

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMPLAINT:

CAMERON CREEK APARTMENTS

VS.

CASE NO. 08-1019-GA-CSS

COLUMBIA GAS OF OHIO, INC.,

DEPOSITION OF DAWN BASS

Wednesday, June 24, 2009

9:10 a.m.

Porter, Wright, Morris & Arthur

41 South High Street

Columbus, Ohio 43215

DENISE L. SHORMAKER

PROFESSIONAL REPORTER

MORRIS HAUSER

10728 CAMDEN LAKES BOULEVARD

DUBLIN, OHIO 43016

614.734.0806

FAX 614.734.1615

1 DEPOSITION OF DAWN BASS

Page 3

2 INDEX TO EXAMINATION

3 BASS PAGE

4 Cross-examination by Mr. Hart 5

Direct Examination by Mr. Gallon 102

5 Recross-examination by Mr. Hart 112

6 - - -

7 INDEX TO EXHIBITS

8 BASS PAGE

9 1) Regulatory Compliance & Training 48

10 2) Establishing or Reestablishing Gas Service 55
Date 7/2/07

11 3) Notice (COH00000068) 98

12 - - -

13 - - -

14 - - -

15 - - -

16 - - -

17 - - -

18 - - -

19 - - -

20 - - -

21 - - -

22 - - -

23 - - -

24 - - -

2009 JUL -9 PM 3:51

RECEIVED-DOCKETING DIV

PUCO

1 DEPOSITION OF DAWN BASS

Page 2

2 APPEARANCES

3 - - -

4 ERIC B. GALLON, ESQUIRE
5 PORTER, WRIGHT, MORRIS & ARTHUR LLP
6 41 South High Street, Suites 2800 - 3200
Columbus, Ohio 43215
614.227.21907 Appearing on behalf of Cameron Creek
8 Apartments.9 THOMAS L. HART, ESQUIRE
10 WILES, BOVIE, BURKHOLDER & BRINGARDNER CO., LPA
300 Spruce Street, First Floor
Columbus, Ohio 43215
614.340.741511 Appearing on behalf of Columbia Gas
12 of Ohio, Inc.

13 - - -

21 This is to certify that the images appearing are an
22 accurate and complete reproduction of a case file
23 document delivered in the regular course of business.
24 Technician SM Date Processed JUL 10 20091 Wednesday Morning Session
2 June 24, 2009
3 9:10 a.m.

Page 4

4 STIPULATIONS

5 It is stipulated by and between counsel

6 for the respective parties that the deposition of Dawn

7 Bass, a witness herein, called Columbia Gas of Ohio,

8 under the applicable Rules of Civil Procedure, may be

9 taken at this time in stenotypy by the Notary, by

10 notice of counsel; that said deposition may thereafter

11 be transcribed by the Notary out of the presence of

12 the witness; that proof of the official character and

13 qualification of the Notary is waived; that the

14 witness may sign the transcript of her deposition

15 before a Notary other than the Notary taking her

16 deposition; said deposition to have the same force and

17 effect as though signed before the Notary taking it.

18 - - -

19 - - -

20 - - -

1 Thereupon,
 2 DAWN BASS
 3 being by me first duly sworn, as hereinafter
 4 certified, deposes and says as follows:
 5 CROSS-EXAMINATION
 6 By Mr. Hart:
 7 Q Thank you and good morning. I'm Tom
 8 Hart, once again. What I'd like to do is just cover
 9 some preliminary points, general issues before we get
 10 into substantive questions. Is that okay?
 11 A Yes.
 12 Q Have you ever been deposed before?
 13 A No.
 14 Q One thing I've learned in my deposition
 15 experience is that it helps a lot, it helps everybody
 16 a lot if we don't talk over each other, you know.
 17 That if I ask a question, you wait for me to fully ask
 18 if before answering, and I wait, be patient before
 19 asking the next question. Your counsel is very
 20 effective and he will help with that if that becomes
 21 an issue, but we can help each other too. So that's a
 22 good rule of thumb. Does that make sense?
 23 A Yes.
 24 Q Please use words, yes, no, articulate

1 words rather than body language, nods and head shakes
 2 to help the court reporter with your answers. Does
 3 that make sense?
 4 A Yes.
 5 Q If you don't understand a question or
 6 it's confusing, please tell me and I will try to
 7 rephrase it, try to simplify it so we can get your
 8 answer, and that's totally something we want to do
 9 today.
 10 We don't in any way want to make a
 11 deposition physically uncomfortable or any kind of,
 12 you know, feeling that you are restrained. So any
 13 time you need a break, any time you need to take a
 14 restroom break or whatever, please let me know or your
 15 counsel will do the same.
 16 How did you prepare today for this
 17 deposition?
 18 A Yesterday we watched a video about what a
 19 deposition is.
 20 Q Okay. Did you speak with anyone besides
 21 Mr. Gallon, your counsel, about the deposition?
 22 A No.
 23 Q How about materials, besides the video,
 24 did you review any written materials or any other type

1 of materials to prepare for the deposition?
 2 A There were a couple e-mail notes that had
 3 my name on them.
 4 Q What were those about? What was the
 5 subject matter?
 6 A One of them was a response from Rob Smith
 7 to Michael Ramsey.
 8 Q Go ahead, I'm sorry.
 9 A The other one had my name in the CC line,
 10 but I don't ever recall -- I didn't recall getting it
 11 or reading it before.
 12 Q Okay. Generally what were the subject
 13 matters of those e-mails?
 14 A Cameron Creek.
 15 Q Give me a general sense, a general
 16 description of your educational background.
 17 A Two years of college.
 18 Q And so did you graduate from that with an
 19 associate's degree?
 20 A No.
 21 Q Was there a major course of study or
 22 anything in particular that you focused on in that two
 23 years?
 24 A Computer science.

1 Q What school was that?
 2 A Columbus State.
 3 Q How about the same thing general terms
 4 career wise, just, you know, kind of a snapshot of
 5 your career from beginning to now.
 6 A Started as a file clerk, went into meter
 7 reading. Meter reading I went into service, service
 8 into support specialist. From there technical support
 9 or trainer, technical trainer. Then from there
 10 technical support specialist, and finally my current
 11 position program specialist.
 12 Q When did you assume the training role,
 13 any kind of training responsibilities?
 14 A 2006.
 15 Q At the beginning of the year?
 16 A Yes, February.
 17 Q What was the immediate job before that,
 18 I'm sorry?
 19 A Service.
 20 Q Service. So you were in the field?
 21 A Yes.
 22 Q Could you give me again a brief
 23 description of your job duties today, your areas of
 24 responsibility, your job duties in your current

1 position?

2 **A In my current position, I oversee our**
3 **contractors' operator qualification program for**
4 **NiSource.**

5 Q So would that include folks, companies
6 doing contract work to install gas lines, for
7 instance?

8 **A Yes.**

9 Q What other types of contractors besides
10 gas line installers?

11 **A Meter readers, collectors.**

12 Q In that role overseeing those
13 contractors, do you oversee compliance with codes,
14 safety codes, building codes, any type of code
15 requirements, regulatory requirements?

16 **A I oversee to insure that they have an OQ**
17 **program and that they receive their operator**
18 **qualification training. I do not oversee the specific**
19 **training, no. Just that they have had it.**

20 Q You said OQ program. That's the operator
21 qualification program?

22 **A Correct.**

23 Q Is that only for the outside vendors,
24 outside contractors?

1 **A Yes.**

2 Q In your prior job, did you have similar
3 duties overseeing service folk training?

4 **A Yes.**

5 Q Field training?

6 **A Uh-huh.**

7 Q In that position, did you have
8 responsibilities for co-compliance training?

9 **A Yes.**

10 Q In that previous position, did you have
11 responsibilities for Columbia's interaction with the
12 City of Columbus?

13 **A No.**

14 Q Do you hold any technical licenses,
15 certifications?

16 **A No.**

17 Q Nothing from Columbus?

18 **A No.**

19 Q Or state licenses?

20 **A No.**

21 Q Do you know if anybody at Columbia Gas
22 has licenses from or certifications from the City of
23 Columbus?

24 **A Not that I am aware of.**

1 Q Have you ever been out physically and
2 visited Cameron Creek?

3 **A No.**

4 Q What's the first time you became involved
5 with issues with Cameron Creek, do you remember the
6 first time? I'm talking approximate.

7 **A You want a date?**

8 Q Approximate date.

9 **A I have no idea.**

10 Q Would it have been -- would it have been
11 in calendar year 2006?

12 **A I really don't know.**

13 Q Do you know who the first employee from
14 Columbia was that raised an issue with Cameron Creek?

15 **A No.**

16 Q You don't know who determined there could
17 be a National Fuel Gas Code violation?

18 **A No.**

19 Q Did you yourself perform any testing or
20 evaluation, calculations relative to Cameron Creek's
21 NFGC compliance?

22 **A I don't know that I can answer the**
23 **question. Can you rephrase it another way?**

24 Q Did you ever test combustion air adequacy

1 at Cameron Creek, or do any calculations to test
2 combustion air adequacy at Cameron Creek?

3 **A No.**

4 Q You did not. Do you know if anyone from
5 your company Columbia Gas or a subsidiary company
6 performed any type of combustion air calculations for
7 Cameron Creek?

8 **A Yes.**

9 Q Who would that have been?

10 **A Jeff Prachar.**

11 Q Did you review Mr. Prachar's
12 calculations?

13 **A Yes.**

14 Q So if I'm correct, please, you know, tell
15 me if I'm wrong, he performed calculations based on
16 some field observations? I mean, he was at Cameron
17 Creek, he performed an evaluation or combustion air
18 calculation; is that correct?

19 **A I don't know that he was on premise. So**
20 **no, I can't answer that.**

21 Q Was it based -- was it based on him being
22 on premise?

23 **A Yes.**

24 Q And then you reviewed the work he had

1 done, the calculations he had done?

2 **A I did not physically review this. We had**
3 **a conversation.**

4 Q It was a -- was it a phone conversation?

5 **A Yes.**

6 Q Did you actually look at his math?

7 **A No. I couldn't see. It was over the**
8 **phone.**

9 Q But, I mean, if he told you the math over
10 the phone, you didn't write it down and then look at
11 it, you didn't review his math?

12 **A Yes, I did do that.**

13 Q You did do that. Okay. And what were
14 the findings of that, of your review of his work, what
15 did it tell you?

16 **A He did it correctly.**

17 Q And did it tell you or him that there was
18 a combustion air problem?

19 **A Yes.**

20 Q What type of problem? What was the
21 nature of the problem?

22 **A They were not obtaining any combustion**
23 **ventilation air from outside and the size of vent that**
24 **was needed to bring that combustion ventilation air**

1 from outside inside.

2 Q So was his calculation just limited to
3 the issue of the outside air coming in?

4 **A Yes.**

5 Q He didn't look at overall combustion air
6 actually reaching that appliance?

7 **A Not for that particular instance because**
8 **of the way it was installed.**

9 Q Did he look at overall combustion air in
10 other instances?

11 **A I can't answer that.**

12 Q Did you look at anybody else's
13 calculations or -- well, let's keep it like that. Did
14 you look at anybody's calculations of overall
15 combustion air in any of the units out there?

16 **A No.**

17 Q Was the only time you looked at a
18 calculation relating to combustion air was when Mr.
19 Prachar -- when you reviewed Mr. Prachar's work on
20 that?

21 **A Yes.**

22 Q When you reviewed that work, were you
23 comparing the results of that work to a code?

24 **A Yes.**

1 Q Was it the NFGC?

2 **A Yes.**

3 Q What year were you using? What year --
4 what was the year of the code that you were looking
5 at?

6 **A I believe, if I remember correctly, it**
7 **was 2006 because 2009 we did not physically have in**
8 **hand yet.**

9 Q Again, I understand, you know, the
10 difficulty of remembering dates and I'm asking general
11 terms. Do you know what calendar year that would have
12 been you looked at Jeff Prachar's work?

13 **A I don't know for sure. I believe it was**
14 **'08.**

15 Q So when you talked -- when you spoke with
16 Mr. Prachar over the phone, you took some notes; is
17 that correct?

18 **A Scratched down the pertinent information.**

19 Q Okay. Do you know what happened with
20 those notes?

21 **A Thrown away.**

22 Q You threw them away?

23 **A Uh-huh.**

24 Q Do you know when?

1 **A Shortly after I got off the phone with**
2 **Jeff.**

3 Q Were you aware at that time that there
4 was a significant amount of controversy between
5 Cameron Creek and Columbia Gas of Ohio on the issue of
6 combustion air?

7 **A No.**

8 Q You have a general and probably -- let's
9 say a general understanding of the different policies
10 that affect a Columbia service person's work in a
11 residence based on your training and -- your training
12 and your experience and your job duties. Would that
13 be correct?

14 **A Yes.**

15 Q Would you say that when Mr. Prachar is
16 doing calculations, whether it's in the field or based
17 on a field observation, that he would record that
18 information somewhere inside based on Columbia's
19 policies?

20 **A I can't answer that.**

21 Q I'm going to jump to our first exhibit
22 this morning, and it's marked Exhibit F, and it's
23 actually from the original complaint filed by Cameron
24 Creek at the PUCO. I'll give you a chance to take a

1 look at that real quick. It's actually an e-mail from
2 Mr. McCreery to a gentleman named Jim Dillon. Just
3 let me know when you are prepared, after you have had
4 a chance to review it.

5 Are you ready?

6 A Uh-huh.

7 Q Let's see, it's about, I think, the
8 first -- I'm sorry, the second full sentence Mr.
9 McCreery wrote, "The following was provided to me by
10 our standards compliance technical group as to the
11 difference between 6-inch diameter and 7-inch diameter
12 cross section combustion air ducts." Do you see that
13 sentence?

14 A Yes.

15 Q Is that something that you provided --

16 A No.

17 Q -- to him?

18 Do you know who did?

19 A No.

20 Q Then Mr. McCreery goes on and he supplies
21 a paragraph in quotes, which is the second full
22 paragraph of the e-mail. Do you see that?

23 A Yes.

24 Q That paragraph reflects different

1 calculations comparing 6-inch and 7-inch combustion
2 air ducts, 4-inch measurement BTU capacity, et cetera.
3 Do you see that?

4 A Yes.

5 Q And your testimony is you did not supply
6 that information to him?

7 A No, I did not.

8 Q But you don't know who did?

9 A No.

10 Q Have you ever had -- personally have you
11 ever had training on how to administer or enforce or
12 interpret basically any training on the International
13 Fuel Gas Code?

14 A I can't answer that.

15 Q Why not? Because you don't remember or
16 why?

17 A Give me a definition of training.

18 Q Did you ever go to any kind of
19 educational event, any kind of seminar where a third
20 party reviewed provisions and gave explanations and
21 education about the International Fuel Gas Code?

22 A No.

23 Q How about the National Fuel Gas Code?

24 A Yes.

1 Q What was the nature of your training on
2 the National Fuel Gas Code? Where was it, you know,
3 who, what, when, where, how, those kinds of questions?

4 A In October 2008 at the National Fuel Gas
5 Code conference.

6 Q 2008?

7 A Uh-huh.

8 Q October?

9 A I believe it was October.

10 Q Was that the first time you had training?

11 A It was the first time I had it from an
12 outside third party, yes.

13 Q Was that from the NFPA, the association
14 itself?

15 A Yes.

16 Q You mentioned that you had other training
17 on NFGC from someone other than NFPA staff. Where was
18 that training?

19 A In '93, I believe, as a service tech.

20 Q Was that internal company training?

21 A Yes.

22 Q Do you remember who performed that
23 training?

24 A Don Ireland.

1 Q Don Ireland?

2 A (Witness nods affirmatively.)

3 Q Was that training something that was
4 regularly revisited inside Columbia or you just got it
5 in '93 and that was it? That was two questions. I'm
6 sorry.

7 A It was.

8 Q Was that training you got only in '93?

9 A No.

10 Q How regularly then was the training
11 updated or revisited while you worked for Columbia?

12 A When new versions or additions of the
13 fuel code were updated.

14 Q Roughly speaking, do you know what that
15 regular interval was in terms of the updates and the
16 training?

17 A No.

18 Q Would it have been every year, every two
19 years?

20 A Sometimes they modify it and update it
21 every two, sometimes three. It just depended on.

22 Q I may have already asked this. We'll
23 find out if I did. But was there any training that
24 you received from NFPA after October of 2008?

1 A No.
 2 Q Do you remember the nature of that
 3 training? Were there particular -- was there
 4 particular emphasis that was placed on different
 5 aspects of NFGC compliance and training?
 6 MR. GALLON: Objection, vague. You
 7 may answer.
 8 A At the conference they reviewed the
 9 changes between the '06 and '09 version.
 10 Q Was the training in October '08, was it
 11 also focused on how to apply the NFGC in the field?
 12 A No.
 13 Q It wasn't. Okay. It was just on the
 14 changes that you mentioned?
 15 A It was on the changes from '06 to '09 as
 16 well as there was a short section of review on sizing
 17 vents.
 18 Q I'm sorry. Did you say?
 19 A Sizing vents.
 20 Q Sizing vents. Okay.
 21 A Vents that remove the bi-products of
 22 combustion.
 23 Q Were there any -- was there any training
 24 at that time or really any other time that you

1 received on -- from NFPA, I mean, on combustion feed
 2 ducts, combustion air fed to gas appliances?
 3 A No.
 4 Q Do you still have a copy of that
 5 training, of the materials that you received?
 6 A Yes.
 7 MR. HART: You do. Okay. I think
 8 that's -- just for the record, I think that's a part
 9 of our -- would fall under what we requested in
 10 discovery.
 11 MR. GALLON: The materials she
 12 received from the NFPA in the October '08 NFGC
 13 convention?
 14 MR. HART: Yes.
 15 By Mr. Hart:
 16 Q Did you ever consider or interpret
 17 utilizing NFGC, the compartments that represent what's
 18 called unusually tight construction?
 19 A Can you rephrase the question because I
 20 don't understand.
 21 Q Okay. There is a phrase that appears
 22 throughout various codes that refers to some
 23 construction as unusually tight.
 24 A Okay.

1 Q Are you familiar with that term?
 2 A Yes.
 3 Q And that generally refers to air
 4 infiltration overall, generally. I'm being very
 5 general. Is that correct in your understanding?
 6 A Yes.
 7 Q Did you ever analyze Cameron Creek
 8 Apartments or any part of them as representing
 9 unusually tight construction?
 10 A No.
 11 Q Never found that, never came up?
 12 A Never visited the complex.
 13 Q Well, I'm not talking about, you know,
 14 you wouldn't necessarily -- I mean, isn't it true you
 15 could look at plans or measurements and openings to
 16 analyze that issue without visiting, would you agree
 17 with that statement?
 18 A Yes.
 19 Q So you never -- but you never did that?
 20 A No.
 21 Q Were you involved in Columbia Gas's
 22 initial assessment of Cameron Creek at the time gas
 23 service was established? I'll clarify by saying that
 24 would have been -- that could have been over a period

1 from, let's say, late '96 all the way until '99.
 2 A Not to my knowledge.
 3 Q At that time did you know -- would you
 4 have been working on building code issues at all?
 5 A No.
 6 MR. GALLON: Objection, vague. You
 7 may answer.
 8 A Sorry.
 9 MR. GALLON: That's all right.
 10 A No.
 11 Q So you wouldn't have known which code was
 12 in effect at the time of approval and construction at
 13 Cameron Creek?
 14 A I can't answer that. Rephrase it,
 15 please.
 16 Q Because you weren't working on building
 17 code issues at the time, you wouldn't have been
 18 aware -- you wouldn't necessarily been aware of what
 19 local building code was in effect during that period?
 20 A That is correct.
 21 Q How about state codes, same answer?
 22 A Same answer.
 23 Q Do you know what local building code the
 24 Columbus Building Department utilizes today to

1 regulate things like combustion air adequacy and gas
2 appliance installation?

3 **A No.**

4 **Q** At the time you reviewed Mr. Prachar's
5 calculations, did you review what code the Columbus
6 Building Department would have been using?

7 **A No.**

8 **Q** Are you familiar in general terms with
9 the Ohio Mechanical Code?

10 **A No.**

11 **Q** Are you familiar in general terms with
12 the International Fuel Gas Code?

13 **A Rephrase that, or repeat that.**

14 **Q** Do you work with regularly or have
15 knowledge of or familiarity with the International
16 Fuel Gas Code?

17 **A Have knowledge of, yes.**

18 **Q** What is your knowledge of that code?

19 **A That it exists and that I have a copy of**
20 **it, but I don't frequent it for reference.**

21 **Q** So the company doesn't really use that
22 code with customers or gas compliance installations?

23 **A No.**

24 **Q** If you weren't aware of the Columbus code

1 is that correct?

2 **A Yes.**

3 **Q** And my question is: Based on what the
4 local codes were and based on the fact that Columbus
5 had approved the combustion air adequacy and
6 compliance operation at Cameron Creek, is part of your
7 duty in assessing compliance to compare company
8 standards with local building department standards?

9 **A No.**

10 **Q** It's not. Okay. You can disregard what
11 the local building department determines?

12 **A I can't answer that.**

13 **Q** Why can't you answer that?

14 **A Rephrase your question.**

15 **Q** Well, okay. I believe that you just
16 answered that when you looked at NFGC compliance as
17 far as combustion air you weren't -- you didn't need
18 to or you didn't in fact look at how Columbus had
19 approved the same combustion air at Cameron Creek; is
20 that correct?

21 **A Correct.**

22 **Q** And my question is: Why wouldn't you
23 have to also consider the local building department's
24 regulatory system and how they approved Cameron Creek?

1 that was in effect at Cameron Creek either back in
2 '96, '97, '98 or with the current code, why -- how was
3 it that you were comfortable applying the National
4 Fuel Gas Code requirements to combustion air at
5 Cameron Creek?

6 **A Because that is the safety standard that**
7 **Columbia uses.**

8 **Q** Okay. But if Columbus, the local
9 jurisdiction, the local building authority uses a
10 different code, shouldn't you have taken a look or
11 should the company have taken a look, not a personal
12 issue necessarily to you, but at what Columbus, how
13 Columbus had approved those buildings?

14 **MR. GALLON:** Objection to the extent
15 it calls for a legal conclusion. You may answer.

16 **A I can't answer that. I can't speak for**
17 **the company.**

18 **Q** Let's go back to you then. And for the
19 record, I'm not asking for a legal analysis. I'm
20 asking for -- the question relates to Mrs. Bass's role
21 in a compliance position at the company, a regulatory
22 role at the company. And Mrs. Bass had applied the
23 NFGC standards by reviewing Mr. Prachar's calculations
24 to make a determination about combustion air adequacy;

1 **A How would we know what building code the**
2 **city was following as far as the City of Columbus**
3 **might follow this one, the City of Delaware might**
4 **follow this one. How would we know or be able to**
5 **house the information from the different**
6 **municipalities all over our service territory.**

7 **Q** You're asking me a question, but the
8 answer is you could have asked them. My follow-up
9 question is: Did you ask Columbus how they approved
10 Cameron Creek at the time you decided that NFGC
11 compliance was not -- was not there?

12 **A No.**

13 **Q** Do you think your policies require such a
14 question to the local jurisdiction? In other words,
15 asking them how they approved a building in that kind
16 of circumstance?

17 **A I can't answer that.**

18 **Q** You can't answer it because you're not
19 familiar with the policies, your company policies?

20 **A That's a very broad and open-ended**
21 **question.**

22 **Q** Can you read back the question, please.

23 ---

24 Previous question read by the reporter.

1 ---
 2 By Mr. Hart:
 3 Q I would say, did you understand that
 4 question?
 5 A **I didn't understand or the question that**
 6 **you asked in regards to company policies is very broad**
 7 **and open ended.**
 8 Q Well, let me try to narrow it for you.
 9 Do you think anywhere in your company policies is a
 10 requirement when you find a compliance problem with
 11 NFGC, for instance, to check in with the local
 12 building department to see what they think?
 13 A **Not to my knowledge.**
 14 Q Even where it's something that they
 15 specifically regulate under state law?
 16 A **I don't know. Not to my knowledge.**
 17 Q But your testimony is that in making your
 18 interpretation of NFGC requirements, you did not apply
 19 in any way the code that Columbus was using to approve
 20 combustion air in those units?
 21 A **Correct.**
 22 Q Did Columbia's policies at the time that
 23 Cameron Creek was first provided gas service, did they
 24 require that gas appliances be inspected prior to

1 Q Columbia comes to a building to establish
 2 service, there's nothing, there's no pipes, no
 3 appliances in the building. Let's say it's at rough
 4 stage in terms of construction. Do you know what that
 5 is, rough stage?
 6 A **Yes.**
 7 Q Columbia will set the meter and leave it
 8 functional so that a plumber can -- the builder's
 9 plumber can come in, hook that meter up, fire up the
 10 appliances and Columbia doesn't come back at any point
 11 and look at that, the appliances or the pipes?
 12 MR. GALLON: Objection, overbroad.
 13 You may answer.
 14 A **There has to be in accordance to the**
 15 **Minimum Gas Standards a minimum of one appliance drop**
 16 **installed, so we will inspect and test what is**
 17 **installed.**
 18 Q But if there is no appliance or gas
 19 pipes, how do you do a drop?
 20 A **A drop is anything that comes -- a branch**
 21 **off the main feed.**
 22 Q What if there is nothing?
 23 A **Then we don't set a meter.**
 24 Q Then you come back when there is at least

1 meter set or at meter set?
 2 A **I don't recall.**
 3 Q Is that the policy today that before
 4 you'll -- the company will supply meters and gas
 5 service, that the company wants to take a look inside
 6 the residence and look at pipes and look at appliance?
 7 A **The company follows the Ohio Minimum Gas**
 8 **Standards.**
 9 Q Well, I'm not familiar with those. What
 10 I'm asking is: At service, I'm talking about
 11 Columbia's policies. At the establishment of service,
 12 will Columbia supply gas if a Columbia inspector
 13 doesn't look on the inside of a residence and look at
 14 gas pipes and appliances?
 15 A **We are charged with looking at all**
 16 **installed piping and appliances. So we inspect and**
 17 **test what is installed at the time our techs are**
 18 **there.**
 19 Q If something is not installed, you'll --
 20 as a company, you will set up the meter and put gas to
 21 that meter with a stop, block, with an attachment that
 22 a plumber will finish past the meter?
 23 A **That is correct. In accordance with the**
 24 **Ohio Minimum Gas Standards.**

1 one appliance to -- that you can do a drop from?
 2 A **At least one appliance drop. The**
 3 **appliance does not have to there.**
 4 Q I know you already testified you didn't
 5 write this, but I want to ask you to read the second
 6 paragraph of this Exhibit F e-mail, the language
 7 that's in quotes, and I will let you do that and then
 8 I want to ask you a question.
 9 A **Okay.**
 10 Q Is the main point of this paragraph, and
 11 let's say, for instance, the last sentence in the
 12 paragraph that Cameron Creek did not meet the
 13 combustion air requirements of both the '97 NFGC and
 14 the 97 IFGC. Is that what that paragraph is saying?
 15 MR. GALLON: Objection. You may
 16 answer.
 17 A **It appears.**
 18 Q If Columbia applied those two codes in
 19 '97, let's say, as the e-mail cites, I believe, at
 20 least it cites the '97 IFGC, if Columbia did apply
 21 those codes, why did Columbia not find those units
 22 dangerous or noncompliant at the time of service
 23 establishment?
 24 A **I can't answer that.**

1 Q Do you have an opinion as to why, why
2 that might have been?
3 A No.
4 Q Are you sure you have never been deposed
5 before?
6 A I am positive.
7 Q Would Columbia have gone back into the
8 units, based on your knowledge of the company and your
9 knowledge of operations with compliance and probably
10 pretty broad knowledge of company service, type of
11 service that you do as a company, would Columbia have
12 gone into Cameron Creek apartment units between '99
13 and 2006?
14 A I really can't answer that.
15 Q Isn't it a virtual certainty that when
16 people move or don't pay their gas bill on time, that
17 there's going to be a service action, either shut off
18 or turn back on gas in an apartment complex like that?
19 A Depending on the customers that are
20 there, yes.
21 Q I'm not asking you if you have personal
22 knowledge. Okay. I'm asking you, don't you think
23 it's likely that service technicians from Columbia
24 were in those units based on normal churning of your

1 gotten some mileage. We refer to it as OGE, Exhibit
2 OGE, referring to Mr. Garrett. This is a company
3 policy from 1992. The reference number is 725-2 up
4 there at the right-hand corner. Do you see that?
5 A Yes.
6 Q Give you a chance to look at that. I'm
7 not going to ask about the whole thing. I can
8 probably expedite our -- I'm actually only interested
9 in terms of this exhibit in the last -- the last item
10 on the second page, Item G, it's on page C0H, lots of
11 zeros, 756.
12 Are you ready to answer questions?
13 A Yes.
14 Q Would you go ahead and read that
15 paragraph aloud for us?
16 A "G. Regarding setting of meter, company
17 representative will explain that if service is not to
18 begin at the time of pressure testing that the
19 customer or builder must call afterwards to have the
20 meter set and gas turned on. See Policy and Procedure
21 Reference No. 725-5, 'Methods for Testing Existing
22 Customer's House and/or service line.'
23 Q Mrs. Bass, in your own words, what does
24 that paragraph mean?

1 business?
2 A Again, I don't know.
3 Q But obviously if Columbia did supply
4 service for whatever reason up front in '97, '98, '99,
5 obviously if they did supply service as a company,
6 they must have found that the operations of the
7 appliances were safe?
8 A Again, I can't answer that.
9 Q Well, does Columbia supply gas to
10 something that's unsafe?
11 A No.
12 Q As far as you know, was the first time
13 that Columbia noticed or documented an unsafe or a
14 noncompliance situation with the NFGC, was the first
15 time that happened your review of Mr. Prachar's
16 calculations?
17 MR. GALLON: Objection, vague. You
18 may answer.
19 A I don't recall.
20 Q So you don't remember any other activity
21 at Cameron Creek based on NFGC issues before that,
22 before you reviewed Mr. Prachar's calcs?
23 A Again, I can't recall.
24 Q I'm going to jump to a document that's

1 A That if for some reason we can't set a
2 meter the first trip, we leave the gas off and they
3 need to call us back.
4 Q What would examples of those reasons be
5 in your experience?
6 A No house lines installed, not meeting the
7 minimum standards, house lines installed improperly.
8 Q So if there is no -- if there are no
9 house lines, does it mean there are no appliances?
10 MR. GALLON: Objection, ambiguous.
11 You may answer.
12 A There may be a water heater sitting in
13 the basement in a box.
14 Q But it would not be installed in that
15 case?
16 A Correct.
17 Q Is another reason or would another
18 example be there are no appliances at all?
19 A We don't require appliances according to
20 the Minimum Gas Standards.
21 Q I don't want to put words in your mouth,
22 but are you saying -- so I'm ask a clarifying
23 question. Are you saying that you don't require
24 appliances to set a meter and supply gas?

1 **A According to the Ohio Minimum Gas**
2 **Standards, we have to have a minimum of one appliance**
3 **drop to set a meter and supply gas.**

4 Q But a drop isn't an actual appliance.
5 It's just the feed pipe going to the appliance?

6 **A Correct.**

7 Q Do you know when those minimum standards
8 came into effect?

9 **A No.**

10 Q I probably thought that you wouldn't, but
11 you are pretty sharp, so I thought I would ask anyhow.

12 Does this paragraph mean that your
13 service techs are to come back and set the meter and
14 turn on the gas after the appliance is operational
15 when this paragraph comes into play?

16 **A No.**

17 Q It doesn't. Can you explain why it
18 doesn't mean that?

19 **A Because we don't -- according to the**
20 **minimum standards, we don't have to have appliances**
21 **installed to get gas service initiated.**

22 Q Are those standards on file with the
23 Public Utilities Commission or are they in the
24 administrative code, do you know? That was two

1 questions.

2 **A I don't know.**

3 Q Is that company policy, or is that
4 general -- do you know if it's general policy versus
5 company policy?

6 **A It is the Ohio Minimum Gas Standards**
7 **policy that we have to enforce.**

8 Q I'm going to jump to another exhibit, and
9 this one is marked Garrett Exhibit F. It's another
10 company policy. And at the top right the number of
11 the policy is 700-3. Do you see that, Mrs. Bass?

12 **A Yes.**

13 Q And it was in effect -- it was issued and
14 the effective date is September 10 1990?

15 **A Yes.**

16 Q It's entitled "Gas Facilities on Customer
17 Premises;" correct?

18 **A Yes.**

19 Q I will give you a chance to look at the
20 policy. I'm going to ask you to take a look at,
21 actually the last -- the beginning of the last
22 paragraph or sentence on the first page. It starts
23 off "Gas facilities installed." Do you see that?

24 **A Yes.**

1 Q Can you read that for us?

2 **A "Gas facilities installed on a customer's**
3 **premises by company personnel shall be installed in**
4 **compliance with standards and codes identified in this**
5 **policy and procedure."**

6 Q Continue on the next page, please.

7 **A "Gas facilities installed on a customer's**
8 **premises by other than company personnel shall be**
9 **installed with materials and workmanship which meet**
10 **the requirements specified in this Policy and**
11 **Procedure and shall be subject to inspection or**
12 **testing by the company before the company will**
13 **establish service."**

14 Q So under that paragraph, gas facilities
15 installed on a customer's premises, does that mean
16 customer's gas appliances?

17 **A Facilities could be service line meter**
18 **setting.**

19 Q But are you saying it doesn't include
20 appliances?

21 **A It can if they are installed, yes.**

22 Q Doesn't this paragraph say that when
23 you're in a scenario where the appliances were put in
24 by someone besides Columbia Gas, your service techs

1 would -- if they weren't there at the time of service,
2 your service techs would have to come back and turn on
3 gas to establish gas services; isn't that right?

4 **A No.**

5 Q It's not right. Why is it not right?

6 **A That's not my interpretation.**

7 Q Well, let me just go back and read it. I
8 think the key word in the paragraph that you read is
9 the word "before." And it says that gas facilities
10 are going to be subject to inspection testing by the
11 company before the company will establish service.
12 Doesn't that mean that the company is going to look at
13 and inspect and verify whether the appliances meet
14 company standards before establishing service?

15 **A Any time before we establish service, we**
16 **inspect what is installed.**

17 Q So if the appliances are there, this
18 requires inspection and testing by the company or else
19 the company is not -- the company is going to come
20 back. It's not going to establish service?

21 **A Correct.**

22 Q This policy was in effect in 1990. So it
23 would have -- unless it was changed, it would have
24 been in effect in '96, '97, '98 at the time of

1 approval of construction at Cameron Creek?
 2 **A I would assume.**
 3 Q Do you know if it was changed after it
 4 was effective?
 5 **A Not to my knowledge. I don't know.**
 6 Q Would this policy be something that would
 7 be the subject that you would train on, that you would
 8 provide -- that you in the past have provided training
 9 on to field personnel?
 10 **A I do not recall.**
 11 Q Why did Columbia Gas first start to
 12 enforce the National Fuel Gas Code requirements in
 13 '06, '07, and '08, why did that start then?
 14 **A I don't understand the question.**
 15 Q Well, your testimony earlier was that you
 16 reviewed Mr. Prachar's calculations and that you found
 17 a noncompliance issue relative to combustion air under
 18 the NFGC at Cameron Creek; correct?
 19 **A Correct.**
 20 Q And that was in '08?
 21 **A Correct.**
 22 Q So let's just take '08. Frankly, I think
 23 later on today we will see that there are other
 24 indications of NFGC enforcement or activity by

1 **A Yes.**
 2 Q So following up to that question, were
 3 those somewhat isolated incidents for, let's say, a
 4 single unit of an apartment?
 5 **A I can't answer that.**
 6 MR. GALLON: Objection, vague. You've
 7 answered.
 8 Q Were there any instances where a whole
 9 apartment complex to your knowledge and experience
 10 during that period was declared unsafe based on
 11 combustion air issues under NFGC and gas was curtailed
 12 to a whole apartment complex?
 13 **A Not to my knowledge.**
 14 Q When was the first time that, as a matter
 15 of training, that internally inside Columbia that the
 16 issue of combustion air began to be emphasized?
 17 MR. GALLON: Objection, vague,
 18 foundation. You may answer.
 19 **A It was emphasized when I went through**
 20 **training in '93.**
 21 Q Okay. But specifically was there any
 22 change in emphasis around early '08 on combustion air
 23 issues in particular?
 24 **A Not to my knowledge.**

1 Columbia prior to '08, but we haven't established that
 2 yet. So let's just take '08. Why did NFGC focus
 3 start then and not in the year 2000, for instance?
 4 MR. GALLON: Objection, ambiguous.
 5 You may answer, if you can.
 6 **A We didn't start enforcing it in '08. We**
 7 **have been enforcing it as long as I have been there**
 8 **and possibly before then. I don't know.**
 9 Q Okay. But as a company -- so as a
 10 company you were enforcing NFGC compliance with regard
 11 to combustion air, you would say in a local area,
 12 local region in 2000, 2001, let's say all the
 13 intervening years from '99 to '08?
 14 **A Again, based on my knowledge of starting**
 15 **in the field in '93 is when I was aware of what the**
 16 **national code was.**
 17 Q In terms of combustion air issues?
 18 **A In terms of -- I was a new service tech.**
 19 **That was the first time I had been aware of that code.**
 20 Q Were you aware of other instances where
 21 Columbia, you know, during that whole period, '93 to
 22 '08, your review of Prachar's calcs where Columbia red
 23 tagged appliances based on combustion air issues under
 24 the NFGC?

1 Q I'm going to switch gears now and go to
 2 what I have marked as Exhibit L, and that is an
 3 exhibit from the original complaint filed with PUCO.
 4 It's an e-mail from Mr. McCreery, in-house lawyer,
 5 your in-house lawyer, to Mr. Dillon, I believe, of
 6 February 26th and ask you to take a look at that for a
 7 minute.
 8 Ready?
 9 **A Uh-huh, yes.**
 10 Q In this e-mail Mr. McCreery is answering
 11 a question posed by Cameron Creek Lawyer Dillon
 12 relative to why Columbia doesn't count a 4-inch air
 13 supply, a dedicated duct of 4 inches supplying air to
 14 utility closets toward combustion air calculation
 15 requirements; is that correct?
 16 **A It appears so.**
 17 Q In the e-mail McCreery describes really
 18 Columbia discounting the 4-inch air duct, combustion
 19 air feed duct. Essentially his point is that it
 20 doesn't count toward combustion air requirements, and
 21 he says because the 4-inch air supply is recycled
 22 through the living space. Do you see that?
 23 **A Yes.**
 24 Q Were you involved in that analysis at

1 all? Were you involved in the evaluation of this
 2 4-inch air supply?
 3 **A No.**
 4 **Q** Even though you weren't involved, do you
 5 know why Columbia's company and Mr. McCreery would
 6 discount the 4-inch air supply?
 7 **A I can't answer that.**
 8 **Q** You weren't involved in it at all?
 9 **A No.**
 10 **Q** Do you think based on your NFGC
 11 knowledge, do you think that a dedicated 4-inch air
 12 supply to every utility closet would introduce indoor
 13 air -- outside air, I'm sorry, outside air, directly
 14 to the combustion areas for these appliances?
 15 **A I don't understand your question.**
 16 **Q** Okay. If you knew that every single one
 17 of these units had a dedicated 4-inch vent that fed
 18 combustion air from the outside, would that have any
 19 bearing in your mind on adequacy of combustion air
 20 under the NFGC?
 21 **A It would depend on the other factors as**
 22 **far as the BTU load and if the 4 inch is substantial**
 23 **to handle the BTU load that's supplied.**
 24 **Q** So what you described, if I'm right, and

1 may answer.
 2 **A Yes, there is.**
 3 **Q** Do you think there's a regulatory basis,
 4 a specific standard, a specific code provision that
 5 supports discounting that 4-inch combustion air feed
 6 duct as outlined in this e-mail, is there a specific
 7 code provision that says, don't count it?
 8 **MR. GALLON:** Objection to the extent
 9 it calls for a legal conclusion, compound. You may
 10 answer.
 11 **A I have no idea.**
 12 **Q** Well, I'm not asking a legal question.
 13 I'm asking for a regulatory interpretation from a
 14 compliance regulatory expert whose job it is to
 15 provide training in that area. Whose job it was to
 16 provide training on those issues.
 17 **As far as compound, I'm just simply**
 18 **asking is there a specific code provision that says**
 19 **you're supposed to discount a 4-inch duct. If your**
 20 **testimony is, I just don't know, that's fine. But if**
 21 **you do know, you should answer.**
 22 **A I don't know.**
 23 **Q** Thank you.
 24 **The analysis in this e-mail essentially**

1 tell me if I'm not, would be, you know, you would
 2 count that in your -- you look at other factors and do
 3 a calculation?
 4 **A Not the way it's worded in this or**
 5 **presented in this e-mail, no.**
 6 **Q** Not the way it's worded by Mr. McCreery?
 7 **A Your question to me, as I understood it,**
 8 **was a 4-inch vent supplying outside air to the room**
 9 **the appliance was installed in; is that correct.**
 10 **Q** Well, it was: Would you evaluate that
 11 under your NFGC evaluation calculation? Would you
 12 count it, I believe was my question. We can read it
 13 back if you want.
 14 **A It wouldn't be counted --**
 15 **Q** Okay.
 16 **A -- as supplying outside air unless that's**
 17 **the size required by the appliance being installed.**
 18 **Q** Let's say it wasn't the size from, you
 19 know, Columbia's perspective, it wasn't the right size
 20 based on the BTU of the appliance. Was it -- even
 21 though it's not the right size is there still fresh
 22 air coming in from the 4-inch duct into those
 23 appliance closets?
 24 **MR. GALLON:** Objection, vague. You

1 defines that 4-inch vent, combustion feed vent as
 2 makeup air rather than combustion feed air. Do you
 3 see that in the e-mail?
 4 **A Yes.**
 5 **Q** Is there a specific regulatory provision
 6 that tells somebody looking at the NFGC this is makeup
 7 air, not combustion feed air, do you know?
 8 **MR. GALLON:** Same objection. You may
 9 answer.
 10 **A I don't know.**
 11 **Q** You didn't apply any of that analysis.
 12 You weren't involved in this was your earlier
 13 testimony?
 14 **A Correct.**
 15 ---
 16 **Recess taken.**
 17 ---
 18 **By Mr. Hart:**
 19 **Q** I think we were done with Exhibit L. I'm
 20 actually going to jump to an exhibit, Bass Exhibit 1.
 21 It's probably something you're pretty familiar with.
 22 Looks like Regulatory Compliance & Training of March
 23 20, 2006. Give you a chance to look at that.
 24 **Is this a document that you wrote or were**

1 you the author?
 2 **A No.**
 3 **Q Do you know who did write this document?**
 4 **A No.**
 5 **Q Did you use this document in your**
 6 **training? Were you provided training inside the**
 7 **company?**
 8 **A Yes.**
 9 **Q So it is an internal company training**
 10 **document of that vintage, of that date?**
 11 **A It appears so, yes.**
 12 **Q Who were the audience for this material,**
 13 **this training material, who was it presented to?**
 14 **A Service technicians, anybody that**
 15 **establishes gas service.**
 16 **Q Would it have been people that had been**
 17 **also servicing Cameron Creek around this time, 2006?**
 18 **A If they were service technicians**
 19 **establishing gas service, yes.**
 20 **Q This training covers emergency responses**
 21 **for field service personnel; correct?**
 22 **A It appears so, yes.**
 23 **Q Also covers carbon monoxide incidents and**
 24 **testing, which appears on the third page in, which is**

1 COH3561 at the bottom. Do you see the middle of the
 2 page "Carbon Monoxide Response"?
 3 **A Yes.**
 4 **Q Under the term, it's three bullets down,**
 5 **there's a term used "Evacuate," and that specifies a**
 6 **level of 200 parts per million calls for an emergency**
 7 **evacuation of a residence when that kind of level is**
 8 **found along with other telltale signs of carbon**
 9 **monoxide issues; is that right?**
 10 **A It appears so, yes.**
 11 **Q Would training -- would this training**
 12 **document call for the same evacuation if there was 2**
 13 **parts per million present?**
 14 **A I can't answer that.**
 15 **Q Well, you did testify -- you did testify**
 16 **that it calls for an evacuation at 200 parts per**
 17 **million with these additional factors. Actually it**
 18 **says, "when any one of the following occurs," and it**
 19 **lists four other factors; correct?**
 20 **A It appears so, yes.**
 21 **Q My question is: If it's 2 parts per**
 22 **million rather than 200 and you have one of those**
 23 **factors, do you still evacuate under this policy?**
 24 **A Possibly.**

1 **Q Possibly. What would be the possible**
 2 **reasons for that?**
 3 **A Depending on the situation that's in the**
 4 **field when the tech arrives.**
 5 **Q Can you give me -- be more specific? Can**
 6 **you give me a specific example where you would have a**
 7 **situation where you would evacuate based on 2?**
 8 **A Sometimes it is not us doing the**
 9 **evacuation, it's the fire departments.**
 10 **Q Okay. But I'm not really asking about**
 11 **the fire department. I'm asking about Columbia Gas's**
 12 **policy and how you train and how you respond as a**
 13 **company in the field. If it's 2 parts per million and**
 14 **maybe you do have one of these other factors, would**
 15 **you still -- would Columbia still advise evacuation to**
 16 **the customer?**
 17 **A We could, yes.**
 18 **Q Again, I'll ask what would -- what would**
 19 **those circumstances be?**
 20 **A Condition of the appliances, the people**
 21 **that are inside, are they infants, are they elderly,**
 22 **which are more susceptible to CO.**
 23 **Q If the level was at 7 parts per million,**
 24 **would you give the same answer?**

1 **A Yes.**
 2 **Q How about 11?**
 3 **A Uh-huh, yes.**
 4 **Q Further down, and it's going to be hard**
 5 **to count bullets, let's say four bullets from the**
 6 **bottom of the page there is a line that reads,**
 7 **"Allowable maximum CO level: 10 parts per million**
 8 **residential." What does that mean?**
 9 **A The OSHA standard for allowable parts per**
 10 **million in a residence is 10 once you take out all**
 11 **vented appliances out of the equation.**
 12 **Q So the process of essentially eliminating**
 13 **the vented appliances that's the source of the CO,**
 14 **then after you've done that in a unit, then there's an**
 15 **acceptable level of 10?**
 16 **A Yes.**
 17 **Q On the third bullet up there is a line**
 18 **that reads, "Check gas utilization equipment for**
 19 **proper operation, repair or 'Red Tag' faulty**
 20 **equipment." Do you see that statement?**
 21 **A Yes.**
 22 **Q How do field staff determine if equipment**
 23 **is faulty?**
 24 **A Based on the training that they've**

1 received.

2 Q Okay. Based on that training, what are
3 the standards or definitions or details to determine
4 if an appliance is faulty?

5 A **Condition of the appliance, bare wires,**
6 **missing doors. That's a very broad question. It**
7 **encompasses a lot of different items. Flame**
8 **characteristics.**

9 Q Are all those issues, things that are
10 observable?

11 A Yes.

12 Q Do they include items that would be
13 tested and actually, you know, go beyond observations
14 where the tech would perform actual tests?

15 A **They probably could, yes.**

16 Q Is there a place where that's written? I
17 know you said there's a lot of different examples. Is
18 there a place where those standards, those examples
19 are written besides one of these policies, I mean?

20 A **No, not to my knowledge.**

21 Q You said that there's training for them
22 to determine if equipment is faulty. Does that
23 training focus on, for instance, those examples that
24 you gave me or examples like that?

1 A Yes.

2 Q Is that training with those examples, is
3 that something that's written?

4 A **There are some instances in Appendix H of**
5 **the fuel code and in some of the training material**
6 **that talks about proper installation of appliances,**
7 **condition of appliances, I believe, if I remember**
8 **correctly.**

9 Q When you said "fuel code," do you mean
10 the NFGC?

11 A Yes.

12 Q So Appendix H is something you
13 specifically train the service folks on?

14 A **We cover it, yes.**

15 Q Who provides that training?

16 A **Technical trainers.**

17 Q Internal company Columbia Gas folks?

18 A Yes.

19 Q And does any of that training come from
20 NFPA directly or anybody related to NFPA?

21 A **Not to my knowledge.**

22 Q But you would be an example of someone
23 that would provide that training?

24 A **In my past jobs, yes.**

1 Q Does that training include how to perform
2 combustion air calculations?

3 A **Part of the service training, yes, it**
4 **does.**

5 Q The combustion air calcs training, does
6 that come out of Appendix H?

7 A No.

8 Q It comes from a different source?

9 A Yes.

10 Q Is that source NFPA training?

11 A Yes.

12 Q The reference at the bottom of the page
13 that refers to Carbon Monoxide Investigations, do you
14 know is that a reference to the 1994 version of the
15 Carbon Monoxide Investigations manual?

16 A **I'm not sure.**

17 Q I'm going to jump to the next exhibit. I
18 have it marked Exhibit 2, Bass Exhibit 2, I'm sorry.
19 Actually it looks like this. There's two documents.
20 Right at the moment I don't know why. One document
21 looks like similar training materials as the last
22 exhibit dated 7-27-07, and then there's another
23 document attached in this exhibit which starts at the
24 bottom of the first page COH, lots of zeros, 3563.

1 That's Policy Procedure 725-15(34). It's titled
2 "Lighting Appliances when Establishing or
3 Reestablishing Service." I will give you a minute to
4 take a look at these.

5 Okay.

6 A Yes.

7 Q I will just add that the mystery that I
8 mentioned before the answer is that both these
9 policies cover pretty much the same subject matter is
10 why they're combined in one exhibit.

11 These policies together cover gas service
12 to new and existing premises; correct?

13 A **It appears so.**

14 Q At the top there is a caveat, top of Page
15 1 right under the title there is a caveat that says,
16 that reads, "This is a guide for training purposes and
17 is not to be relied on as a substitute for the
18 applicable code, standards or policies and procedures
19 and is subject to change without notification." Do
20 you see that language?

21 A Yes.

22 Q Item 1 on Page 2, Item 1 "General" reads,
23 "This practice shall be followed when establishing gas
24 service or turning on gas that is off at the meter

1 valve and/or the curb box;" correct?

2 **A Yes.**

3 **Q** So based on that language, would this
4 policy be followed when you are -- when a service tech
5 is reestablishing gas that has been turned off to one
6 gas appliance only?

7 **A No.**

8 **Q** So it's just when gas -- when
9 establishing gas or turning on gas at the meter valve
10 or curb box?

11 **A Correct.**

12 **Q** The meter valve could be inside of the
13 house but could be on the outside of the house;
14 correct?

15 **A Correct.**

16 **Q** The curb box is always outside. That's
17 the connection to the -- typically it's the connection
18 at the street from the service line to the main?

19 **A Correct.**

20 **Q** Section 1.2 following down the same page
21 reads, "House lines and appliance installations shall
22 be in accordance with the National Fuel Gas Code
23 (NFGC) and local codes;" correct?

24 **A It appears so, yes.**

1 didn't confirm with the local building department on
2 their codes or their interpretation of code when you
3 ran -- when you reviewed, I'm sorry, reviewed the
4 combustion air calculations that Mr. Prachar did;
5 correct?

6 **A That is correct.**

7 **Q** Wouldn't 1.2 imply that there has to be
8 some type of reconciliation of two different standards
9 for those combustion air calculations?

10 **A I guess it would depend on your**
11 **interpretation.**

12 **Q** Well, that line 1.2, first line, I mean,
13 the word that's used is "shall;" correct?

14 **A Correct.**

15 **Q** Same sentence, same 1.2 section, question
16 concerning 1.2: Does Columbia Gas go through a
17 process to determine whether a local code or the NFGC,
18 for instance, whether one is more stringent than
19 another?

20 **MR. GALLON:** Objection, vague. You
21 may answer.

22 **A For instance, like the Minimum Gas**
23 **Standards?**

24 **Q** That would be an example.

1 **Q** Does this mean that both house lines and
2 appliance installations must meet both the NFGC and
3 local codes?

4 **A I can't answer that. I don't know.**

5 **Q** Do you have an interpretation of what
6 that means?

7 **A No.**

8 **Q** If you have a situation based on that --
9 based on the plain meaning of that language where the
10 NFGC and the local codes conflict, they're different,
11 they have different provisions on the same topic, how
12 do you apply Section 1.2?

13 **A I don't know. I can't answer that.**

14 **Q** Well, this is training material that you
15 provided to service techs; correct?

16 **A Correct.**

17 **Q** And you're saying that you don't cover at
18 all with them where you have -- even though Section
19 1.2 says house line and appliances have to be in
20 accordance with both NFGC and local codes, your
21 testimony today is that there's no procedure or
22 reconciled conflict between the two?

23 **A Not to my knowledge.**

24 **Q** Earlier today you testified that you

1 **A That's a local code. They are more**
2 **stringent in some places, so we follow more stringent**
3 **in this case.**

4 **Q** My question really is: Is there a
5 specific procedure that you follow to make that
6 determination, whether one is more stringent than the
7 other?

8 **A I can't answer that. I don't know.**

9 **Q** But you do -- as a company you do
10 regularly determine that you apply what you believe
11 are the more stringent standards?

12 **MR. GALLON:** Objection.

13 **A I would believe so, yes.**

14 **Q** Based on the example you gave me?

15 **A Yes, based on that example.**

16 **Q** You don't know whether you do that
17 comparing a local code with NFGC?

18 **A Not to my knowledge, I don't know.**

19 **Q** Do you know if anybody made that -- made
20 a judgment call on what was more stringent with regard
21 to Cameron Creek?

22 **A I have no idea.**

23 **Q** You didn't?

24 **A No, I did not.**

1 Q Section 3 talks about visual inspections,
2 and it says, reads, "Visual inspection is required for
3 existing, new, repaired, or replaced customer service
4 lines, house lines, meter settings and appliances at
5 the time gas service is established or
6 re-established;" is that correct?

7 A Correct.

8 Q Then 3.3 goes on to say, to clarify that
9 general point further, it states, "Inspections of
10 house lines and appliances shall be in accordance with
11 the NFGC and manufacturer's instructions;" is that
12 right?

13 A Correct.

14 Q But it doesn't say anything about
15 inspections based on local building code?

16 A Does not appear to.

17 Q Does this language, the language in 3.3,
18 does that exist in your policy and procedure manuals
19 or just in this training document, do you know?

20 A I honestly don't know.

21 Q How are service techs trained to make
22 visual inspection of appliances? What are the
23 standards used?

24 A I don't know.

1 By Mr. Hart:

2 Q So in terms of under 3.3, do you know,
3 can you give me any examples of what they're looking
4 for as they evaluate appliances, as they inspect
5 appliances under this provision?

6 A As I stated previously, frayed wires,
7 wires without coating, missing doors, missing
8 components, safety is overridden.

9 Q Would another example on that list be
10 soot build up on the outside of the appliance based on
11 flame roll out?

12 A Could be, yes.

13 Q Flame characteristics, how the flame is
14 burning?

15 A Yes.

16 Q Do they check actual drafts, drafting of
17 the appliance to see how it's -- how the exhaust is
18 actually venting out of the appliance and out of the
19 house?

20 A Yes, if the appliance is a natural draft
21 appliance.

22 Q Section 3.3.5, if I can ask you to take a
23 look at that. It's the fifth part of 3.3. I will
24 call it 3.3.5. It's connected gas appliances shall be

1 Q So in terms of training on this 3.3 you
2 don't provide them with any detailed standards or
3 evaluation techniques?

4 A There is information in the training
5 material they receive, but I don't know that it is a
6 standard.

7 Q So they may -- I think your testimony is
8 there is training material they receive that might
9 have those type of standards in it?

10 A It has guidelines in it. I don't know
11 what your definition of a standard is.

12 Q But, I mean, the subject matter is how to
13 make those visual inspections under 3.3?

14 A Yes.

15 MR. HART: Again, counsel, to the
16 extent that exists, that's something I believe is
17 material relevant and has been asked for.

18 MR. GALLON: Again, I will take a look
19 at your request. Just to clarify, you're asking for
20 training materials regarding visual evaluation of
21 appliance installations for NFGC compliance?

22 MR. HART: Correct. It's per the
23 language in 3.3. It also includes manufacturer's
24 instructions. That's generally correct.

1 visually inspected. In that context we are talking
2 about existing appliances; correct?

3 A What is your definition of existing
4 appliances?

5 Q We're not talking about the new appliance
6 that is prior -- is being looked at prior to service
7 establishment. This is an appliance that's already
8 established where service is already established.

9 A If there's a problem with the
10 installation prior to gas service being established,
11 then we could red tag something on a new installation
12 if that's what you are asking.

13 Q I understand. But what I'm asking is,
14 but in this context of 3.3.5, are we talking about
15 existing installations, not new?

16 A It could be both.

17 Q It could be both. Okay. Does the
18 language in that, in that 3.3.5 and just the general,
19 you know, as it refers back up to 3.3 and mentions the
20 NFGC, does that language mean that red tagging is
21 allowed and required, actually, for NFGC noncompliance
22 only based on a visual inspection? In other words,
23 are your service techs trained to red tag appliances
24 only based solely on a visual inspection where they

1 evaluate NFGC compliance or noncompliance?
 2 **A No.**
 3 **Q** What else do they have to have to red tag
 4 beyond visual?
 5 **A Pressure testing.**
 6 **Q** So is that pressure testing meaning
 7 testing pipes?
 8 **A Testing of pipes up to the controls and**
 9 **then also nonpressure testing after the controls, leak**
 10 **check after the controls.**
 11 **Q** So to red tag under the NFGC it's more
 12 than a visual. It's leak checks and pressure testing
 13 of pipes?
 14 **A Correct.**
 15 **Q** Is it anything else? Is it any other
 16 physical -- any other evaluation of other physical
 17 properties?
 18 **A Part of the NFGC and part of your visual**
 19 **inspection is to verify that there is proper**
 20 **combustion ventilation air.**
 21 **Q** Okay. Visually though?
 22 **A Visually. And then based on your visual**
 23 **inspection, you start doing the math and calculating**
 24 **is it right.**

1 **Q** So is your testimony that to red tag a
 2 gas appliance under the NFGC for a combustion air
 3 violation of the NFGC, you have to do more than just
 4 look at it? You have to actually run a calculation
 5 relative to combustion air adequacy?
 6 **A No.**
 7 **Q** Is your testimony that you can red tag an
 8 appliance for NFGC noncompliance for inadequate
 9 combustion air visually alone?
 10 **A No.**
 11 **Q** What do you have to do as a Columbia
 12 service tech to red tag an appliance for lack of
 13 compliance with NFGC in terms of combustion air
 14 inadequacy?
 15 **A Depending on the situation would be it's**
 16 **obvious if there's -- depending on how the appliance**
 17 **is installed, whether or not combustion ventilation**
 18 **air as been brought in. In other terms it may be**
 19 **something that you're getting combustion ventilation**
 20 **air throughout the structure and you notice that the**
 21 **vent size is smaller than what they should be. So in**
 22 **that instance, calculations may be needed.**
 23 **Q** So in that instance you just mentioned
 24 that would be an instance where you would have, you

1 know, a combination of indoor and outdoor air. There
 2 might be a visual inspection that says, this is a
 3 close call. We are going to do the calcs. Is that
 4 basically what you were describing?
 5 **MR. GALLON: Objection, vague. You**
 6 **may answer.**
 7 **A Correct.**
 8 **Q** Does the service tech always have to
 9 perform calculations to verify combustion air adequacy
 10 or inadequacy under the NFGC?
 11 **A No.**
 12 **Q** What's the bright line, what's the
 13 standard where they make the judgment call to go ahead
 14 and do these calcs on combustion air?
 15 **A We basically, if you take a hundred**
 16 **thousand BTU to get your air only from the rest of the**
 17 **structure, the minimum hole size before being covered**
 18 **has to be no less than a 10 by 10. That's without**
 19 **putting any kind of metal or louver on it. If you see**
 20 **anything less than a 10 by 10 with nothing on it, a**
 21 **red flag should go up if you have more than a hundred**
 22 **thousand BTU's.**
 23 **Q** Is that -- where does that standard come
 24 from?

1 **A National Fuel Gas Code.**
 2 **Q** Do you know what section in particular?
 3 **A Not off the top of my head, no.**
 4 **Q** In most cases, then, for combustion air
 5 adequacy service techs wouldn't necessarily be red
 6 tagging for just visual inspections. They could, but
 7 in most cases they're also performing calculations
 8 before they red tag; is that true?
 9 **A Possibly, yes.**
 10 **Q** But techs aren't necessarily -- are techs
 11 required to perform combustion air testing to
 12 determine NFGC compliance on the issue of combustion
 13 air? Are they actually required to do that?
 14 **A Rephrase your question. I don't**
 15 **understand what you're asking me.**
 16 **Q** Do your policies and training and
 17 procedures mandate that service techs in the field do
 18 more than just visually inspect for NFGC combustion
 19 air issues?
 20 **A I do not believe so.**
 21 **Q** They're not required to do combustion air
 22 calculations?
 23 **A Not to my knowledge.**
 24 **Q** So they could red tag, and it sounds like

1 they do red tag on a regular basis just for visual
2 inspections?
3 **A Possibly, yes.**
4 **Q** Forgive me if I'm repeating. I'm sure
5 your counsel will help remind me if I am. Is there
6 some kind of a bright line standard where they begin
7 combustion air calcs when they're trying to evaluate
8 adequacy under the NFGC?

9 **MR. GALLON:** Objection, vague. You
10 may answer.

11 **A** Again, as I stated earlier, we give them
12 guidelines. If you see anything less than a 10 by 10
13 opening with no cover on it at all, you can't have
14 anymore than a hundred thousand BTU's, and at that
15 point you need to start doing some calculations if
16 you're above that, or if it appears that the space
17 that they're obtaining the combustion ventilation air
18 from is not large enough to sustain the minimum of
19 the -- what the appliances require.

20 **Q** In that last example it could be -- you
21 could be -- it could be weighing indoor and outdoor
22 air?

23 **A** Depending on the installation of the
24 appliance, yes.

1 **MR. GALLON:** Objection, vague. You
2 may answer.

3 **A** As far as?

4 **Q** I can give you some examples. Do they
5 look at the flame characteristics, for instance?

6 **MR. GALLON:** Same objection. You may
7 answer.

8 **A** That is one of the safety inspections
9 that we do, yes.

10 **Q** So if a service tech is in a unit and has
11 some concerns about possible combustion air problems,
12 do they also -- they also evaluate physical evidence
13 that would be indicative of a combustion problem --
14 combustion air problem like flame roll out, flame
15 characteristics, CO levels, those other list of items
16 that would be actually physical evidence of a
17 combustion problem; is that right?

18 **MR. GALLON:** Objection, compound. You
19 may answer.

20 **A** They could, yes.

21 **Q** Are they required to?

22 **A** Not to my knowledge.

23 **Q** When you have a combustion air
24 inadequacy, do you always have a CO problem? Is there

1 **Q** Other situations, back to that same
2 example where you would completely discount the indoor
3 air feeding the appliance and only focus on the, you
4 know, the outside air coming in in performing that
5 calculation.

6 **A** Yes.

7 **Q** What would those examples be?

8 **A** Depending on the placement of the
9 appliance.

10 **Q** This whole evaluation of combustion air
11 under the NFGC, is it a common thing that happens with
12 older buildings? Let's say buildings that are ten
13 years old.

14 **MR. GALLON:** Objection, vague. You
15 may answer.

16 **A** I really don't know.

17 **Q** But this training does cover existing
18 buildings, not just new?

19 **A** Correct.

20 **Q** Along with combustion air when a tech is
21 red tagging under the NFGC on, you know, based on
22 combustion air inadequacy, do they look at other
23 evidence? Do they look at other physical evidence to
24 make that judgment call?

1 always excessive CO produced when you have inadequacy?

2 **A** I don't know.

3 **Q** Do you know the training that's outlined
4 in this manual, this training guide 3.3, do you know,
5 has that been in existence? Has that been company
6 procedure prior to the date of this training, prior to
7 '07?

8 **A** I don't know.

9 **Q** I want to go to Section 4 and it's titled
10 "Testing Requirements." It's on that same page just a
11 little bit further down.

12 **A** Uh-huh.

13 **Q** Basically what that reads is when
14 reestablishing gas service all piping is supposed to
15 be tested and connected appliances get leak checked,
16 correct, is that what that says?

17 **A** Correct.

18 **Q** So at Cameron Creek after red tags were
19 issued, do you know if piping or connected appliances
20 were leak checked before gas got restored?

21 **A** I don't know.

22 **Q** Looking at Section 4.5, which is on the
23 next page, this section in the heading there it calls
24 for testing house lines and appliances under the NFGC;

1 correct?
 2 **A Yes.**
 3 **Q** But when you read Sections 4.5 1, 2, and
 4 3, everything in there, in those sentences, in those
 5 numbered sentences, it all seems to be focused on leak
 6 testing; is that right? Do you see anything in there
 7 besides leak testing?

8 **A Not in this 4.5 reference, no.**

9 **Q** Let me go next to Section 5, just a
 10 little bit further on the same page there. Can you
 11 read for me, read for us Note 1 and Note 2, please.
 12 aloud?

13 **A "Note 1: When the meter is installed,**
 14 **gas company personnel shall inspect and test all**
 15 **installed house lines, appliances then purge and place**
 16 **in operation (as required) all connected appliances**
 17 **prior to drywall or backfill of house lines."**

18 **"Note 2: When applicable, gas company**
 19 **personnel shall not hang a new meter when house lines**
 20 **or appliances are installed until code official has**
 21 **approved the house and installation and attached an**
 22 **'Approval Sticker' at the meter setting or front**
 23 **window."**

24 **Q** What is the reason for Note 2, do you

1 for us.

2 **A "5.2. An existing premise gas may be**
 3 **turned on after all house piping and appliances are**
 4 **inspected and leakage checked in accordance with the**
 5 **NFGC and the service line is checked for leakage in**
 6 **accordance with 4.4."**

7 **Q** Does that mean that when existing gas
 8 service is re-established, Columbia checks pipes for
 9 leaks in accordance with the NFGC?

10 **A Correct.**

11 **Q** Does it also mean Columbia is checking
 12 combustion air ducts at the establishment?

13 **A Correct.**

14 **Q** It does. Okay. What about is that a
 15 time when Columbia might perform combustion air
 16 calculations?

17 **A Yes.**

18 **Q** So Columbia is not just looking at pipes
 19 and appliances, but it's looking at the construction
 20 of ducts and vents around the appliances also, both
 21 exhaust and feed when I say ducts?

22 **A Correct.**

23 **Q** Does the NFGC state that that should be
 24 done?

1 know?

2 **A In the City of Columbus?**

3 **Q** Yes, that will be fine.

4 **A It's to my knowledge only in the City of**
 5 **Columbus, we are not permitted to set a meter until**
 6 **the city has done an inspection and signs off on it**
 7 **and puts an approval sticker there for us.**

8 **Q** When they're signing off and inspecting,
 9 what are they inspecting under Note 2?

10 **A I don't know.**

11 **Q** Do you know if that policy in the City of
 12 Columbus has been in effect -- do you know how long
 13 it's been in effect?

14 **A No.**

15 **Q** Do you think those two notes reflect the
 16 long held Columbia policy that the company does not
 17 supply gas without the approval of house lines and the
 18 appliances by local code officials in Columbus?

19 **A I can't answer that.**

20 **Q** I want to take a look at, ask you to take
 21 a look at Section 5.2, and this deals with gas service
 22 on existing premises; correct?

23 **A It appears so, yes.**

24 **Q** Can you please read that section aloud

1 **A I don't --**

2 **Q** Okay. When you're looking at the ducts
 3 and vents surrounding appliances, is that part of the
 4 construction of the house or the apartment?

5 **MR. GALLON: Objection, vague. You**
 6 **may answer.**

7 **A As far as when we do an inspection?**

8 **Q** Yes. I mean, my question -- I'll
 9 clarify. Do you consider those vents, feed vents and
 10 exhaust ducts, is that part of the appliance?

11 **A If it is required for the proper**
 12 **operation of those appliances, yes.**

13 **Q** And how it's built or installed all
 14 through the house, is that -- or the apartment, is
 15 that, again, is that part of the appliance?

16 **A If it's included in its proper operation,**
 17 **I would say yes.**

18 **Q** I'm actually going to jump to Page 6 of
 19 the same document, and I want to ask about Section 8.2
 20 and that relates to lighting appliances; is that
 21 correct?

22 **A It appears so, yes.**

23 **Q** 8.4 of that Section 8 states that the
 24 reason for the unsafe condition is supposed to be on

1 the red tag; is that correct?
 2 **A Give me a second to read it, please.**
 3 **Q** Sorry. It's in the second sentence there
 4 of 8.4.
 5 **A Correct.**
 6 **Q** Customers are also supposed to be given a
 7 verbal or a written notice of that reason; correct?
 8 **A Correct.**
 9 **Q** And then the premise audit form is
 10 supposed to document the overall findings of the
 11 service call based on that language?
 12 **MR. GALLON:** Objection, vague. You
 13 may answer.
 14 **A The premise audit documents whether an**
 15 **appliance was red tagged, connected, capped.**
 16 **Basically the status of the appliances within the**
 17 **building or structure.**
 18 **Q** That information is on that premise audit
 19 form?
 20 **A Yes.**
 21 **Q** Back to 8.3 above there, that states the
 22 gas appliance shall be given the following checks, and
 23 then it talks about ignition safety, the device, the
 24 ignition device itself, flame characteristics, proper

1 and it involves 240 units in an apartment complex,
 2 that you would have -- you would have documentation of
 3 those types of problems on red tags?
 4 **A I would not have documentation, no.**
 5 **Q** Would your service techs in the field be
 6 required to document those kinds of problems where
 7 there's a combustion air problem in every one of those
 8 units?
 9 **MR. GALLON:** Objection, vague. You
 10 may answer.
 11 **A I can't answer that. The inspection**
 12 **would only be done at the time we were establishing or**
 13 **reestablishing service.**
 14 **Q** But if an inspector did an inspection and
 15 red tagged based on combustion inadequacy, would you
 16 expect that the physical characteristics, the physical
 17 findings that would show combustion inadequacy, would
 18 you expect some red tags to have those examples under
 19 8.3?
 20 **A Again, I can't answer that.**
 21 **Q** Why can't you answer it?
 22 **A I don't know what the tech would put on**
 23 **the red tag.**
 24 **Q** If he found -- if he found the items

1 drafting; is that right?
 2 **A It appears so, yes.**
 3 **Q** If any of those items are not working
 4 properly under 8.3, that should be documented based on
 5 what we just read in 8.4?
 6 **A If the appliance is red tagged, it would**
 7 **be documented on the red tag, yes.**
 8 **Q** In item 8.3.2 and 8.3.3, those items,
 9 which are flame characteristics for proper combustion
 10 and check for proper draft, those are good examples of
 11 where you would find evidence of an improper
 12 combustion situation; right?
 13 **A Possibly, yes.**
 14 **Q** In that situation, you would have -- you
 15 probably have a CO problem, carbon monoxide problem?
 16 **A Probably.**
 17 **Q** Because this is emphasized in your
 18 training and it's direct training to the service techs
 19 in the field, would you expect to find examples of the
 20 issues under 8.3 on red tags at an apartment complex
 21 that had an overall combustion air problem?
 22 **A I can't answer that.**
 23 **Q** Why not? Would it not be logical that
 24 when you have an overall inadequacy of combustion air

1 under 8.3, would he put those on the red tag?
 2 **A Possibly.**
 3 **Q** Well, I want a yes or no. I think -- I'm
 4 asking whether your training manual requires and
 5 whether your policies require techs to record the
 6 issues in 8.3 if that person finds them on-site.
 7 **A They're required to fill out and complete**
 8 **a red tag --**
 9 **Q** That's not --
 10 **A -- with what they find.**
 11 **Q** You didn't answer my question. My
 12 question is: If they found these particular items,
 13 are they required to record them on a red tag?
 14 **A Again, I can't answer the question.**
 15 **There are certain check boxes on the back of a red**
 16 **card. Those may be a couple of check boxes. They may**
 17 **be putting an X or a check or a circle, which I guess**
 18 **that answers your question is they would be recording**
 19 **them if those are the check boxes.**
 20 **Q** Well, they're certainly items that are in
 21 your training materials?
 22 **A Uh-huh.**
 23 **Q** And they're certainly items that would be
 24 physical characteristics that would define a

1 combustion air inadequacy?

2 **A They could, yes.**

3 Q If a company -- if Columbia Gas did, say,
4 50 inspections that lead to red tags at an apartment
5 complex over an 18-month period, would recording of
6 those three items or some of those three items, would
7 it provide actual evidence of a problem?

8 MR. GALLON: Objection, vague. You
9 may answer.

10 **A I can't answer that.**

11 Q I want to go to Section 9 and in
12 particular 9.1. Here we're talking about service that
13 Columbia service techs provide with no charge; is that
14 right?

15 **A It appears so, yes.**

16 Q These include 9.1.1, 2 and 3, combustion
17 adjustments, combustion/ventilation air checks, and
18 flue inspections or safety; correct?

19 **A Correct.**

20 Q What kind of training do the techs
21 receive to perform those type of services?

22 **A It's included in their National Fuel Gas
23 training.**

24 Q It's part of the NFGC training they get?

1 customer?

2 **A Not necessarily.**

3 Q Well, is that an example of a red tag
4 condition, the term used in the last line of that
5 11.2?

6 **A Having carbon monoxide present?**

7 Q Test results that a tech -- what I'm
8 asking is test results that a tech, he or she performs
9 a carbon monoxide test and that carbon monoxide test
10 reveals a level of carbon monoxide. Is that supposed
11 to be communicated in a handwritten detailed report
12 under that Section 11.2?

13 **A That is a broad question.**

14 Q I don't think so.

15 **A As far as? Yeah, you're asking do the
16 test results get recorded. It could be negative CO,
17 positive CO.**

18 Q Let's say -- I'm sorry. Go ahead. I'm
19 sorry.

20 **A That's -- it could say positive for
21 carbon monoxide.**

22 Q But the actual number, the actual test
23 result doesn't have to be detailed?

24 **A Not to my knowledge.**

1 **A Correct.**

2 Q Are those items, that service, is that
3 something that is licensed by the City of Columbus?

4 **A I don't know.**

5 Q I want to go next to 11.2, which is on
6 Page 7 and it's toward the middle of the page there
7 but it's the second to last provision. Three lines
8 down, actually we'll start with the second line which
9 says, "On all other establishing or reestablishing
10 orders use the premise audit form appropriately," and
11 then the next sentence says, "A handwritten detailed
12 report shall be given to the customer or property
13 owner regarding necessary repairs, modifications or
14 'Red Tag' conditions."

15 Going back to 8.3 and those three items
16 that are listed, is that the type of material that is
17 required to be given to the customer? Is that the
18 type of written detailed reporting that's required to
19 be given to the customer under 11.2?

20 **A It could be, yes.**

21 Q Does that information include the results
22 of any CO, carbon monoxide, testing that's performed?
23 Would that be another example of what should be the
24 subject of a handwritten detailed report given to the

1 Q I'm going to switch gears and I'm going
2 to give you several exhibits, and I'm doing this
3 because I assume that you're familiar with these
4 exhibits and if you're not, you know, you can tell me
5 and we can, you know, we can make sure you have enough
6 time to take a look at them. Actually I'm assuming
7 you are familiar with two of them and then one of them
8 you're are not so familiar with. The first exhibit --

9 MR. GALLON: Tom, I apologize. Can we
10 take a short break? I promise I just need to run down
11 the hall and back.

12 MR. HART: Again, I'm trying to meet a
13 mutual goal. Keep it short.

14 ---

15 Recess taken.

16 ---

17 By Mr. Hart:

18 Q Go back on the record with Mrs. Bass.

19 Before the break, I was going to
20 distribute three exhibits. The first one is exhibit,
21 marked Exhibit II, and it is the "Carbon Monoxide
22 Investigations" training material operating
23 guidelines. And it's dated October 14, 1994.

24 MR. GALLON: Just to be clear on the

1 record, it's Roman Numeral II.

2 Q Yes. I don't know. Those might be two
3 capital I's. I'm not sure.

4 The next exhibit that goes with this line
5 of questions is Garrett Exhibit O. It is the February
6 1, 2001 Use of Red Tag on Appliances. Policy and
7 Procedure 725.1(34), internal company policy of
8 Columbia Gas.

9 Then finally the last exhibit for this
10 line of questions is Ramsey -- marked Ramsey Exhibit
11 14, and it is -- even though there's a yellow tag on
12 top, it is actually a number of red tags that were
13 written by Columbia Gas at Cameron Creek over many
14 months, we'll say. Again, I recognize -- let's ask
15 Mrs. Bass. Are you familiar with the CO manual,
16 carbon monoxide manual?

17 A Somewhat, yes.

18 Q How about the red tag on appliances
19 policy procedure reference number?

20 A Yes.

21 Q And then am I correct to assume you are
22 not familiar, have never seen the red tag exhibit?

23 A That's correct.

24 Q I think what we'll do, if it's okay, Eric

1 A "Ambient air refers to the 'free air' in
2 a building. This is the air in a room or enclosure
3 away from sources of CO or other pollutants. Ambient
4 air may contain CO, natural gas, or other gases, but
5 these gases will be diluted by the air in the
6 building. It is the ambient air in a building that
7 the occupants are exposed to and that we must sample
8 to determine levels of CO."

9 Q The provisions you read together -- taken
10 together, don't they generally mean -- don't they
11 generally govern where Columbus Gas tests for carbon
12 monoxide?

13 A Yes.

14 Q And going back to Section 3, in looking
15 at Section 3, I'm actually on Page 4 now, second full
16 paragraph, it says, "Do not insert the probe into the
17 combustion chamber or draft hoods of equipment." It
18 talks about how the hot flue gases will damage the
19 instrument. Do you see that?

20 A Yes.

21 Q Is that what that says?

22 A Yes.

23 Q Then the next paragraph it talks about
24 AGA, which I believe is the American Gas Association,

1 and Mrs. Bass, we'll ask questions first about the
2 items that you are familiar with, and I can probably
3 help by pointing to specific sections. Then when we
4 get to the things, particularly the red tags that you
5 probably are not familiar with, we'll slow down and
6 let you look at that stuff, or anything else, by the
7 way. If you need to look at something, just stop me
8 and tell me and we'll do it that way. Okay?

9 A Okay.

10 Q I want to start out with the CO manual,
11 and I want you to turn to Section 3. I want you to
12 read out loud, if you would, the bullet on Page 3,
13 section 3.2, I want you to read the bold language
14 there that starts out "The following checks."

15 A "The following checks will be made in the
16 'free air'. Do not take readings of undiluted flue
17 gases from appliance outlets, combustion chambers,
18 draft diverters, or vent pipes."

19 Q Thank you.

20 I want you to turn to Page 13, under
21 Appendix 2 on that page. Can you read the definition
22 that starts -- of ambient air, starts out, the first
23 line of that first paragraph and read that whole
24 paragraph, please.

1 and it suggests an order to testing of ambient air,
2 and then there's three bullets there. They're
3 numbered, 1, 2, 3. It gives you a location of the
4 test.

5 If you turn the page, on Page 5 there is
6 a diagram, and I believe it's the American Gas
7 Association diagram, and that also shows where to test
8 because it shows where to test, it shows where not to
9 test. Actually the heading underneath says,
10 "Suggested locations for sampling to detect carbon
11 monoxide in a home." Is that what that indicates?

12 A That's what it appears to, yes.

13 Q Then under that there are four letters A,
14 B, C, D, and it walks through locations and emphasizes
15 where to test and where not to test; correct?

16 A It appears so.

17 Q The emphasis on what you read and what I
18 have gone over is to test in the free ambient open air
19 of living spaces; correct?

20 A I'm not sure I understand what you are
21 asking.

22 Q The emphasis of Section 3, the diagram
23 that you looked at, the narrative in Section 3, the
24 language on Page 13, all that emphasizes testing of

1 the ambient air of the unit where people live; is that
2 correct?

3 **A It references that, yes.**

4 **Q Section 3.2 says not to take readings**
5 **from the combustion chambers or appliance outlets;**
6 **correct?**

7 **A It states, "Do not take readings of**
8 **undiluted flue gases from appliance outlets,**
9 **combustion chambers, draft diverters, or vent pipes."**

10 **Q And why is that?**

11 **A The equipment that we use we don't have**
12 **the attachments for taking readings directly out of**
13 **the flues.**

14 **Q Is there another reason why you wouldn't**
15 **read combustion chambers, flues and so forth? Is**
16 **there another reason related to making sure you're**
17 **testing the ambient air besides the equipment issue?**

18 **A I don't understand what you are asking.**

19 **Q Is the reason that you don't -- that the**
20 **policy doesn't emphasize testing in these locations**
21 **where it says don't test, is it because you're almost**
22 **guaranteed to get a CO reading there? It doesn't tell**
23 **you anything, does it? If you're testing in places**
24 **where you know there's going to be CO, you expect to**

1 **A Not necessarily.**

2 **Q Why not?**

3 **A Based on a visual observation of the**
4 **placement of the appliance and combustion ventilation**
5 **air openings, the CO testing may not have been**
6 **mandated.**

7 **Q Well, if CO tests were done on a number**
8 **of occasions in a place that Columbia -- an apartment**
9 **complex Columbia believes has an combustion air**
10 **problem, if CO tests were done, there would be a bunch**
11 **of ambient CO tests under this policy?**

12 **A There should have been, yes.**

13 **Q And if you had a combustion air problem,**
14 **wouldn't you expect if you had a number of ambient**
15 **tests for CO that some of those ambient tests might at**
16 **least once have an excessive CO reading?**

17 **A I can't answer that.**

18 **Q Clearly some of the things we have talked**
19 **about in the training materials and, in fact, in this**
20 **manual and, in fact, in the red tag policy and**
21 **procedures, clearly some of the items that techs are**
22 **trained to look for, supposed to look, required to**
23 **look for are variable, are observations?**

24 **A Some of them, yes.**

1 have CO, does it give you any information about how
2 people are living in the unit if you are testing those
3 areas?

4 **MR. GALLON: Objection, compound. You**
5 **can answer.**

6 **A Even when testing in flue gases, normal**
7 **bi-products of combustion do not include carbon**
8 **monoxide. So I would not anticipate or, expect even**
9 **if I could test and had the equipment to test the flue**
10 **gases, that there would be carbon monoxide present.**

11 **Q You just testified that normal**
12 **bi-products of combustion do not include carbon**
13 **monoxide?**

14 **A Correct.**

15 **Q If an apartment complex had an overall**
16 **combustion air problem in violation of NFGC or**
17 **excessive amounts of carbon monoxide being produced,**
18 **would you expect -- and there were red tags for that**
19 **apartment complex covering 18 months, under this**
20 **policy, would you expect a bunch of citations and a**
21 **bunch of references on the red tags to ambient CO**
22 **levels, ambient readings of CO?**

23 **MR. GALLON: Objection, vague. You**
24 **may answer.**

1 **Q But carbon monoxide is not something you**
2 **can observe, is it?**

3 **A The actual gas, no.**

4 **Q So you have to test for it?**

5 **A For the actual gas, yes.**

6 **Q And this policy says, start in the**
7 **ambient and test all over the ambient air?**

8 **A Yes.**

9 **Q Carbon monoxide would be indicative of a**
10 **combustion air problem, wouldn't it?**

11 **A Possibly.**

12 **Q Well, is it possible or it would be?**

13 **A It could be.**

14 **Q In light of this whole matter, what you**
15 **know about it and these policies that are in front of**
16 **you, wouldn't you expect there to be more than a**
17 **couple of incidents, say two incidents of CO levels**
18 **documented at a lower door of an appliance?**

19 **MR. GALLON: Objection, vague. You**
20 **may answer.**

21 **A I can't answer that.**

22 **Q I'm talking about on red tags. If I**
23 **showed you 50 red tags, 35 red tags, 25 red tags taken**
24 **over an 18-month period at an apartment complex that**

1 has a combustion air problem, not just a code
2 interpretation but an actual combustion air problem,
3 wouldn't you expect there to be lots of CO readings
4 documented?

5 **A I can't answer that.**

6 Q Why can't you answer it? It's a
7 hypothetical.

8 **A Where would they be documented?**

9 Q On the red tags.

10 **A We are not required to document readings
11 found on red tags.**

12 Q Can you turn to Page 6 and in the middle
13 of that page there is a sentence that starts out "In
14 all cases." Do you see that?

15 **A Yes.**

16 Q Can you read that aloud for me, please?

17 **A "In all cases, results of CO tests
18 (including the actual CO levels in PMM where possible)
19 and details of actions taken must be documented on the
20 DIS order."**

21 Q So is it your testimony that CO levels
22 don't have to be documented on a red tag, but they do
23 have to be documented by this policy on a DIS order?

24 **A It would appear.**

1 Q And is this policy still in effect?

2 **A I don't know.**

3 Q Are there any Columbia Gas of Ohio
4 training material documents that you're aware of, that
5 you personally are aware of that show how excessive
6 moisture can inhibit proper combustion or proper flame
7 characteristics in a gas appliance?

8 **A Not that I'm aware of.**

9 Q Have you ever heard of that issue before?

10 **A I believe this manual may talk about
11 condensation, like if you have condensation inside.
12 Is that what you're referring to?**

13 Q No, I don't think condensation because to
14 me that implies water, you know, forming on a surface.
15 To me what I'm really asking about is excessive
16 ambient moisture, you know, water that's gasified in
17 the air that is so -- there's so much humidity, if you
18 will, that a flame, the burning of a gas appliance is
19 actually inhibited from that humidity. Have you ever
20 heard of that?

21 **A Not that I am aware of, no.**

22 Q Have you ever heard of that with regard
23 to Cameron Creek --

24 **A No.**

1 Q -- as an issue?

2 Did you ever at any time speak to the
3 City of Columbus, their code officials or inspectors
4 or whoever about Cameron Creek and the NFGC?

5 **A No.**

6 Q I think you already said this, so please
7 forgive me if you did. But you also, because you
8 didn't speak to them, you never spoke to them about or
9 you never looked into -- forget the Columbus
10 officials. You, yourself, never looked into the
11 original approval of Cameron Creek, how it was
12 originally approved by Columbus?

13 **A That would be correct.**

14 Q And you never looked at HVAC or
15 mechanical plans that went along with that original
16 approval?

17 **A No.**

18 Q I want to go back to Garrett F, which I
19 know is in the way back. It's that -- it's Policy
20 700-3. I want to go to Section 5. I'll just read
21 this, if I may, and you can tell me if I'm reading it
22 correctly. Section 5 relates to appliance
23 installation and venting, and it says, "The
24 installation and venting of appliances on customers'

1 premises shall be done in accordance with the National
2 Fuel Gas Code, Exhibit B;" correct?

3 **A That is what it says.**

4 Q The effective date of this policy was
5 September 10, 1990?

6 **A That is what it says.**

7 Q Do you know if Columbia Gas reviews plans
8 before construction, proposed plans for a building to
9 make sure of NFGC compliance up front?

10 **A I don't know.**

11 Q Does Columbia Gas provide installers or
12 customers, builders, homeowners who are putting in
13 appliances any kind of detailed design specifications
14 or installation standards related to NFGC at the
15 construction stage?

16 MR. GALLON: Objection, compound. You
17 may answer.

18 **A Not to my knowledge.**

19 Q This Exhibit B that is referenced in
20 Section 5, what is that exhibit? It should be
21 attached. I hope it's attached. Can you tell me what
22 that exhibit is?

23 **A It appears to be a photocopy of a
24 National Fuel Gas Code.**

1 Q What year is the code?
 2 A **It's hard to read. Looks like 1988.**
 3 Q I would agree.
 4 Do you think when you were applying NFGC
 5 standards when you did your review of Mr. Prachar's
 6 calculations, were you applying this 1988 code?
 7 A **No.**
 8 Q Which code were you applying?
 9 A **It would have been the 2006.**
 10 Q But this policy that was provided by
 11 counsel in terms of a policy governing Columbia Gas's
 12 field operations, it does refer to a 1998 NFGC
 13 document; correct?
 14 A **It appears so, yes.**
 15 Q Do you know if Policy 700-3 has ever been
 16 updated?
 17 A **I can't answer that. I don't know.**
 18 Q So you don't know whether the 1988,
 19 reference to the 1988 NFGC, Exhibit B, has ever been
 20 updated?
 21 A **Again, I don't know.**
 22 MR. GALLON: Just for the record, I
 23 would like to note that exhibit -- the exhibit that's
 24 been marked as Garrett Exhibit F has a break in the

1 Bates numbers. It goes from COH474 to 479 and then
 2 starts again at 202 and goes to 206.
 3 MR. HART: I would like to note for
 4 the record also that Mr. Gallon provided me with many
 5 different versions of the same documentation, and I
 6 may have inadvertently provided the exhibits with Mr.
 7 Gallon's numbering system out of order. But in fact,
 8 I can prove, and intend to prove, that the 1988
 9 reference and attachment are the true exhibits to
 10 Policy and Procedure 700-3.
 11 By Mr. Hart:
 12 Q I'm going to ask you to take a look at
 13 Bass -- I have marked as Bass Exhibit 3. I'm going to
 14 ask you to take a look at the language in the fourth
 15 paragraph, it's indicated by the red arrow. Would you
 16 go ahead and read that aloud when you're ready?
 17 A **The fourth paragraph reads, "Users of**
 18 **this document should consult applicable federal,**
 19 **state, and local laws and regulations. The**
 20 **International Approval Services, U.S. Inc. and the**
 21 **National Fire Protection Association do not, by the**
 22 **publication of this document, intend to urge action**
 23 **that is not in compliance with applicable laws, and**
 24 **this document may not be constructed as doing so."**

1 Q I apologize for the size of the type.
 2 That was how it was produced to me. But that last
 3 line, it's construed, not constructed; is that
 4 correct?
 5 A **Yes.**
 6 Q Although I must admit I have a heck of a
 7 time reading that myself.
 8 The language in that first sentence that
 9 says, "Users of this document should consult with
 10 applicable federal, state, and local laws and
 11 regulations," did you do that when you looked at Mr.
 12 Prachar's calculations, NFGC calculations that he did
 13 at Cameron Creek?
 14 A **No.**
 15 Q So really when you didn't do that, you
 16 weren't doing what's outlined in that second sentence,
 17 which says you got to look at the local compliance,
 18 state compliance in addition to applying NFGC if
 19 you're going to use this document; is that right?
 20 A **It would appear so, yes.**
 21 Q I'm going to ask you very briefly or as
 22 quick as you can, as quick as you want to, will you
 23 take a look through the red tag exhibit, which is
 24 Exhibit Ramsey 14, and tell me if -- after you've had

1 a chance to review the whole exhibit, I'm hoping this
 2 won't take very long. Would you tell me if you see
 3 any references to carbon monoxide measurement on any
 4 of these red tags, please? Is that clear what I am
 5 asking?
 6 A **I believe you're asking for specific**
 7 **percentages or readings parts per million on red tags?**
 8 Q Yes, ma'am.
 9 A **I did not notice on those that I could**
 10 **read any measurement of carbon monoxide.**
 11 Q So would you say that the red tags that
 12 you read reflect red tagging for NFGC interpretation
 13 of noncompliance only without any other -- without
 14 citing CO issues?
 15 A **It would appear so.**
 16 MR. HART: By the way, for the record,
 17 there are other red tags at Cameron Creek that are not
 18 in that stack. I didn't want to make it seem like
 19 there's some, you know, fancy dancing going on here or
 20 some trick. Actually I think we used them with Mr.
 21 Prachar. You're going to get all those when we, you
 22 know, by discovery deadline because you requested
 23 them.
 24 MR. GALLON: Okay.

1 MR. HART: I didn't want that to seem
2 some sleight of hand type of thing.

3 With that, I'm finished.

4 MR. GALLON: If I could have a
5 five-minute break.

6 MR. HART: Sure.

7 ---

8 Recess taken.

9 ---

10 MR. GALLON: I'm handing you what's
11 been marked as Second Revised Responses and
12 Objections, revisions to some prior interrogatory
13 responses. I have on the service certificate that I'm
14 serving them by hand delivery, but you just asked me
15 to e-mail them later on today, and I will be happy to
16 do that. I said if there is anything in here that
17 would require you to reopen your questioning of Mrs.
18 Bass, that, of course, that's acceptable.

19 MR. HART: And I'm just going to read
20 for the record, I will reserve the right to reopen
21 questions to Mrs. Bass at a different time based on
22 this -- these revised interrogatory questions, meaning
23 different than today.

24 ---

1 Discussion held off the record.

2 ---

3 DIRECT EXAMINATION

4 By Mr. Gallon:

5 Q Mrs. Bass, my name is Eric Gallon, and as
6 you know, I am here on behalf of Columbia Gas of Ohio.
7 I just had some follow-up or clarification questions I
8 wanted to ask you regarding the topics and the
9 exhibits that you discussed with Mr. Hart this
10 morning.

11 The first question or series of questions
12 relates to Exhibit L. Do you have that in front of
13 you somewhere?

14 A Yeah. That's the e-mail from Rick
15 McCreery to James Dillon?

16 Q Correct. This is an e-mail from Charles
17 McCreery at Columbia to James Dillon; correct?

18 A Yes.

19 Q It's dated February 26, 2008?

20 A Yes.

21 Q You were asked a series of questions this
22 morning about the language in the first paragraph;
23 correct?

24 A Yes.

1 Q And there's a reference in the first
2 sentence in that e-mail to an air duct; correct?

3 A It refers to a 4-inch air duct, yes.

4 Q Could you read the first two sentences
5 out loud?

6 A "In further response to the last question
7 you pose regarding the 4-inch duct that supplies
8 supplemental 'makeup' air to the return air duct.
9 Makeup air is used to supplement and freshen air drawn
10 from the living space which is then passed back
11 through the heat exchanger and discarded into the
12 room."

13 Q Discarded into the room or discharged?

14 A I'm sorry, discharged.

15 Q What is a return air duct?

16 A It is a duct connected to the furnace
17 that brings unheated air into the furnace to be heated
18 and disbursed throughout the home.

19 Q Where does the air that is brought into
20 the furnace to be heated and then disbursed through
21 the home come from?

22 A Inside the home usually.

23 Q So from the first two sentences here,
24 what did you understand the purpose of the 4-inch duct

1 that Mr. McCreery is describing to be?

2 A I believe the purpose of the 4-inch duct
3 is to bring air in from outside to freshen the air
4 that's being burnt through the normal process of
5 combustion. Basically the heat, more air to bring in
6 that's being heated and then disbursed back through
7 the dwelling.

8 Q Would the air that is brought in through
9 the 4-inch duct that Mr. McCreery describes be
10 available to the gas appliances for combustion?

11 A No.

12 Q Why not?

13 A Because it's being supplied through the
14 return air, which is not a direct contact with the
15 combustion process.

16 Q So if a service tech were trying to
17 calculate the volume of combustion air in a residence
18 and the residence had a 4-inch makeup air duct in its
19 utility closet bringing air in from outside, should
20 the service tech take into consideration the air being
21 brought in through that duct in calculating the total
22 combustion air?

23 A No, because it is not included as
24 combustion air. It's makeup air.

1 Q If you would turn now to what Mr. Hart
2 labeled Bass Exhibit 1, which I think may be the next
3 exhibit in the pile. Do you have it?

4 A Yes.

5 Q This is a Regulatory Compliance &
6 Training document dated March 20, 2006; correct?

7 A Yes.

8 Q Newsletter 14?

9 A Yes.

10 Q Title is Emergency Response Review for
11 Columbia Personnel?

12 A Yes.

13 Q If you would turn to Page 3 of the
14 document, which is Bates No. COH00003561.

15 A Okay.

16 Q About halfway down the page you see the
17 title or heading Carbon Monoxide Response?

18 A Yes.

19 Q Do you recall Mr. Hart asking you a
20 series of questions this morning about this section?

21 A Yes.

22 Q And do you see the third main bullet
23 point under this title where it says Evacuate?

24 A Yes.

1 A My interpretation is if CO levels are 200
2 or greater, you evacuate regardless of what the CO
3 levels are. If any of the following occur, you should
4 also evacuate.

5 Q Okay. So looking at this bullet point,
6 it talks about evacuation if you have CO levels
7 greater than 200 parts per million but none of the
8 four subbullet points apply. There's no aldehyde
9 odor, no flu-like symptoms, there is no condensate on
10 windows and the houseplants aren't dying, would you
11 still evacuate?

12 A Yes.

13 Q If you would turn now to the next
14 exhibit, I believe it's marked Bass Exhibit 2. The
15 title of this document is "Establishing or
16 Reestablishing Gas Service open (Ohio);" correct?

17 A Yes.

18 Q Dated July 27, 2007?

19 A Yes.

20 Q Do you recall Mr. Hart asking you a
21 series of question about this this morning?

22 A Yes.

23 Q And do you recall Mr. Hart asking you
24 whether you applied -- let me back up.

1 Q Do you recall Mr. Hart asking you a
2 series of questions about this bullet point this
3 morning?

4 A Yes.

5 Q Would you read the language in the main
6 bullet point and stop at the colon?

7 A "Evacuate if CO levels are greater than
8 200 PPM."

9 Q Please go on to the colon.

10 A "Suspect CO when any one of the following
11 occurs."

12 Q And then it lists four subbullet points
13 there; correct?

14 A Yes.

15 Q And the things that are listed in the
16 subbullet points are aldehyde odor, customer complains
17 of flu-like symptoms, condensate on windows, and
18 houseplants are dying?

19 A Yes.

20 Q Do you interpret this third bullet point
21 to be saying that a Columbia -- let me rephrase the
22 question.

23 What do you interpret this bullet point
24 to be saying with regards to CO levels and evacuation?

1 You testified earlier today that a
2 service technician by the name of Jeff Prachar called
3 you with regards to some calculations he had
4 performed --

5 A Yes.

6 Q -- correct?

7 Do you know why Mr. Prachar was
8 performing those calculations?

9 A I don't know the reason for him being
10 there, but my impression as to why he was doing
11 calculations is because he recognized something was
12 wrong.

13 Q Do you know if the -- if Mr. Prachar was
14 present at Cameron Creek at the time he called you
15 regarding these calculations?

16 A I don't recall knowing -- I believe it
17 was right before we got done, he didn't -- I don't
18 recall him saying Cameron Creek by name.

19 Q Do you know whether Mr. Prachar was
20 performing these calculations as an incident to
21 establishing gas service at a residential premises?

22 A Again, I'm not sure what he was actually
23 there for.

24 Q So you also don't know whether he was

1 performing these calculations incident to
2 reestablishing gas service at a residential premises?

3 A I don't know.

4 Q So do you know whether anything in the
5 training materials that are labeled as Bass Exhibit 2
6 would have applied to the work that Mr. Prachar was
7 doing in calculating combustion air?

8 A I can't answer that. I don't know what
9 his purpose was for being there.

10 Q One other question to follow-up on and
11 clarify a point that was raised earlier this morning.
12 Mr. Hart asked you a series of questions regarding red
13 tagging. Do you recall that?

14 A He asked several questions at different
15 points regarding red tagging, yes.

16 Q Later in the morning he asked you a
17 series of questions regarding whether a service tech
18 may red tag an appliance based solely on a visual
19 observation or whether additional analysis or
20 calculations are required. Do you recall those
21 questions?

22 A Yes.

23 Q I would like to give you a hypothetical
24 and then ask you what Columbia's policies and

1 A It would depend on what the service tech
2 was there for. If the service tech is there to
3 establish or reestablish service, a pressure test of
4 some sort is required. If they're there for other
5 reasons, then, no, a pressure test is not always
6 required. You can red tag based on visual
7 observation.

8 Q I believe my question referred to a leak
9 check, but your answer referred to a pressure test.
10 Is the --

11 A A leak check would not be required at
12 all -- all the time, no.

13 Q There are circumstances in which a leak
14 check would be required?

15 A Establishing or reestablishing service it
16 would be required. But if you're not there to
17 establish or reestablish service, a leak check would
18 not be required. You could red tag the appliance
19 based on where it is located and the violations that
20 you observe.

21 Q I don't believe I have any further
22 questions. Thank you very much.

23 ---
24

1 procedures would require the service technician to do
2 in that situation.

3 A Okay.

4 Q A service tech walks into an apartment
5 and observes that the resident of the apartment has a
6 water heater in a closet in their bathroom.

7 A Okay.

8 Q The closet does not have a self-closing
9 device on it. The door is not weather stripped and
10 the water heater does not take all combustion air from
11 a nonhabitable space.

12 A Okay.

13 Q Do you understand the hypothetical?

14 A Yes.

15 Q To your understanding, would that
16 installation of the water heater in the bathroom be in
17 violation of the National Fuel Gas Code?

18 A Yes.

19 Q Should the service tech red tag the
20 appliance for that violation of the National Fuel Gas
21 Code?

22 A Yes.

23 Q Must the service technician first do a
24 leak check before he may red tag that appliance?

1 ---

2 RECROSS-EXAMINATION

3 By Mr. Hart:

4 Q I'm going to ask one follow-up question.

5 There's a National Fuel Gas Code section
6 that deals with a common gas vent in a multi-story
7 installation. Are you familiar with that section of
8 the NFGC?

9 A Vaguely.

10 Q Did you ever -- did you ever apply or
11 interpret that section of the NFGC in rendering any
12 kind of opinion to anyone about NFGC compliance at
13 Cameron Creek?

14 A No.

15 Q Okay. I'm all done.

16 MR. GALLON: Okay. She'll read.
17 (Signature not waived.)

18 ---

19 Thereupon, at 12:12 p.m., on Wednesday,
20 June 24, 2009, the deposition was concluded.

21 ---
22
23
24

AFFIDAVIT

State of Ohio :

SS:

County of Franklin :

I, Dawn Bass, do hereby certify that I have read the foregoing transcript of my deposition given on Wednesday, June 24, 2009; that together with the correction page attached hereto noting changes in form or substance, if any, it is true and correct.

Dawn Bass

I do hereby certify that the foregoing transcript of the deposition of Dawn Bass was submitted to the witness for reading and signing; that after she had stated to the undersigned Notary Public that she had read and examined her deposition, she signed the same in my presence on the _____ of _____, 2009.

Notary Public

My Commission Expires _____.

- - -

CERTIFICATE

STATE OF OHIO)
) SS:
COUNTY OF MADISON)

I, Denise L. Shoemaker, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within named Dawn Bass was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the deposition then given by her was by me reduced to stenotype in the presence of said witness, afterward transcribed upon a computer; that the foregoing is a true and correct transcript of the deposition so given by her; that the deposition was taken at the time and place in the caption specified and was completed without adjournment; and that I am in no way related to or employed by any attorney or party hereto, or financially interested in the action; and I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at London, Ohio, on 30th day of June 2009.

Denise L. Shoemaker,
Notary Public-State of Ohio

My Commission Expires: January 27, 2014.

- - -

<p align="center">-&-</p> <p>& [6] 1:12 2:4.9 3:9 48:22 105:5</p> <hr/> <p align="center">-!-</p> <p>'06 [3] 21:9.15 41:13 '07 [2] 41:13 72:7 '08 [12] 15:14 21:10 22:12 41:13.20.22 42:1.2.6.13 42:22 43:22 '09 [2] 21:9.15 '93 [6] 19:19 20:5.8 42:15 42:21 43:20 '96 [3] 24:1 26:2 40:24 '97 [6] 26:2 32:13.19.20 34:4 40:24 '98 [3] 26:2 34:4 40:24 '99 [4] 24:1 33:12 34:4 42:13 'Approval [1] 73:22 'free [2] 86:16 87:1 'makeup [1] 103:8 'Methods [1] 35:21 'Red [2] 52:19 82:14</p>	<p>20 [2] 48:23 105:6 200 [6] 50:6.16.22 106:8 107:1.7 2000 [2] 42:3.12 2001 [2] 42:12 85:6 2006 [8] 8:14 11:11 15:7 33:13 48:23 49:17 97:9 105:6 2007 [1] 107:18 2008 [4] 19:4.6 20:24 102:19 2009 [7] 1:10 4:1 15:7 112:20 113:7.18 114:24 2014 [1] 114:28 202 [1] 98:2 206 [1] 98:2 24 [4] 1:10 4:1 112:20 113:7 240 [1] 79:1 25 [1] 92:23 26 [1] 102:19 26th [1] 44:6 27 [2] 107:18 114:28 28 [1] 114:21 2800 [1] 2:5</p>	<p>55 [1] 3:10</p> <hr/> <p align="center">-6-</p> <p>6 [2] 76:18 93:12 6-inch [2] 17:11 18:1 614.227.2190 [1] 2:6 614.340.7415 [1] 2:10 614.734.0806 [1] 1:22 614.734.1615 [1] 1:23</p> <hr/> <p align="center">-7-</p> <p>7 [2] 51:23 82:6 7-27-07 [1] 55:22 7-inch [2] 17:11 18:1 7/2/07 [1] 3:10 700-3 [4] 38:11 95:20 97:15 98:10 725-15 [1] 56:1 725-2 [1] 35:3 725-5 [1] 35:21 725.1 [1] 85:7 756 [1] 35:11</p> <hr/> <p align="center">-8-</p> <p>8 [1] 76:23 8.2 [1] 76:19 8.3 [7] 77:21 78:4.20 79:19 80:1.6 82:15 8.3.2 [1] 78:8 8.3.3 [1] 78:8 8.4 [3] 76:23 77:4 78:5</p> <hr/> <p align="center">-9-</p> <p>9 [1] 81:11 9.1 [1] 81:12 9.1.1 [1] 81:16 97 [1] 32:14 98 [1] 3:11 9:10 [2] 1:11 4:2</p> <hr/> <p align="center">-A-</p> <p>a.m [2] 1:11 4:2 able [1] 28:4 above [2] 69:16 77:21 acceptable [2] 52:15 101:18 accordance [9] 30:23 31:14 57:22 58:20 61:10 75:4.6.9 96:1 according [3] 36:19 37:1 37:19 action [3] 33:17 98:22 114:19 actions [1] 93:19 activity [2] 34:20 41:24 actual [10] 37:4 53:14 63:16 81:7 83:22.22 92:3 92:5 93:2.18 add [1] 56:7 addition [1] 99:18</p>	<p>additional [2] 50:17 109:19 additions [1] 20:12 adequacy [10] 11:24 12:2 25:1 26:24 27:5 45:19 66:5 67:9 68:5 69:8 adjournment [1] 114:16 adjustments [1] 81:17 administer [1] 18:11 administrative [1] 37:24 admit [1] 99:6 advise [1] 51:15 affect [1] 16:10 affiliated [1] 114:20 affirmatively [1] 20:2 affixed [1] 114:23 aforesaid [1] 114:10 afterward [1] 114:12 afterwards [1] 35:19 AGA [1] 87:24 again [19] 5:8 8:22 15:9 34:2.8.23 42:14 51:18 62:15.18 69:11 76:15 79:20 80:14 84:12 85:14 97:21 98:2 108:22 agree [2] 23:16 97:3 ahead [5] 7:8 35:14 67:13 83:18 98:16 air [135] 11:24 12:2.6.17 13:18.23.24 14:3.5.9.15 14:18 16:6 17:12 18:2 22:2 23:3 25:1 26:4.24 27:5.17.19 29:20 32:13 41:17 42:11.17.23 43:11 43:16.22 44:12.13.14.18 44:19.20.21 45:2.6.11.13 45:13.13.18.19 46:8.16 46:22 47:5 48:2.2.7.7 55:2 55:5 59:4.9 65:20 66:2.5 66:9.13.18.20 67:1.9.14 67:16 68:4.11.13.19.21 69:7.17.22 70:3.4.10.20 70:22 71:11.14.23 75:12 75:15 78:21.24 79:7 81:1 81:17 86:22 87:1.2.4.5.6 88:1.18 89:1.17 90:16 91:5.9.13 92:7.10 93:1.2 94:17 103:2.3.8.9.9.15 103:17.19 104:3.3.5.8.14 104:17.18.19.20.22.24.24 109:7 110:10 air' [2] 86:16 87:1 aldehyde [2] 106:16 107:8 allowable [2] 52:7.9 allowed [1] 64:21 almost [1] 89:21 alone [1] 66:9 along [3] 50:8 70:20 95:15 aloud [5] 35:15 73:12 74:24 93:16 98:16 always [5] 57:16 67:8 71:24 72:1 111:5 ambient [16] 86:22 87:1 87:3.6 88:1.18 89:1.17</p>	<p>90:21.22 91:11.14.15 92:7 92:7 94:16 ambiguous [2] 36:10 42:4 American [2] 87:24 88:6 amount [1] 16:4 amounts [1] 90:17 analysis [5] 26:19 44:24 47:24 48:11 109:19 analyze [2] 23:7.16 answer [70] 6:8 11:22 12:20 14:11 16:20 18:14 21:7 24:7.14.21.22 26:15 26:16 27:12.13 28:8.17 28:18 31:13 32:16.24 33:14 34:8.18 35:12 36:11 42:5 43:5.18 45:7 47:1.10 47:21 48:9 50:14 51:24 56:8 58:4.13 59:21 60:8 67:6 69:10 70:15 71:2.7 71:19 74:19 76:6 77:13 78:22 79:10.11.20.21 80:11.14 81:9.10 90:5.24 91:17 92:20.21 93:5.6 96:17 97:17 109:8 111:9 answered [2] 27:16 43:7 answering [2] 5:18 44:10 answers [2] 6:2 80:18 anticipate [1] 90:8 anybody's [1] 14:14 anyhow [1] 37:11 apartment [16] 33:12.18 43:4.9.12 76:4.14 78:20 79:1 81:4 90:15.19 91:8 92:24 110:4.5 Apartments [3] 1:4 2:7 23:8 apologize [2] 84:9 99:1 appear [4] 61:16 93:24 99:20 100:15 APPEARANCES [1] 2:2 Appearing [2] 2:7.11 Appendix [4] 54:4.12 55:6 86:21 appliance [53] 14:6 25:2 30:6 31:15.18 32:1.2.3 37:2.4.5.14 46:9.17.20.23 53:4.5 57:6.21 58:2 62:21 63:10.17.18.20.21 64:5.7 66:2.8.12.16 69:24 70:3.9 76:10.15 77:15.22 78:6 86:17 89:5.8 91:4 92:18 94:7.18 95:22 109:18 110:20.24 111:18 appliances [56] 22:2 29:24 30:14.16 31:3.10 31:11 34:7 36:9.18.19.24 37:20 39:16.20.23 40:13 40:17 42:23 45:14 51:20 52:11.13 54:6.7 56:2 58:19 61:4.10.22 63:4.5 63:24 64:2.4.23 69:19 72:15.19.24 73:15.16.20 74:18 75:3.19.20 76:3.12 76:20 77:16 85:6.18 95:24 96:13 104:10</p>
<p align="center">-0-</p> <p>08-1019-GA-CSS [1] 1:5</p> <hr/> <p align="center">-1-</p> <p>1 [11] 3:9 48:20 56:15.22 56:22 73:3.11.13 85:6 88:3 105:2 1.2 [7] 57:20 58:12.19 59:7.12.15.16 10 [11] 38:14 52:7.10.15 67:18.18.20.20 69:12.12 96:5 102 [1] 3:4 10728 [1] 1:20 11 [1] 52:2 11.2 [4] 82:5.19 83:5.12 112 [1] 3:5 12:12 [1] 112:19 13 [2] 86:20 88:24 14 [4] 84:23 85:11 99:24 105:8 18 [1] 90:19 18-month [2] 81:5 92:24 1988 [5] 97:2.6.18.19 98:8 1990 [3] 38:14 40:22 96:5 1992 [1] 35:3 1994 [2] 55:14 84:23 1998 [1] 97:12</p>	<p align="center">-3-</p> <p>3 [13] 3:11 61:1 73:4 81:16 86:11.12 87:14.15 88:3 88:22.23 98:13 105:13 3.2 [2] 86:13 89:4 3.3 [9] 61:8.17 62:1.13.23 63:2.23 64:19 72:4 3.3.5 [4] 63:22.24 64:14 64:18 300 [1] 2:9 30th [1] 114:24 3200 [1] 2:5 34 [2] 56:1 85:7 35 [1] 92:23 3563 [1] 55:24</p> <hr/> <p align="center">-4-</p> <p>4 [4] 44:13 45:22 72:9 87:15 4-inch [19] 18:2 44:12.18 44:21 45:2.6.11.17 46:8 46:22 47:5.19 48:1 103:3 103:7.24 104:2.9.18 4.4 [1] 75:6 4.5 [3] 72:22 73:3.8 41 [2] 1:13 2:5 43016 [1] 1:21 43215 [3] 1:14 2:5.10 479 [1] 98:1 48 [1] 3:9</p>	<p align="center">-5-</p> <p>5 [6] 3:4 73:9 88:5 95:20 95:22 96:20 5.2 [2] 74:21 75:2 50 [2] 81:4 92:23</p>	<p>additional [2] 50:17 109:19 additions [1] 20:12 adequacy [10] 11:24 12:2 25:1 26:24 27:5 45:19 66:5 67:9 68:5 69:8 adjournment [1] 114:16 adjustments [1] 81:17 administer [1] 18:11 administrative [1] 37:24 admit [1] 99:6 advise [1] 51:15 affect [1] 16:10 affiliated [1] 114:20 affirmatively [1] 20:2 affixed [1] 114:23 aforesaid [1] 114:10 afterward [1] 114:12 afterwards [1] 35:19 AGA [1] 87:24 again [19] 5:8 8:22 15:9 34:2.8.23 42:14 51:18 62:15.18 69:11 76:15 79:20 80:14 84:12 85:14 97:21 98:2 108:22 agree [2] 23:16 97:3 ahead [5] 7:8 35:14 67:13 83:18 98:16 air [135] 11:24 12:2.6.17 13:18.23.24 14:3.5.9.15 14:18 16:6 17:12 18:2 22:2 23:3 25:1 26:4.24 27:5.17.19 29:20 32:13 41:17 42:11.17.23 43:11 43:16.22 44:12.13.14.18 44:19.20.21 45:2.6.11.13 45:13.13.18.19 46:8.16 46:22 47:5 48:2.2.7.7 55:2 55:5 59:4.9 65:20 66:2.5 66:9.13.18.20 67:1.9.14 67:16 68:4.11.13.19.21 69:7.17.22 70:3.4.10.20 70:22 71:11.14.23 75:12 75:15 78:21.24 79:7 81:1 81:17 86:22 87:1.2.4.5.6 88:1.18 89:1.17 90:16 91:5.9.13 92:7.10 93:1.2 94:17 103:2.3.8.9.9.15 103:17.19 104:3.3.5.8.14 104:17.18.19.20.22.24.24 109:7 110:10 air' [2] 86:16 87:1 aldehyde [2] 106:16 107:8 allowable [2] 52:7.9 allowed [1] 64:21 almost [1] 89:21 alone [1] 66:9 along [3] 50:8 70:20 95:15 aloud [5] 35:15 73:12 74:24 93:16 98:16 always [5] 57:16 67:8 71:24 72:1 111:5 ambient [16] 86:22 87:1 87:3.6 88:1.18 89:1.17</p>	<p>90:21.22 91:11.14.15 92:7 92:7 94:16 ambiguous [2] 36:10 42:4 American [2] 87:24 88:6 amount [1] 16:4 amounts [1] 90:17 analysis [5] 26:19 44:24 47:24 48:11 109:19 analyze [2] 23:7.16 answer [70] 6:8 11:22 12:20 14:11 16:20 18:14 21:7 24:7.14.21.22 26:15 26:16 27:12.13 28:8.17 28:18 31:13 32:16.24 33:14 34:8.18 35:12 36:11 42:5 43:5.18 45:7 47:1.10 47:21 48:9 50:14 51:24 56:8 58:4.13 59:21 60:8 67:6 69:10 70:15 71:2.7 71:19 74:19 76:6 77:13 78:22 79:10.11.20.21 80:11.14 81:9.10 90:5.24 91:17 92:20.21 93:5.6 96:17 97:17 109:8 111:9 answered [2] 27:16 43:7 answering [2] 5:18 44:10 answers [2] 6:2 80:18 anticipate [1] 90:8 anybody's [1] 14:14 anyhow [1] 37:11 apartment [16] 33:12.18 43:4.9.12 76:4.14 78:20 79:1 81:4 90:15.19 91:8 92:24 110:4.5 Apartments [3] 1:4 2:7 23:8 apologize [2] 84:9 99:1 appear [4] 61:16 93:24 99:20 100:15 APPEARANCES [1] 2:2 Appearing [2] 2:7.11 Appendix [4] 54:4.12 55:6 86:21 appliance [53] 14:6 25:2 30:6 31:15.18 32:1.2.3 37:2.4.5.14 46:9.17.20.23 53:4.5 57:6.21 58:2 62:21 63:10.17.18.20.21 64:5.7 66:2.8.12.16 69:24 70:3.9 76:10.15 77:15.22 78:6 86:17 89:5.8 91:4 92:18 94:7.18 95:22 109:18 110:20.24 111:18 appliances [56] 22:2 29:24 30:14.16 31:3.10 31:11 34:7 36:9.18.19.24 37:20 39:16.20.23 40:13 40:17 42:23 45:14 51:20 52:11.13 54:6.7 56:2 58:19 61:4.10.22 63:4.5 63:24 64:2.4.23 69:19 72:15.19.24 73:15.16.20 74:18 75:3.19.20 76:3.12 76:20 77:16 85:6.18 95:24 96:13 104:10</p>
<p align="center">-2-</p> <p>2 [18] 3:10 50:12.21 51:7 51:13 55:18.18 56:22 73:3 73:11.18.24 74:9 81:16 86:21 88:3 107:14 109:5</p>	<p align="center">-5-</p> <p>5 [6] 3:4 73:9 88:5 95:20 95:22 96:20 5.2 [2] 74:21 75:2 50 [2] 81:4 92:23</p>	<p align="center">-5-</p> <p>5 [6] 3:4 73:9 88:5 95:20 95:22 96:20 5.2 [2] 74:21 75:2 50 [2] 81:4 92:23</p>	<p>additional [2] 50:17 109:19 additions [1] 20:12 adequacy [10] 11:24 12:2 25:1 26:24 27:5 45:19 66:5 67:9 68:5 69:8 adjournment [1] 114:16 adjustments [1] 81:17 administer [1] 18:11 administrative [1] 37:24 admit [1] 99:6 advise [1] 51:15 affect [1] 16:10 affiliated [1] 114:20 affirmatively [1] 20:2 affixed [1] 114:23 aforesaid [1] 114:10 afterward [1] 114:12 afterwards [1] 35:19 AGA [1] 87:24 again [19] 5:8 8:22 15:9 34:2.8.23 42:14 51:18 62:15.18 69:11 76:15 79:20 80:14 84:12 85:14 97:21 98:2 108:22 agree [2] 23:16 97:3 ahead [5] 7:8 35:14 67:13 83:18 98:16 air [135] 11:24 12:2.6.17 13:18.23.24 14:3.5.9.15 14:18 16:6 17:12 18:2 22:2 23:3 25:1 26:4.24 27:5.17.19 29:20 32:13 41:17 42:11.17.23 43:11 43:16.22 44:12.13.14.18 44:19.20.21 45:2.6.11.13 45:13.13.18.19 46:8.16 46:22 47:5 48:2.2.7.7 55:2 55:5 59:4.9 65:20 66:2.5 66:9.13.18.20 67:1.9.14 67:16 68:4.11.13.19.21 69:7.17.22 70:3.4.10.20 70:22 71:11.14.23 75:12 75:15 78:21.24 79:7 81:1 81:17 86:22 87:1.2.4.5.6 88:1.18 89:1.17 90:16 91:5.9.13 92:7.10 93:1.2 94:17 103:2.3.8.9.9.15 103:17.19 104:3.3.5.8.14 104:17.18.19.20.22.24.24 109:7 110:10 air' [2] 86:16 87:1 aldehyde [2] 106:16 107:8 allowable [2] 52:7.9 allowed [1] 64:21 almost [1] 89:21 alone [1] 66:9 along [3] 50:8 70:20 95:15 aloud [5] 35:15 73:12 74:24 93:16 98:16 always [5] 57:16 67:8 71:24 72:1 111:5 ambient [16] 86:22 87:1 87:3.6 88:1.18 89:1.17</p>	<p>90:21.22 91:11.14.15 92:7 92:7 94:16 ambiguous [2] 36:10 42:4 American [2] 87:24 88:6 amount [1] 16:4 amounts [1] 90:17 analysis [5] 26:19 44:24 47:24 48:11 109:19 analyze [2] 23:7.16 answer [70] 6:8 11:22 12:20 14:11 16:20 18:14 21:7 24:7.14.21.22 26:15 26:16 27:12.13 28:8.17 28:18 31:13 32:16.24 33:14 34:8.18 35:12 36:11 42:5 43:5.18 45:7 47:1.10 47:21 48:9 50:14 51:24 56:8 58:4.13 59:21 60:8 67:6 69:10 70:15 71:2.7 71:19 74:19 76:6 77:13 78:22 79:10.11.20.21 80:11.14 81:9.10 90:5.24 91:17 92:20.21 93:5.6 96:17 97:17 109:8 111:9 answered [2] 27:16 43:7 answering [2] 5:18 44:10 answers [2] 6:2 80:18 anticipate [1] 90:8 anybody's [1] 14:14 anyhow [1] 37:11 apartment [16] 33:12.18 43:4.9.12 76:4.14 78:20 79:1 81:4 90:15.19 91:8 92:24 110:4.5 Apartments [3] 1:4 2:7 23:8 apologize [2] 84:9 99:1 appear [4] 61:16 93:24 99:20 100:15 APPEARANCES [1] 2:2 Appearing [2] 2:7.11 Appendix [4] 54:4.12 55:6 86:21 appliance [53] 14:6 25:2 30:6 31:15.18 32:1.2.3 37:2.4.5.14 46:9.17.20.23 53:4.5 57:6.21 58:2 62:21 63:10.17.18.20.21 64:5.7 66:2.8.12.16 69:24 70:3.9 76:</p>

applicable [6] 4:8 56:18 73:18 98:18,23 99:10 applied [4] 26:22 32:18 107:24 109:6 apply [8] 21:11 29:18 32:20 48:11 58:12 60:10 107:8 112:10 applying [5] 26:3 97:4,6 97:8 99:18 appropriately [1] 82:10 approval [7] 24:12 41:1 74:7,17 95:11,16 98:20 approve [1] 29:19 approved [8] 26:13 27:5 27:19,24 28:9,15 73:21 95:12 approximate [2] 11:6,8 area [2] 42:11 47:15 areas [3] 8:23 45:14 90:3 arrives [1] 51:4 arrow [1] 98:15 Arthur [2] 1:12 2:4 articulate [1] 5:24 aspects [1] 21:5 assessing [1] 27:7 assessment [1] 23:22 associate's [1] 7:19 association [4] 19:13 87:24 88:7 98:21 assume [4] 8:12 41:2 84:3 85:21 assuming [1] 84:6 attached [5] 55:23 73:21 96:21,21 113:8 attachment [2] 30:21 98:9 attachments [1] 89:12 attorney [1] 114:18 audience [1] 49:12 audit [4] 77:9,14,18 82:10 author [1] 49:1 authority [1] 26:9 available [1] 104:10 aware [12] 10:24 16:3 24:18,18 25:24 42:15,19 42:20 94:4,5,8,21 away [3] 15:21,22 87:3	basis [2] 47:3 69:1 Bass [27] 1:8 2:1 3:1,3,8 4:7 5:2 26:22 35:23 38:11 48:20 55:18 84:18 85:15 86:1 98:13,13 101:18,21 102:5 105:2 107:14 109:5 113:5,11,13 114:8 Bass's [1] 26:20 Bates [2] 98:1 105:14 bathroom [2] 110:6,16 bearing [1] 45:19 became [1] 11:4 becomes [1] 5:20 began [1] 43:16 begin [2] 35:18 69:6 beginning [3] 8:5,15 38:21 behalf [3] 2:7,11 102:6 believes [1] 91:9 between [6] 4:5 16:4 17:11 21:9 33:12 58:22 beyond [2] 53:13 65:4 bi-products [3] 21:21 90:7,12 bill [1] 33:16 bit [2] 72:11 73:10 block [1] 30:21 body [1] 6:1 bold [1] 86:13 bottom [4] 50:1 52:6 55:12,24 BOULEVARD [1] 1:20 box [4] 36:13 57:1,10,16 boxes [3] 80:15,16,19 BOYLE [1] 2:9 branch [1] 31:20 break [6] 6:13,14 84:10 84:19 97:24 101:5 brief [1] 8:22 briefly [1] 99:21 bright [2] 67:12 69:6 bring [3] 13:24 104:3,5 BRINGARDNER [1] 2:9 bringing [1] 104:19 brings [1] 103:17 broad [5] 28:20 29:6 33:10 53:6 83:13 brought [4] 66:18 103:19 104:8,21 BTU [5] 18:2 45:22,23 46:20 67:16 BTU's [2] 67:22 69:14 build [1] 63:10 builder [1] 35:19 builder's [1] 31:8 builders [1] 96:12 building [23] 9:14 24:4 24:16,19,23,24 25:6 26:9 27:8,11,23 28:1,15 29:12 31:1,3 59:1 61:15 77:17 87:2,6,6 96:8	buildings [4] 26:13 70:12,12,18 built [1] 76:13 bullet [8] 52:17 86:12 105:22 106:2,6,20,23 107:5 bullets [4] 50:4 52:5,5 88:2 bunch [3] 90:20,21 91:10 BURKHOLDER [1] 2:9 burning [2] 63:14 94:18 burnt [1] 104:4 business [1] 34:1	certainty [1] 33:15 certificate [2] 101:13 114:1 certifications [2] 10:15 10:22 certified [1] 5:4 certify [3] 113:5,12 114:7 cetera [1] 18:2 chamber [1] 87:17 chambers [4] 86:17 89:5 89:9,15 chance [6] 16:24 17:4 35:6 38:19 48:23 100:1 change [2] 43:22 56:19 changed [2] 40:23 41:3 changes [4] 21:9,14,15 113:8 character [1] 4:12 characteristics [9] 53:8 63:13 71:5,15 77:24 78:9 79:16 80:24 94:7 charge [1] 81:13 charged [1] 30:15 Charles [1] 102:16 check [14] 29:11 52:18 63:16 65:10 78:10 80:15 80:16,17,19 110:24 111:9 111:11,14,17 checked [4] 72:15,20 75:4,5 checking [1] 75:11 checks [6] 65:12 75:8 77:22 81:17 86:14,15 churning [1] 33:24 circle [1] 80:17 circumstance [1] 28:16 circumstances [2] 51:19 111:13 citations [1] 90:20 cites [2] 32:19,20 citing [1] 100:14 city [11] 10:12,22 28:2,2 28:3 74:2,4,6,11 82:3 95:3 Civil [2] 4:8 114:21 clarification [1] 102:7 clarify [5] 23:23 61:8 62:19 76:9 109:11 clarifying [1] 36:22 clear [2] 84:24 100:4 clearly [2] 91:18,21 clerk [1] 8:6 close [1] 67:3 closet [4] 45:12 104:19 110:6,8 closets [2] 44:14 46:23 CO [39] 2:9 51:22 52:7,13 71:15,24 72:1 78:15 82:22 83:16,17 85:15 86:10 87:3 87:4,8 89:22,24 90:1,21 90:22 91:5,7,10,11,15,16 92:17 93:3,17,18,21 100:14 106:7,10,24 107:1 107:2,6 co-compliance [1] 10:8	coating [1] 63:7 code [56] 9:14 11:17 14:23 15:4 18:13,21,23 19:2,5 20:13 24:4,11,17 24:19,23 25:5,9,12,16,18 25:22,24 26:2,4,10 28:1 29:19 37:24 41:12 42:16 42:19 47:4,7,18 54:5,9 56:18 57:22 59:2,17 60:1 60:17 61:15 68:1 73:20 74:18 93:1 95:3 96:2,24 97:1,6,8 110:17,21 112:5 codes [14] 9:13,14,14 22:22 24:21 27:4 32:18 32:21 39:4 57:23 58:3,10 58:20 59:2 COH [1] 55:24 COH00000068 [1] 3:11 COH00003561 [1] 105:14 COH3561 [1] 50:1 COH474 [1] 98:1 collectors [1] 9:11 college [1] 7:17 colon [2] 106:6,9 Columbia [58] 1:6 2:11 4:7 10:21 11:14 12:5 16:5 16:10 20:4,11 23:21 26:7 30:12,12 31:1,7,10 32:18 32:20,21 33:7,11,23 34:3 34:9,13 39:24 41:11 42:1 42:21,22 43:15 44:12,18 51:11,15 54:17 59:16 66:11 74:16 75:8,11,15 75:18 81:3,13 85:8,13 91:8,9 94:3 96:7,11 97:11 102:6,17 105:11 106:21 Columbia's [7] 10:11 16:18 29:22 30:11 45:5 46:19 109:24 Columbus [27] 1:14 2:5 2:10 8:2 10:12,17,23 24:24 25:5,24 26:8,12,13 27:4,18 28:2,9 29:19 74:2 74:5,12,18 82:3 87:11 95:3,9,12 combination [1] 67:1 combined [1] 56:10 combustion [104] 11:24 12:2,6,17 13:18,22,24 14:5,9,15,18 16:6 17:12 18:1 21:22 22:1,2 25:1 26:4,24 27:5,17,19 29:20 32:13 41:17 42:11,17,23 43:11,16,22 44:14,18,20 45:14,18,19 47:5 48:1,2,7 55:2,5 59:4,9 65:20 66:2 66:5,9,13,17,19 67:9,14 68:4,11,12,18,21 69:7,17 70:10,20,22 71:11,13,14 71:17,23 75:12,15 78:9 78:12,21,24 79:7,15,17 81:1,16 86:17 87:17 89:5 89:9,15 90:7,12,16 91:4,9 91:13 92:10 93:1,2 94:6 104:5,10,15,17,22,24 109:7 110:10 combustion/ventilation [1] 81:17
---	---	--	---	--

-B-

B [5] 2:4 88:14 96:2,19
97:19
backfill [1] 73:17
background [1] 7:16
bare [1] 53:5
based [38] 12:15,21,21
16:11,16,18 27:3,4 33:8
33:24 34:21 42:14,23
43:10 45:10 46:20 51:7
52:24 53:2 57:3 58:8,9
60:14,15 61:15 63:10
64:22,24 65:22 70:21
77:11 78:4 79:15 91:3
101:21 109:18 111:6,19
basement [1] 36:13

comfortable [1] 26:3 coming [3] 14:3 46:22 70:4 Commission [4] 1:1 37:23 113:21 114:28 commissioned [1] 114:6 common [2] 70:11 112:6 communicated [1] 83:11 companies [1] 9:5 company [50] 12:5.5 19:20 25:21 26:11.17.21 26:22 27:7 28:19 29:6.9 30:4.5.7.20 33:8.10.11 34:5 35:2.16 38:3.5.10 39:3.8.12.12 40:11.11.12 40:14.18.19.19 42:9.10 45:5 49:7.9 51:13 54:17 60:9 72:5 73:14.18 74:16 81:3 85:7 compare [1] 27:7 comparing [3] 14:23 18:1 60:17 compartments [1] 22:17 complains [1] 106:16 complaint [2] 16:23 44:3 complete [1] 80:7 completed [1] 114:16 completely [1] 70:2 complex [1] 23:12 33:18 43:9.12 78:20 79:1 81:5 90:15.19 91:9 92:24 compliance [27] 3:9 9:13 11:21 17:10 21:5 25:22 26:21 27:6.7.16 28:11 29:10 33:9 39:4 42:10 47:14 48:22 62:21 65:1 66:13 68:12 96:9 98:23 99:17.18 105:5 112:12 COMPLIANT [1] 1:3 components [1] 63:8 compound [5] 47:9.17 71:18 90:4 96:16 computer [2] 7:24 114:12 concerning [1] 59:16 concerns [1] 71:11 concluded [1] 112:20 conclusion [2] 26:15 47:9 condensate [2] 106:17 107:9 condensation [3] 94:11 94:11.13 condition [5] 51:20 53:5 54:7 76:24 83:4 conditions [1] 82:14 conference [2] 19:5 21:8 confirm [1] 59:1 conflict [2] 58:10.22 confusing [1] 6:6 connected [6] 63:24 72:15.19 73:16 77:15	103:16 connection [2] 57:17.17 consider [3] 22:16 27:23 76:9 consideration [1] 104:20 constructed [2] 98:24 99:3 construction [10] 22:18 22:23 23:9 24:12 31:4 41:1 75:19 76:4 96:8.15 construed [1] 99:3 consult [2] 98:18 99:9 contact [1] 104:14 contain [1] 87:4 context [2] 64:1.14 Continue [1] 39:6 contract [2] 9:6 114:20 contractors [3] 9:9.13 9:24 contractors' [1] 9:3 controls [3] 65:8.9.10 controversy [1] 16:4 convention [1] 22:13 conversation [2] 13:3.4 copy [2] 22:4 25:19 corner [1] 35:4 correct [82] 9:22 12:14 12:18 15:17 16:13 23:5 24:20 27:1.20.21 29:21 30:23 36:16 37:6 38:17 40:21 41:18.19.21 44:15 46:9 48:14 49:21 50:19 56:12 57:1.11.14.15.19 57:23 58:15.16 59:5.6.13 59:14 61:6.7.13 62:22.24 64:2 65:14 67:7 70:19 72:16.17 73:1 74:22 75:10 75:13.22 76:21 77:1.5.7.8 81:18.19 82:1 85:21.23 88:15.19 89:2.6 90:14 95:13 96:2 97:13 99:4 102:16.17.23 103:2 105:6 106:13 107:16 108:6 113:9 114:13 correction [1] 113:8 correctly [4] 13:16 15:6 54:8 95:22 counsel [8] 4:5.10 5:19 6:15.21 62:15 69:5 97:11 count [6] 44:12.20 46:2 46:12 47:7 52:5 counted [1] 46:14 County [2] 113:4 114:4 couple [3] 7:2 80:16 92:17 course [2] 7:21 101:18 court [2] 6:2 114:19 cover [7] 5:8 54:14 56:9 56:11 58:17 69:13 70:17 covered [1] 67:17 covering [1] 90:19 covers [2] 49:20.23 Creek [40] 1:4 2:7 7:14 11:2.5.14 12:1.2.7.17 16:5	16:24 23:7.22 24:13 26:1 26:5 27:6.19.24 28:10 29:23 32:12 33:12 34:21 41:1.18 44:11 49:17 60:21 72:18 85:13 94:23 95:4 95:11 99:13 100:17 108:14.18 112:13 Creek's [1] 11:20 cross [1] 17:12 Cross-examination [2] 3:4 5:5 curb [3] 57:1.10.16 current [4] 8:10.24 9:2 26:2 curtailed [1] 43:11 customer [9] 35:19 38:16 51:16 61:3 82:12.17.19 83:1 106:16 customer's [5] 35:22 39:2.7.15.16 customers [4] 25:22 33:19 77:6 96:12 customers' [1] 95:24 <hr/> -D- <hr/> D [3] 88:14 113:1 114:21 damage [1] 87:18 dancing [1] 100:19 dangerous [1] 32:22 date [7] 3:10 11:7.8 38:14 49:10 72:6 96:4 dated [5] 55:22 84:23 102:19 105:6 107:18 dates [1] 15:10 Dawn [9] 1:8 2:1 3:1 4:6 5:2 113:5.11.13 114:8 deadline [1] 100:22 deals [2] 74:21 112:6 decided [1] 28:10 declared [1] 43:10 dedicated [3] 44:13 45:11.17 define [1] 80:24 defined [1] 114:21 defines [1] 48:1 definition [4] 18:17 62:11 64:3 86:21 definitions [1] 53:3 degree [1] 7:19 Delaware [1] 28:3 delivery [1] 101:14 Denise [3] 1:16 114:5.26 department [7] 24:24 25:6 27:8.11 29:12 51:11 59:1 department's [1] 27:23 departments [1] 51:9 depend [3] 45:21 59:10 111:1 depended [1] 20:21 depending [6] 33:19 51:3 66:15.16 69:23 70:8 deposed [2] 5:12 33:4	deposes [1] 5:4 deposition [21] 1:8 2:1 3:1 4:6.10.14.16.16 5:14 6:11.17.19.21 7:1 112:20 113:6.13.16 114:10.14.14 described [1] 45:24 describes [2] 44:17 104:9 describing [2] 67:4 104:1 description [2] 7:16 8:23 design [1] 96:13 detailed [7] 62:2 82:11 82:18.24 83:11.23 96:13 details [2] 53:3 93:19 detect [1] 88:10 determination [2] 26:24 60:6 determine [7] 52:22 53:3 53:22 59:17 60:10 68:12 87:8 determined [1] 11:16 determines [1] 27:11 device [3] 77:23.24 110:9 diagram [3] 88:6.7.22 diameter [2] 17:11.11 difference [1] 17:11 different [15] 16:9 17:24 21:4 26:10 28:5 53:7.17 55:8 58:10.11 59:8 98:5 101:21.23 109:14 difficulty [1] 15:10 Dillon [5] 17:2 44:5.11 102:15.17 diluted [1] 87:5 direct [4] 3:4 78:18 102:3 104:14 directly [3] 45:13 54:20 89:12 DIS [2] 93:20.23 disbursed [3] 103:18.20 104:6 discarded [2] 103:11.13 discharged [2] 103:13 103:14 discount [3] 45:6 47:19 70:2 discounting [2] 44:18 47:5 discovery [2] 22:10 100:22 discussed [1] 102:9 Discussion [1] 102:1 disregard [1] 27:10 distribute [1] 84:20 diverters [2] 86:18 89:9 document [22] 34:24 48:24 49:3.5.10 50:12 55:20.23 61:19 76:19 77:10 79:6 93:10 97:13 98:18.22.24 99:9.19 105:6 105:14 107:15 documentation [3] 79:2 79:4 98:5	documented [9] 34:13 78:4.7 92:18 93:4.8.19.22 93:23 documents [3] 55:19 77:14 94:4 doesn't [14] 25:21 30:13 31:10 37:17.18 39:19.22 40:12 44:12.20 61:14 83:23 89:20.22 Don [2] 19:24 20:1 done [12] 13:1.1 48:19 52:14 74:6 75:24 79:12 91:7.10 96:1 108:17 112:15 door [2] 92:18 110:9 doors [2] 53:6 63:7 down [10] 13:10 15:18 50:4 52:4 57:20 72:11 82:8 84:10 86:5 105:16 draft [5] 63:20 78:10 86:18 87:17 89:9 drafting [2] 63:16 78:1 drafts [1] 63:16 drawn [1] 103:9 drop [7] 31:15.19.20 32:1 32:2 37:3.4 drywall [1] 73:17 DUBLIN [1] 1:21 duct [17] 44:13.18.19 46:22 47:6.19 103:2.3.7.8 103:15.16.24 104:2.9.18 104:21 ducts [8] 17:12 18:2 22:2 75:12.20.21 76:2.10 duly [3] 5:3 114:6.8 during [3] 24:19 42:21 43:10 duties [4] 8:23.24 10:3 16:12 duty [1] 27:7 dwelling [1] 104:7 dying [2] 106:18 107:10 <hr/> -E- <hr/> e-mail [16] 7:2 17:1.22 32:6.19 44:4.10.17 46:5 47:6.24 48:3 101:15 102:14.16 103:2 e-mails [1] 7:13 early [1] 43:22 education [1] 18:21 educational [2] 7:16 18:19 effect [11] 4:17 24:12.19 26:1 37:8 38:13 40:22.24 74:12.13 94:1 effective [4] 5:20 38:14 41:4 96:4 either [2] 26:1 33:17 elderly [1] 51:21 eliminating [1] 52:12 emergency [3] 49:20 50:6 105:10 emphasis [4] 21:4 43:22 88:17.22
--	---	--	---	--

emphasize [1] 89:20 emphasized [3] 43:16 43:19 78:17 emphasizes [2] 88:14 88:24 employed [1] 114:17 employee [1] 11:13 enclosure [1] 87:2 encompasses [1] 53:7 ended [1] 29:7 enforce [3] 18:11 38:7 41:12 enforcement [1] 41:24 enforcing [3] 42:6,7,10 entitled [1] 38:16 equation [1] 52:11 equipment [8] 52:18,20 52:22 53:22 87:17 89:11 89:17 90:9 Eric [3] 2:4 85:24 102:5 ESQUIRE [2] 2:4,8 essentially [3] 44:19 47:24 52:12 establish [8] 31:1 39:13 40:3,11,15,20 111:3,17 established [6] 23:23 42:1 61:5 64:8,8,10 establishes [1] 49:15 establishing [11] 3:10 40:14 49:19 56:2,23 57:9 79:12 82:9 107:15 108:21 111:15 establishment [4] 30:11 32:23 64:7 75:12 et [1] 18:2 evacuate [8] 50:5,23 51:7 105:23 106:7 107:2,4,11 evacuation [7] 50:7,12 50:16 51:9,15 106:24 107:6 evaluate [5] 46:10 63:4 65:1 69:7 71:12 evaluation [8] 11:20 12:17 45:1 46:11 62:3,20 65:16 70:10 event [1] 18:19 everybody [1] 5:15 evidence [6] 70:23,23 71:12,16 78:11 81:7 Examination [3] 3:2,4 102:3 examined [1] 113:16 example [11] 36:18 51:6 54:22 59:24 60:14,15 63:9 69:20 70:2 82:23 83:3 examples [12] 36:4 53:17 53:18,23,24 54:2 63:3 70:7 71:4 78:10,19 79:18 excessive [5] 72:1 90:17 91:16 94:5,15 exchanger [1] 103:11 exhaust [3] 63:17 75:21 76:10 exhibit [44] 16:21,22 32:6 35:1,9 38:8,9 44:2,3	48:19,20,20 55:17,18,18 55:22,23 56:10 84:8,20 84:21 85:4,5,9,10,22 96:2 96:19,20,22 97:19,23,23 97:24 98:13 99:23,24 100:1 102:12 105:2,3 107:14,14 109:5 exhibits [7] 3:7 84:2,4 84:20 98:6,9 102:9 exist [1] 61:18 existence [1] 72:5 existing [10] 35:21 56:12 61:3 64:2,3,15 70:17 74:22 75:2,7 exists [2] 25:19 62:16 expect [10] 78:19 79:16 79:18 89:24 90:8,18,20 91:14 92:16 93:3 expedite [1] 35:8 experience [4] 5:15 16:12 36:5 43:9 expert [1] 47:14 Expires [2] 113:21 114:28 explain [2] 35:17 37:17 explanations [1] 18:20 exposed [1] 87:7 extent [3] 26:14 47:8 62:16 <hr/> -F- <hr/> F [7] 16:22 32:6 38:9 95:18 97:24 113:1,1 facilities [7] 38:16,23 39:2,7,14,17 40:9 fact [5] 27:4,18 91:19,20 98:7 factors [6] 45:21 46:2 50:17,19,23 51:14 fall [1] 22:9 familiar [14] 23:1 25:8 25:11 28:19 30:9 48:21 84:3,7,8 85:15,22 86:2,5 112:7 familiarity [1] 25:15 fancy [1] 100:19 far [8] 27:17 28:2 34:12 45:22 47:17 71:3 76:7 83:15 faulty [4] 52:19,23 53:4 53:22 FAX [1] 1:23 February [4] 8:16 44:6 85:5 102:19 fed [2] 22:2 45:17 federal [2] 98:18 99:10 feed [10] 22:1 31:21 37:5 44:19 47:5 48:1,2,7 75:21 76:9 feeding [1] 70:3 feeling [1] 6:12 field [16] 8:20 10:5 12:16 16:16,17 21:11 41:9 42:15 49:21 51:4,13 52:22 68:17 78:19 79:5 97:12	fifth [1] 63:23 file [2] 8:6 37:22 filed [2] 16:23 44:3 fill [1] 80:7 finally [2] 8:10 85:9 financially [1] 114:18 findings [3] 13:14 77:10 79:17 finds [1] 80:6 fine [2] 47:20 74:3 finish [1] 30:22 finished [1] 101:3 fire [4] 31:9 51:9,11 98:21 firm [1] 114:20 first [32] 2:9 5:3 11:4,6 11:13 16:21 17:8 19:10 19:11 29:23 34:12,14 36:2 38:22 41:11 42:19 43:14 55:24 59:12 84:8,20 86:1 86:22,23 99:8 102:11,22 103:1,4,23 110:23 114:8 five-minute [1] 101:5 flag [1] 67:21 flame [11] 53:7 63:11,13 63:13 71:5,14,14 77:24 78:9 94:6,18 Floor [1] 2:9 flu-like [2] 106:17 107:9 flue [6] 81:18 86:16 87:18 89:8 90:6,9 flues [2] 89:13,15 focus [3] 42:2 53:23 70:3 focused [3] 7:22 21:11 73:5 folk [1] 10:3 folks [3] 9:5 54:13,17 follow [4] 28:3,4 60:2,5 follow-up [4] 28:8 102:7 109:10 112:4 followed [2] 56:23 57:4 following [10] 17:9 28:2 43:2 50:18 57:20 77:22 86:14,15 106:10 107:3 follows [2] 5:4 30:7 force [1] 4:16 foregoing [3] 113:6,12 114:13 forget [1] 95:9 forgive [2] 69:4 95:7 form [4] 77:9,19 82:10 113:8 forming [1] 94:14 forth [1] 89:15 found [8] 23:11 34:6 41:16 50:8 79:24,24 80:12 93:11 foundation [1] 43:18 four [5] 50:19 52:5 88:13 106:12 107:8 fourth [2] 98:14,17 Franklin [1] 113:4 Frankly [1] 41:22 frayed [1] 63:6	free [1] 88:18 frequent [1] 25:20 fresh [1] 46:21 freshen [2] 103:9 104:3 front [5] 34:4 73:22 92:15 96:9 102:12 fuel [21] 11:17 18:13,21 18:23 19:2,4 20:13 25:12 25:16 26:4 41:12 54:5,9 57:22 68:1 81:22 96:2,24 110:17,20 112:5 full [3] 17:8,21 87:15 fully [1] 5:17 functional [1] 31:8 furnace [3] 103:16,17,20 <hr/> -G- <hr/> G [2] 35:10,16 Gallon [45] 2:4 3:4 6:21 21:6 22:11 24:6,9 26:14 31:12 32:15 34:17 36:10 42:4 43:6,17 46:24 47:8 48:8 59:20 60:12 62:18 67:5 69:9 70:14 71:1,6,18 76:5 77:12 79:9 81:8 84:9 84:24 90:4,23 92:19 96:16 97:22 98:4 100:24 101:4 101:10 102:4,5 112:16 Gallon's [1] 98:7 Garrett [5] 35:2 38:9 85:5 95:18 97:24 gas [112] 1:6 2:11 3:10 4:7 9:6,10 10:21 11:17 12:5 16:5 18:13,21,23 19:2,4 22:2 23:22 25:1,12,16,22 26:4 29:23,24 30:4,7,12 30:14,20,24 31:15,18 33:16,18 34:9 35:20 36:2 36:20,24 37:1,3,14,21 38:6,16,23 39:2,7,14,16 39:24 40:3,3,9 41:11,12 43:11 49:15,19 52:18 54:17 56:11,23,24 57:5,6 57:8,9,9,22 59:16,22 61:5 63:24 64:10 66:2 68:1 72:14,20 73:14,18 74:17 74:21 75:2,7 77:22 81:3 81:22 85:8,13 87:4,11,24 88:6 92:3,5 94:3,7,18 96:2 96:7,11,24 102:6 104:10 107:16 108:21 109:2 110:17,20 112:5,6 Gas's [3] 23:21 51:11 97:11 gases [7] 86:17 87:4,5,18 89:8 90:6,10 gasified [1] 94:16 gears [2] 44:1 84:1 general [15] 5:9 7:15,15 8:3 15:10 16:8,9 23:5 25:8 25:11 38:4,4 56:22 61:9 64:18 generally [6] 7:12 23:3 23:4 62:24 87:10,11 gentleman [1] 17:2 given [9] 77:6,22 82:12 82:17,19,24 113:6 114:10 114:14	goal [1] 84:13 goes [5] 17:20 61:8 85:4 98:1,2 gone [3] 33:7,12 88:18 good [3] 5:7,22 78:10 govern [1] 87:11 governing [1] 97:11 graduate [1] 7:18 greater [3] 106:7 107:2,7 group [1] 17:10 guaranteed [1] 89:22 guess [2] 59:10 80:17 guide [2] 56:16 72:4 guidelines [3] 62:10 69:12 84:23 <hr/> -H- <hr/> H [3] 54:4,12 55:6 halfway [1] 105:16 hall [1] 84:11 hand [4] 15:8 101:2,14 114:23 handing [1] 101:10 handle [1] 45:23 handwritten [3] 82:11 82:24 83:11 hang [1] 73:19 happy [1] 101:15 hard [2] 52:4 97:2 Hart [29] 2:8 3:4,5 5:6,8 22:7,14,15 29:2 48:18 62:15,22 63:1 84:12,17 98:3,11 100:16 101:1,6 101:19 102:9 105:1,19 106:1 107:20,23 109:12 112:3 HAUSER [1] 1:19 head [2] 6:1 68:3 heading [3] 72:23 88:9 105:17 heard [3] 94:9,20,22 heat [2] 103:11 104:5 heated [3] 103:17,20 104:6 heater [4] 36:12 110:6,10 110:16 heck [1] 99:6 held [2] 74:16 102:1 help [5] 5:20,21 6:2 69:5 86:3 helps [2] 5:15,15 hereby [3] 113:5,12 114:7 herein [1] 4:7 hereinafter [1] 5:3 hereto [2] 113:8 114:18 hereunto [1] 114:22 High [2] 1:13 2:5 hold [1] 10:14 hole [1] 67:17 home [4] 88:11 103:18 103:21,22 homeowners [1] 96:12
---	---	---	--	---

Regulatory Compliance & Training

Newsletter 14

March 20, 2006

Safety – Falls are a leading cause of workplace injuries. While falls are among the most common accidents, they are also among the most preventable. If you move carefully and remain alert to hazards, you can stay on your feet and control whether or not you are going to fall.

Source: Tiffany Fritchley - EH&S team

Title: Emergency Response Review for Columbia Personnel

This is only a guide that does not include all applicable codes, standards, policies & procedures and is subject to change without notification.

Proprietary - RCT Rob Smith 03/07/02, Larry Springer New Svc Ses 2 Emergency Response Dawn Bass 03-20-06.

Purpose:

- Enhance the safety of company personnel and customers when responding to emergency situations.
- Comply with Title 49 CFR DOT Part 192.615 Emergency Plans.

Who Should Attend: Personnel who respond to customer emergencies.

You Will Cover:

- First Response
- Leak/Line Break and Odor Response – Inside and Outside
- Odors or Indications from Foreign Sources
- Over Pressure or Low Pressure
- Carbon Monoxide
- Fire or Disaster Response

First Response

Emergencies reported to the phone center or to you from a passer by takes priority and shall be worked immediately.

- Actions shall be directed toward protecting people first (including yourself) then property and environment. Evacuate as appropriate.
- **Immediately notify your FOL/FLL of accidental ignition of gas, explosion, gas or CO related injury, hospitalization, or death.**
- Personal protective equipment such as hardhat, eye protection, hearing protection, breathing apparatus, and gloves shall be used as required.
- Identify yourself as a Columbia Gas Company employee.
- Eliminate all possible sources of ignition.
- Establish and continuously re-establish the leakage perimeter.
- When needed additional help shall be called to assist in making the situation safe.
- Collaborate and coordinate actions with additional responders, plant, leakage, supervision, fire, and police.
- Record the arrival and made safe times.
- **Remain on site until relieved or the emergency situation has been cleared.**

**BASS
EXHIBIT**

1

COH00003559

Leak/Line Break and Odor Response

A leak or odor call is a priority and shall be worked Immediately.

- Verify address and document the time upon arrival.
- **Protect LIFE (including your own), property and environment. Evacuate as appropriate.**
- **Immediately notify your FOL/FLL of accidental ignition of gas, explosion, gas or CO related injury, hospitalization, or death.**
- Personal protective equipment such as hardhat, eye protection, hearing protection, breathing apparatus, and gloves shall be used as required.
- Turn off your cell phone and other electrical devices that are not intrinsically safe.
- **Never** ring the doorbell and advise customer not to touch any switches or electric devices.
- On all **Priority orders** where safe access is granted, combustible gas indicator (CGI) checks are to be made in the free air upon entering a structure and at gas service entrances, floor drains, other utility service entrances, openings in basement walls and the vicinity of the curb box.
- If no one is home, turn off gas at the curb and/or meter as applicable and sample in door cracks and at available openings in the structure for gas with a CGI. If no readings register in % LEL, leave a card stating that the gas is off for safety, and that they should call the phone center to schedule a test once repairs are made. If there is a positive indication of gas on the LEL scale of the CGI, call the Fire Department and monitor at a safe distance until the fire department gains access to ventilate.
- Establish and continuously re-establish the leakage perimeter, including a check for secondary damage.
- Follow the guidelines within Policy and Procedure 721-7 for all leaks and odor calls. **Recognize that all Priorities are unique, and when in doubt call for help or a second opinion!**

Inside Leak/Odor

Zero the Combustible Gas Indicator (CGI) outdoors. Then enter the home sampling the free air with the CGI on the Lower Explosive Limit (LEL) scale.

- **Strong odor** or any CGI reading on the LEL scale (1% LEL or greater with electronic CGI) in the free air shall be considered **HAZARDOUS**. The premise **shall** be evacuated, and the gas shall be turned off at the meter valve and/or curb valve as appropriate, without placing the employee in jeopardy. Company personnel shall remain at the scene to protect life and property until the condition is made safe.
 - Both house and service lines **shall** be pressure tested.
- **No odor** or faint odor and no CGI reading on the LEL scale in the free air shall be investigated based on the customer's information and personal observations.

Outside Leak/Odor

Establish a perimeter and evacuate if necessary— Bar test the customer and company facilities while attempting to pinpoint a leak. Leakage may migrate up down spouts, under drives and in curb tiles, etc. It is essential that you canvas the area in which the odor was reported. It is not unusual to find the odor or leak several houses away or on the opposite side of the street! The leakage source can be an adjacent main or service line that may not appear to be involved. In some instances it may be prudent to call a leakage inspector to assist in pinpointing the leakage source.

Odors or Indications from Foreign Sources

- Protect LIFE (including your own), property and environment. Evacuate as appropriate.
- If an odor is found to originate from foreign sources, such as: gasoline vapors, sewer or marsh gas, another utility, or customer owned piping, appropriate action shall be taken to protect life and property.
- Conditions that are potentially hazardous shall be reported promptly to the operator of the facility and, when appropriate, to the Police/Fire department or other governmental agencies.
- You have an ethical and civic duty to notify the appropriate persons of an unsafe situation to maintain public safety.

Over Pressure or Low Pressure

- Protect LIFE (including your own), property and environment. Evacuate as appropriate.
- Check main line pressure at meter setting.
- If over pressurized, immediately notify Leadership/Logistics for additional assistance.
- If over pressure exists on a low-pressure system, immediately begin turning off affected customers and document.
- Conduct a thorough leakage investigation.
- If low pressure exists do an investigation, and look for items such as pipeline liquids, debris in the line, line break and failed regulators.

Carbon Monoxide (CO) Response

Any report of CO related symptoms is considered a Priority and is to be worked immediately.

- Zero the CO detector in free air away from idling vehicles then enter the building sampling the ambient air.
- Take samples in the ambient air! Do not take samples from directly from an appliance vent.
- **Evacuate if CO levels are greater than 200 ppm, Suspect CO when any one of the following occurs:**
 - An aldehyde odor (pungent, irritating to the eyes, and nose) is present
 - The customer complains of "flu-like symptoms"
 - There is condensate on windows
 - The houseplants are dying.
- Vented gas utilization equipment shall not produce any measurable CO in the ambient air.
- Un-vented gas utilization equipment shall produce not more than 10 ppm in the ambient air.
- Do not reenter the premise until levels drop to allowable levels.
- Allowable maximum CO level: **10 ppm Residential, 35 ppm Commercial**
- Check gas utilization equipment for proper operation, repair or "Red Tag" faulty equipment.
- Ensure that all gas burning equipment has adequate combustion and ventilation air.
- Use "*Carbon Monoxide Investigations*" book for additional information.

Fire or Disaster Response

When responding to a fire or disaster, company personnel must report to the command post and identify yourself as a gas company employee upon arrival. You may not leave the scene until cleared by the command post (Fire Chief).

- The Fire Chief is normally the authority having jurisdiction while on an emergency site.
- Respect emergency equipment and site parameters.
- Record the time of arrival.
- Personal protective equipment such as hardhat, eye protection, hearing protection, breathing apparatus, and gloves shall be used as required.
- Actions shall be directed toward protecting people first and then property.
- When needed additional help shall be called to assist in making the situation safe.
- Eliminate all possible sources of ignition.
- Keep the command post (Fire Chief) informed throughout the process of making the situation safe.
- Record the time made safe.
- **Communication is essential in handling every emergency situation!**
- **Immediately notify your FOL/FLL of accidental ignition of gas, explosion, gas or CO related injury, hospitalization, or death.**

"There's only one corner of the universe you can be certain of improving, and that's your own self." Aldous Huxley, Time Must Have a Stop

If you have any questions please contact:

Regulatory Compliance & Training West Service Staff:

Dawn Bass, Columbus East, 3550 Johnny Appleseed Ct., Columbus, OH 43231

Ofc: (614) 818-2130 FAX: (614) 818-2151 E-Mail: dbass@nisource.com

Michelle "Shelly" Snyder, Heartland, 1120 W. 4th St., Mansfield, OH 44906

Ofc: (419) 528-1139 E-Mail: msnyder@Nisource.com

E. Larry Springer, Columbus East, 3550 Johnny Appleseed Ct., Columbus, OH 43231

Ofc: (614) 818-2130 FAX: (614) 818-2151 E-Mail: espringer@nisource.com

Revised: 9/28/06

NOTE: Electronic leak detector units are capable of reading natural gas in atmosphere to one tenth of one percent LEL, when LEL is 5% gas to air that is equivalent to:

100% LEL = 5% or 50,000 PPM Natural Gas,

10% LEL = 0.5% or 5,000 PPM Natural Gas,

1% LEL = 0.05% or 500 PPM Natural Gas,

0.1% LEL = 0.005% or 50 PPM Natural Gas

A "Hazardous" leak is 1.0% or greater on the LEL scale of a digital CGI.

Also note that we do not require immediate evacuation for CO until the level reaches 200 PPM or 0.02% (Ref. CO Investigations 4.7).

Title: Establishing or Re-establishing Gas Service (OHIO) Date: 7/27/07

CAVEAT: This is a guide for training purposes and is not to be relied on as a substitute for the applicable codes, standards, or policies & procedures and is subject to change without notification.

Proprietary: RCT LS, RS, DB 2/20/02 SH Establish Gas Svc Rev 9/17/08

Purpose: To establish gas service to new or existing premises.

Cross-Reference: Title 49 Code of Federal Regulations (CFR) Department of Transportation (DOT) Part 192, Title 24 CFR HUD Part 3280 Subpart H, National Fuel Gas Code (NFGC), and the Plumber's Guide (PG), 700-3, 722-1, 722-3, 724-5, 724-19, 725-1, 725-2, 725-3, 725-4, 725-5, 725-6, 725-7, 725-10, 725-15,

Table of Contents

<u>Paragraph</u>	<u>Subject</u>	<u>Page</u>	<u>Paragraph</u>	<u>Subject</u>	<u>Page</u>
1.	General	2	7.	Service Regulator Inspection	5
1.1	Service Line/Meter Setting		7.1	Standard Delivery Pressure	
1.2	House Lines/Appliances		7.2	Elevated Delivery Pressure	
1.3	Manufactured Homes		7.3	High Pressure Selection	
2.	Verify Order	2	8.	Lighting Appliances	6
2.1	Customer Information		8.1	Purge	
2.2	Meter Information		8.2	Lighting	
3.	Visual Inspection	2	8.3	Safety Checks	
3.1	Gas Theft Activities		8.4	Red Tag	
3.2	Service Lines/ Meter Setting		9.	Appliance Service	6
3.3	House Lines/Appliances		9.1	No Charge	
3.4	Completion Report		9.2	Charges	
4.	Test Requirements	3	10.	Leakage	7
4.1	Abandoned		10.1	Service Line	
4.2	Valve Leak Through		10.2	Basement Meters	
4.3	New Service lines		11.	Records	7
4.4	Existing Service Lines		11.1	Meter Reading	
4.5	House Lines		11.2	New Set	
4.6	Meter Setting		11.3	FAR	
4.7	Leak Detector Checks				
4.8	Bypass Installation				
5.	Turning on Gas	4	Attachment(s)		
5.1	New Premise		1	Service Line Test Time Table	8
5.2	Existing Premise				
6.	Purging	5			
6.1	Purge Points				

**BASS
EXHIBIT**

2

1

1. General. This practice shall be followed when establishing gas service or turning on gas that is off at the meter valve and/or curb valve.

1.1. Service lines and meter settings shall be installed in accordance with Form 2235 (Plumber's Guide) and Title 49 CFR DOT 192.

1.2. House lines and appliance installations shall be in accordance with the National Fuel Gas Code (NFGC) and local codes.

1.3. Manufactured (Mobile) Home piping and appliance installations shall be in accordance with Title 24 CFR HUD 3280 Subpart H.

2. Verify Order. The MDT or DIS Order shall be reviewed to verify:

2.1. The customer's name and address

2.2. Meter kind, size code, serial number and meter reading.

3. Visual Inspection. Visual inspection is required for existing, new, repaired, or replaced customer service lines, house lines, meter settings, and appliances at the time gas service is established or re-established.

3.1. Gas service facilities shall be visually inspected to discover any gas theft activities, such as meter tampering, bypassing, or unauthorized service restoration. If obvious or suspected gas theft conditions exist, contact a supervisor for additional action prior to testing or establishing gas service. Meters and regulators shall be sealed to prevent tampering. Broken or damaged meter or regulator seals may be an indication of tampering.

3.2. Inspection of customer service line piping and meter settings shall be in accordance with the Plumber's Guide (PG).

1. Properly sized to handle the connected load of the appliances. If service line or meter size is not correct advise the customer to contact New Business and include remarks on the MDT/DIS.
2. A visual check shall be made to ascertain that an insulator between the house lines and service line is installed and in good condition. A suitable electrical continuity tester should be used if there is any doubt regarding the insulator's effectiveness. If none exist or the existing one is in poor condition, a new insulator shall be installed.
3. Inspect regulator vent (vent line and cap, if present), for size, blockage, leakage, and that the vent terminal is located so that if gas is discharged into the outside atmosphere where it will not create a hazard.
4. A service regulator without full internal or associated external relief devices shall be changed unless changing the orifice will provide full relief.
5. Settings showing oxidation (rust), atmospheric corrosion or damage shall be painted, repaired, or replaced.

3.3. Inspection of house lines and appliance(s) shall be in accordance with the National Fuel Gas Code (NFGC) and the manufacturer's instructions.

1. Arrangements must be made with the customer for access to all rooms and buildings where thermostats, appliances, or gas outlets may exist.
2. New premise: ALL gas piping shall be visually inspected before establishing initial service.

Exception: *Only visually inspect exposed piping when approved by a Code Official.*

3. Existing premise: Only exposed gas piping should be visually inspected.
4. Disconnected gas outlets, including shut off valves shall be properly capped or plugged.
5. Connected gas appliances shall be visually inspected for proper installation. Any appliance not properly installed shall be red tagged and noted on the "premise audit form" on the MDT/DIS do NOT include Red Tag Comments (see 8.4).

3.4. If any of the reasons above, other than suspected theft of gas, are a cause to deny service, proceed with testing so that a complete report can be given to the customer. Do not establish gas service.

4. Testing Requirements. Prior to establishing or re-establishing gas service, ALL piping shall be tested, and ALL piping and connected appliances shall be leak checked.

4.1 Abandoned. Abandoned bare steel service lines shall not be reinstated. Reinstated abandoned service lines other than bare steel shall be tested in accordance with 4.3.

4.2. Prior to testing against any valve holding gas pressure check for leak through. If leak through is indicated, immediately suspend the test. The valve shall be replaced or repaired.

1. When testing against a valve rated at less than the test pressure:
 - a. Turn the valve off. If leak through is indicated on the gauge replace the valve.
 - b. If no leak through was indicated, pressurize to 50% test pressure. If leakage is indicated, immediately suspend the test. If the valve is suspected, replace the valve.
 - c. If no leak through was indicated, pressurize to 75% test pressure. If leakage is indicated, immediately suspend the test. If the valve is suspected, replace the valve.
 - d. If no leak through was indicated, pressurize to test pressure. If leakage is indicated, immediately suspend the test. If the valve is suspected, replace the valve.

4.3. Testing of new, replaced, temporarily disconnected, or repaired customer service line piping and meter settings shall be in accordance with the Plumber's Guide (PG).

1. Service lines TEST PRESSURE
 - a. shall be 1.5 times MAOP but not less than 90 psig.
 - b. Temporarily disconnected or partially replaced LOW PRESSURE (less than 1 psig) BARE STEEL shall be tested at not less than 10 psig.
 - c. Test pressures greater than 125 psig consult your supervisor.
2. Service lines TEST DURATION.
 - a. Pipe sizes 2" or smaller shall be tested for not less than 5 minutes.
 - b. Temporarily disconnected LOW PRESSURE (less than 1 psig) BARE STEEL shall be tested for not less than 10 minutes.
 - b. Pipe sizes larger than 2", shall be tested in accordance with Attachment 1.

4.4. Testing of EXISTING customer service line piping and meter settings shall be in accordance with the following:

1. CGI testing is permitted at intervals over the service line and at the vicinity of the curb valve if gas was not off at the curb valve.
2. Pressure drop testing at operating pressure for 3 minutes is required if gas was turned off to the service line.

4.5. Testing of house lines and appliance(s) shall be in accordance with the National Fuel Gas Code (NFGC).

1. New piping shall be inspected and tested in accordance with the NFGC testing requirements, and
2. New piping and appliances shall have a "leak check" in accordance with the NFGC.
3. Existing piping and appliances shall have a "leak check" in accordance with the NFGC (normally operating pressure for 3 minutes).

4.6. Meter Set Assembly, all fittings that were disturbed, valve(s) that were operated, and all appliance piping and controls that were not included in the pressure test shall be leak checked.

4.7. Leakage detector (CGI in some cases) tests are required at the curb valve (if applicable), floor drains, gas service entrance, and if applicable, other utility entrances.

4.8. If provisions are made to maintain continuous service, such as by installation of a bypass, any portion of the original service line and/or house line used to maintain continuous service need not be tested.

5. Turning on Gas.

5.1. A NEW gas meter may be set and/or the gas turned on if the service line and meter setting are installed, inspected, and tested as new in accordance with the Plumber's Guide and the permanent house line piping shall meet at least one of the following requirements:

1. House line piping is properly connected to all appliance(s) and any unused trunk, branch, and/or stub piping shall be capped or plugged. Where required, there shall be documentation of an Approval for Natural Gas Service from the Building Code Official.
2. Where approval for natural gas service from the Building Code Official is not required, house line installation(s) shall include at least one appliance drop.

Note 1: When the meter is installed, Gas Company Personnel **SHALL** inspect and test, all installed house line(s) and appliances then purge, and place in operation (as required) all connected appliances prior to drywall or back fill of house lines.

Note 2: When applicable, Gas Company Personnel shall not hang a new meter when house lines or appliances are installed until Code Official has approved the house line installation and attached an "Approval Sticker" at the meter setting or front window.

5.2. An EXISTING premise gas may be turned on after all house piping and appliances are inspected and leakage checked in accordance with the NFGC and the service line is checked for leakage in accordance with 4.4.

6. Purging is the process of displacing air with natural gas from a new or repaired pipeline or displacing natural gas with air when repairing or abandoning a pipeline

1. Purge Points:

- a. At the service line prior to setting regulator flow and lockup.
- b. At the meter outlet while watching test dial to insure meter operation.
- c. At **ALL** connected appliances prior to lighting.

7. Service/High Pressure REGULATOR INSPECTION. Self Operated - Single Ported Service Regulators under 2", serving domestic or large volume meters, shall be inspected at the time of meter change, when a new meter or new regulator is installed, or when operational problems are suspected.

7.1. Standard Delivery Pressure – The regulator must be checked for the proper pressure during flow (set pressure) and that it will completely stop flow (lockup) with no demand.

1. Set the regulator flow (SET PRESSURE) at 7" WC.
2. Check LOCKUP pressure. If LOCKUP exceeds 12" WC, repair or replace the regulator. **THE LOCKUP PRESSURE SHALL NOT EXCEED 12 INCHES WATER COLUMN.**

7.2. FPFM (Fixed Pressure Factor Measurement) – If a higher set pressure is necessary to adequately serve the customer, the customer shall be advised to contact New Business. Never promise FPFM installations.

1. Set pressure is 0.5 psig (14" WC), replace or repair the regulator if Lockup exceeds 20" WC.
2. Set pressure is 2.0 psig or greater, replace or repair the regulator if Lock-up exceeds the set pressure by more than .25 psig.

Exception: A lock up test need not be performed on an existing service regulator serving more than one meter or when a bypass around the meter has been provided; however, the set pressure must be determined and corrected, if necessary.

7.3 Service/High Pressure REGULATOR SELECTION

1. Meter Settings **2 to 60 psig** require a **service regulator** with a **3/16" orifice** set to the required H.L. pressure.
2. Meter Settings **61 to 99 psig** require a **service regulator** with a **1/8" orifice** set to the required H.L. pressure.
3. Meter Settings **100 to 200 psig** require **1 HP reg.** with a **1/8" orifice** set @ **15-psig**-outlet pressure and a **service regulator** set to the required H.L. pressure.
4. Meter settings at **over 200 psig** require **2 HP reg.** with **1/8" orifices**, the **1st set @ 100 psig** outlet pressure, the **2nd is set @ 15 psig**, and a **service regulator** set to the required H.L. pressure.

8. Lighting Appliances shall be in accordance with the NFGC including Annex H.

8.1. Gas lines SHALL be purged at all connected appliances.

Warning: Piping shall not be purged into the combustion chamber of an appliance, confined space, or near sources of ignition. NEVER leave the purge point while purging is in progress.

8.2. All properly installed gas appliances, except new heating equipment, shall be lit and checked for safe operation.

1. New heating equipment shall not be lit or checked for safe operation. The appliance shall be tagged advising the customer to have the installer place the appliance into operation.
2. Appliances found to be unsafe shall be corrected or "Red Tagged" (see 8.4).
3. Appliances determined to be safe shall be left operational unless the customer requests otherwise.

8.3. All equipment shall be given the following checks, if applicable:

1. Check ignition safety device for proper operation.
2. Observe flame characteristics for proper combustion.
3. Check for proper draft.

8.4. If an unsafe condition is found on any connected gas appliance, the appliance shall be shut off at the appliance valve. A "Red Tag" shall be completed with the reason it is unsafe and attached to the valve or the appliance. The customer shall also be informed, verbally or in writing, why the appliance is unsafe and what must be done to correct the problem. A "Premise Audit Form" shall be completed on the MDT/DIS. Do NOT include Red Tag Comments in the order remarks.

9. Appliance Service

9.1. No Charge - This service will normally be performed in conjunction with other customer premise work such as, turning on gas for a new occupant, changing meters, and setting new meters. The following services shall be made to gas appliances without charge:

1. Combustion adjustments with the primary air shutter for proper flame characteristics.
2. Combustion/ventilation air checks.
3. Safety inspection of flue conditions.

9.2. All other types of service of a technical nature should be performed by a qualified external repairperson at the customers' expense. When customer requested appliance work is done by a company employee the following Ohio charges apply:

1. When appliance service is the primary reason for the order (AP).
 - a. During regular working hours: \$60.00 minimum and/or hourly charge and \$15.00 for each ¼ hour after the 1st hour.
 - b. Other than regular working hours: \$72.00 minimum and/or hourly charge and \$18.00 for each ¼ hour after the 1st hour.
2. When appliance service is NOT the primary reason for the order.
 - a. During regular working hours: \$15.00 for each ¼ hour.
 - b. Other than regular working hours: \$18.00 for each ¼ hour.

10. Leakage.

10.1 On all orders where service line and/or house line leakage is found a re-inspect is required. The account shall be coded "OF" (off for leakage). A return trip is necessary to clear the leak order.

10.2 When a meter(s) is/are located in basements suggest the meter(s) be moved outside. Meter(s) remaining in basements shall meet all current installation requirements. Meter(s) may be required to be moved outside only if the customer's leakage card and the MDT/DIS remarks indicate one or more of the following conditions:

1. Unauthorized gas consumption.
2. Evidence of tampering.
3. Unsafe location.
4. No access to meter(s) by all tenants and/or Gas Company Personnel.
5. Unsanitary basement conditions.

11. Records. Record the necessary information on the MDT or DIS Order. The following items shall be recorded:

11.1. Meter serial number, reading, kind and size code, temperature compensation code, pressure compensation code, and riser code along with any other required fields.

1. When the pressure compensation code is incorrect a Fixed Pressure Compensation by Computer (FPCC) Form 2245 shall be completed in addition to making changes on the MDT/DIS.

11.2. On new sets coded "OF", remark all conditions that need repaired or modified and what was reported to the customer in "remarks". On all other establishing or reestablishing orders use the premise audit form appropriately. A hand written detailed report shall be given to the customer or property owner regarding necessary repairs, modifications, or "Red Tag" conditions.

11.3. If follow up work is needed to complete the job, such as locate and clean curb box or change curb valve, then use the "Further Action Required" (FAR) giving a concise statement of what need to be done.

SPONSOR NAME (DEPARTMENT) Operations		POLICY/PROCEDURE REFERENCE NO. - 725-15(34)									
DATE ISSUED September 9, 2002		GENERAL SUBJECT: Service Operations									
EFFECTIVE DATE September 9, 2002		SUBSIDIARY SUBJECT: Service Procedures									
STATUS (NEW, REVISED OR CANCELLED) Revised											
TITLE Lighting Appliances When Establishing or Re-establishing Service											
PURPOSE To provide for the checking and lighting of appliances when establishing or reestablishing service.											
CROSS REFERENCE None											
<table><thead><tr><th colspan="2">Table of Contents</th><th>Page</th></tr></thead><tbody><tr><td>1.</td><td>General.....</td><td>1</td></tr><tr><td>2.</td><td>Establishing or Re-establishing Service</td><td>1</td></tr></tbody></table>			Table of Contents		Page	1.	General.....	1	2.	Establishing or Re-establishing Service	1
Table of Contents		Page									
1.	General.....	1									
2.	Establishing or Re-establishing Service	1									
<p>1. <u>General</u></p> <p>New heating equipment should not be lit or checked for safe operation. The customer should be advised to call the installer to put the heating equipment into operation.</p> <p>If the customer is not present, the heating equipment shall be tagged instructing the customer to have the installer put the equipment into operation.</p> <p>2. <u>Establishing or Re-establishing Service</u></p> <p>The following actions shall be performed when establishing, or re-establishing, service:</p> <ul style="list-style-type: none">a. Gas lines shall be purged to all appliances using the purging procedures as contained in Policy and Procedure Ref. No. 725-6, "Turning Gas on for a Connect or Reconnect".b. All properly installed gas burning appliances, except new heating equipment, shall be lit and checked for safe operation. Appliances determined to be safe shall be left operational unless the customer requests otherwise.c. All equipment shall be given the following checks, if applicable:<ul style="list-style-type: none">(1) Check ignition safety device for proper operation.											
THIS PROCEDURE ISSUED PER CORPORATE POLICY STATEMENT 580 WITH APPROVALS ON FILE.											

Ref. No. 725-15(34) Lighting Appliances When Establishing or Re-establishing Service

- (2) Observe flame characteristics for proper combustion.
- (3) Check for proper draft and ventilation.
- d. In the event an unsafe condition is discovered at an appliance(s), the gas to such appliance(s) shall be turned off and the appliance(s) shall be "red tagged" according to Policy and Procedure Ref. No. 725-1(34), "Use of Red Tag on Appliances." Gas service may then be established or re-established for those appliances in safe condition.

B. BARCLAY

NOTICE

All questions or other communications relating to this document should be sent to the International Approval Services-U.S. Inc. or the National Fire Protection Association Headquarters, addressed to the attention of the Committee responsible for the document.

For information on obtaining Formal Interpretations of the document, proposing amendments for Committee consideration, and appeals on matters relating to the content of the document, write to the Chairman, Accredited Standards Committee Z223, 8501 East Pleasant Valley Road, Cleveland, Ohio 44131 and the Secretary, Standards Council, National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101.

~~A statement, written or oral, that is not processed in accordance with the interpretation procedure of the Z223 Committee or with Section 5 of the Regulations Governing Committee Projects shall not be considered the position respectively of the Z223 Committee or the NFPA, and shall not be considered nor be relied upon as a Formal Interpretation.~~

→ Users of this document should consult applicable federal, state and local laws and regulations. The International Approval Services-U.S. Inc. and the National Fire Protection Association do not, by the publication of this document, intend to urge action that is not in compliance with applicable laws, and this document may not be construed as doing so.

Sixth Edition-1996
Printed in U.S.A.

Copyright © 1996 by the International Approval Services-U.S. Inc. and the National Fire Protection Association. Permission is granted to republish in full the material herein in laws, ordinances, regulations, administrative orders, or similar documents issued by public authorities. All others desiring permission to reproduce this material in whole or in part shall consult the International Approval Services-U.S. Inc., 8501 East Pleasant Valley Road, Cleveland, Ohio 44131 and the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101. (For further explanation, see the Policy Concerning the Adoption, Printing, and Publication of NFPA Documents, which is available upon request from the NFPA.)

98 97 96 5 4 3 2 1

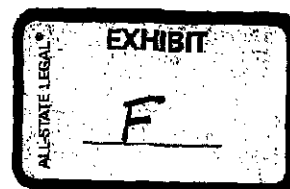
BASS
EXHIBIT

3

COH00000068

Dillon, James E.

From: CMcCreery@nisource.com
Sent: Tuesday, February 19, 2008 1:14 PM
To: Dillon, James E.
Subject: RE: Cameron Creek



Jim,

Rather than wait for everything to be wrapped up in a letter, I thought it advisable to provide you information on followup actions as we agreed. The following was provided to me by our standards compliance technical group as to the difference between a 6" diameter and 7" diameter cross section combustion vent air duct:

"The significance of the 7" vs- a 6" was that a single combustion ventilation air duct is used 1 square inch of cross sectional area will cover combustion for 3,000 BTUs. There are 100,000 BTUs in the closet for the apartment. (34,000 water htr & 66, 000 Furnace) The 6" round pipe has a cross sectional area of 28.26 sq inches.....so $28.26 \times 3,000 = 84,780$. (combustion / ventilation air brought in was insufficient hence it was turned down) However a 7" round pipe has a cross sectional area of 38.47 sq inches..... $38.47 \times 3,000 = 115,410$ (adequate combustion / ventilation air) This requirement was also in the 1997 IFGC code."

I have been in discussions with Rod Anderson, also inhouse counsel for Columbia, at our Columbus Ohio Headquarters. Rod would represent COH in any proceeding before the commission. At this point we are continuing to explore alternative solutions.

As we discussed, it would be helpful to know how much beyond the original \$73,000-\$ 75,000 quote the 7" solution would run.

thanks

Chuck McCreery
(304) 357-2334 (direct dial)
(304) 357-3206 (fax)
(304) 550-0583 (celluar)

CONFIDENTIALITY NOTE: This e-mail and any attachments are confidential and are protected by the attorney/client and work product legal privileges. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

Scanned by IBM Email Security Management Services powered by MessageLabs. For more information please visit <http://www.ers.ibm.com>
