25 Q So do you know if the Fort uses gas on a daily

101

1 basis?

2 A Yes.

3 Q And they use it pretty much year round, don't
4 they?

5 A Yes.

6 Q Do they have the single delivery point?

7 A Fort Leonard Wood?

8 Q Uh-huh.

9 A Yes.

10 Q If they think there's a problem, who do they call?
11 Do you hear from Fort Leonard Wood?

12 A They would call Dave Ries.

13 Q Let's look at Fort Leonard Wood in 17. I think
14 it's close to the back. Do I recall that they had
15 interruptible and firm both? No, they just have -- is this a
16 firm contract?

17 A Yes.

18 Q If I see two for anyone, is that why I see two;
19 they have two different kinds of contracts?

20 A Yes.

21 Q ** _____
22 _____ **

23 A ** _____ **

24 Q ** _____
25 _____

102

1 _____ **

2 A ** _____ **

3 Q ** _____
4 _____

5 _____ **

6 A ** _____ **

7 Q ** _____
8 _____ **

9 A ** _____ **

10 Q ** _____
11 _____

12 _____ **

13 A ** _____ **

14 Q ** _____
15 _____ **

16 A Yes.

17 Q It's where the prior month was March as shown on

18 the March daily gas control, correct?

19 A Yes.

20 Q Do you know why there's a difference?

21 A No.

22 Q But we've agreed that it's not that you've input
23 wrong data; have we agreed on that?

24 A No.

25 Q Do you think it's that you input incorrect data?

103

1 A I wouldn't have balanced for that month if I had.

2 Q On 14 we see just an imbalance for gas day; is that
3 correct? We don't show a cumulative imbalance for the month
4 on 14?

5 A I'm sorry. Would you repeat that.

6 Q Well, let's look at that. You have current month
7 to day imbalance, you have prior month and current month to
8 date. So at the end of the month the current month to date
9 on 14 should total the number at the end of the month on
10 these; is that right? Under month to date when we get down
11 to the last day of the month on the document like 14 --

12 A I'm sorry. I'm not sure what your question is.

13 Q You're running the last day of the some. Let's say
14 you're running April -- well, this is April 30th, right? So
15 for April the imbalances on this document should match the
16 current cumulative -- or I'm sorry, the current month to date
17 imbalance? You would expect those to match?

18 A Yes.

19 Q But you do get daily delivery information from Fort
20 Leonard Wood as we're seeing on here, right?

21 A Yes.

22 Q Are you aware of any customers actually getting
23 interrupted, being interrupted? Has that happened while
24 you've been working for Missouri Gas Company?

25 A Am I aware of them being interrupted?

104

1 Q Uh-huh.

2 A Once.

3 Q And who was that?

4 A I can't remember.

5 Q Do you know what an operational flow order is?

6 A No.

7 Q Has MRT -- or I'm sorry. Has Panhandle Eastern
8 ever called and said we're having problems on our system; we
9 need to you interrupt somebody? We need to interrupt -- we
10 need you to interrupt your interruptible customers?

11 A I think that conversation has happened.

12 Q Do you know how many times?

13 A Maybe twice.

14 Q And do you know who gets interrupted?

15 A No.

16 Q Do you have any familiarity with the contracts with
17 Panhandle Eastern?

18 A No.

19 Q Do you know what totals you take off of Panhandle?

20 Is that in here somewhere on a daily basis what you take from

21 Panhandle?

22 A That's Exhibit 16.

23 Q Okay. Do you recall the circumstances that caused

24 them to call you; cold day, break on the pipeline, loss of

25 pressure? Do you have any idea why they would call?

105

1 A To interrupt somebody?

2 Q Uh-huh.

3 A It would be a cold day.

4 Q ** _____

5 _____ **

6 A ** _____ **

7 Q ** _____ **

8 A ** _____ **

9 ** _____ **

10 A ** _____ **

11 Q ** _____ **

12 A ** _____ **

13 Q ** _____ **

14 A ** _____ **

15 Q ** _____ **

16 A ** _____ **

17 Q ** _____ **

18 A ** _____ **
19 Q There's not a contract number listed, is there?
20 A No.
21 Q ** _____
22 _____ **
23 A ** _____ **
24 Q ** _____ **
25 A ** _____ **

106

1 Q ** _____ **
2 A ** _____ **
3 Q ** _____
4 _____
5 _____ **
6 A *** _____ **
7 Q ** _____
8 _____
9 _____ **
10 A ** _____ **
11 Q ** _____ **
12 A ** _____ **
13 Q ** _____
14 _____ **
15 A ** _____ **
16 Q ** _____ **
17 A ** _____ **

18	Q	**	_____
19			_____ **
20	A	**	_____ **
21	Q	**	_____
22		**	_____
23	A	**	_____ **
24	Q	**	_____
25		**	_____

107

1	A	**	_____ **
2	Q	**	_____
3			_____ **
4	A	**	_____ **
5	Q	**	_____
6	A	**	_____ **
7	Q	**	_____
8			_____ **
9	A	**	_____ **
10	Q	**	_____
11		**	_____
12	A	**	_____ **
13	Q	**	_____ **
14	A	**	_____ **
15	Q	**	_____ **
16	A	**	_____ **

17 Q ** _____

18 _____ **

19 A ** _____ **

20 Q ** _____

21 _____ **

22 A ** _____ **

23 Q ** _____

24 _____ **

25 A ** _____ **

108

1 Q Just a final sort of wrap up question. We did

2 agree that the prior month imbalance on 14 matched in a

3 number of places the imbalance at the bottom of 17 for Cuba,

4 Owensville, right? I guess what I'm getting to is we agreed

5 that the prior month was, in fact, March where it says prior

6 month?

7 A Yes.

8 MS. SHEMWELL: I think that's all we have. We'll

9 go off the record.

10 Mr. McCormack, you didn't have questions, correct?

11 MR. MCCORMACK: Yeah, you say March. Which year is

12 that.

13 MS. SHEMWELL: let's stay on the record for him.

14 Q (By Ms. Shemwell) Can you answer?

15 A That's 2006.

16 MR. MCCORMACK: Thank you very much. That's all I

17 have.

18 MS. SHEMWELL: Mr. Kurtz?

19 MR. KURTZ: Nothing from me.

20 MS. SHEMWELL: Thank you. Paul, do you have
21 anything?

22 MR. DEFORD: Nothing.

23 THE REPORTER: Do you want her to read and sign?

24 MR. DEFORD: Please.

25 THE REPORTER: Can I send it to you?

1 MR. DEFORD: Yes.

2 THE REPORTER: Do you want to order a copy?

3 MR. DEFORD: Please.

4 THE REPORTER: Same as last time?

5 MR. DEFORD: Yes.

6 THE REPORTER: Mr. Kurtz, would you like to order

7 the same thing you ordered for Mr. Ries' deposition?

8 MR. KURTZ: Please.

9 THE REPORTER: Thank you.

10 MS. SHEMWELL: We're off the record.

11 (WITNESS EXCUSED)

12

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1 CERTIFICATE OF REPORTER

2

3 I, Linda A. Madel, a Certified Court Reporter and
4 Notary Public within and for the State of Missouri, do hereby
5 certify that the witness whose testimony appears in the
6 foregoing deposition was taken by me to the best of my
7 ability and thereafter reduced to typewriting under my
8 direction; that I am neither counsel for, related to, nor
9 employed by any of the parties to the action in which this
10 deposition was taken, and further that I am not a relative or
11 employee of any attorney or counsel employed by the parties
12 thereto, nor financially or otherwise interested in the
13 outcome of the action.

14

15

16

17

18 Notary Public within and for
19 the State of Missouri

20

21

22 My commission expires February 18, 2007.

23

24

1 Midwest Litigation Services
2 711 North Eleventh Street
3 St. Louis, Missouri 63101
4
5 Phone (314) 644-2191 * Fax (314) 644-1334
6
7 September 1, 2006
8
9 Lathrop & Gage
10 2345 Grand Blvd.
11 Kansas City, MO 64108
12
13 Attn: Paul DeFord
14
15 In Re: Public Service Commission vs. Missouri Pipeline
16 Company
17 Dear Mr. DeFord:
18
19 Please find enclosed your copy of the deposition of Patty
20 Hawkins, taken on August 28, 2006, in the above referenced
21 case. Also enclosed is the original signature page and
22 errata sheets.
23
24 Please have the witness read your copy of the transcript,
25 indicate any changes and/or corrections desired on the errata
sheets, and sign the signature page before a notary public.
Please return the errata sheets and notarized signature page
to Ms. Shemwell's office for filing prior to trial date.
Thank you for your attention to this matter.
Sincerely yours,
Linda A. Madel
Certified Court Reporter
Notary Public
CC: Lera Shemwell
David Kurtz

1 WITNESS ERRATA SHEET

2 WITNESS NAME: PATTY HAWKINS

3 CASE NAME: PUBLIC SERVICE COMMISSION VS. MISSOURI
4 PIPELINE COMPANY.

5 DATE TAKEN: AUGUST 28, 2006

6 Page # _____ Line # _____

7 Should read: _____

8 Reason for change: _____

9

10 Page # _____ Line # _____

11 Should read: _____

12 Reason for change: _____

13

14 Page # _____ Line # _____

15 Should read: _____

16 Reason for change: _____

17

18 Page # _____ Line # _____

19 Should read: _____

20 Reason for change: _____

21

22 Page # _____ Line # _____

23 Should read: _____

24 Reason for change: _____

25 WITNESS SIGNATURE: _____