

FILE

PUCO EXHIBIT FILING

Date of Hearing: 7/15/09

Case No. 08-1091-GA-CSS

PUCO Case Caption: \_\_\_\_\_

Cameron Creek Apartments

-VS-

Columbia Gas of Ohio, Inc.

Transcript - Volume I

List of exhibits being filed:

CCA Exs.

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Reporter's Signature: Maria DiPaolo Jones/Kst

Date Submitted: 7/24/09

PUCO

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the :  
Complaint of Cameron :  
Creek Apartments, :  
 :  
Complainant, :  
 :  
vs. : Case No. 08-1091-GA-CSS  
 :  
Columbia Gas of Ohio, :  
Inc., :  
 :  
Respondent. :

- - -

PROCEEDINGS

before Ms. Christine Pirik, Hearing Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11-F, Columbus, Ohio, called at 9:00  
a.m. on Wednesday, July 15, 2009.

- - -

VOLUME I

*4/29/09 Transcript docketed electronically*

ARMSTRONG & OKEY, INC.  
222 East Town Street, 2<sup>nd</sup> Floor  
Columbus, Ohio 43215  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

- - -

# EXHIBITS



City of Columbus  
Mayor Michael S. Coleman

Department of Development  
Barry Seiford M. Director

January 22, 2003

Ms. Melinda McClain  
Regional Manager  
Camden Creek Apartments  
1900 Cardinal Trail Drive  
Columbus Ohio 43119

Office of the Director  
100 N. Gay St.  
Columbus, OH 43260-1000  
(614) 442-6000  
(614) 442-6000 (TDD)

Building Services Division  
100 N. Gay St.  
Columbus, OH 43260-1000  
(614) 442-6000  
(614) 442-6000 (TDD)

Construction Department  
100 N. Gay St.  
Columbus, OH 43260-1000  
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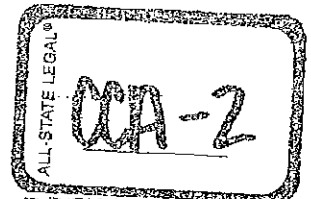
Dear Ms. McClain:

Per your request, this letter is concerning the combustion air requirements for the above referenced project. On December 27, 2007 I met at site with James Starnier, Starnier's Heating and Cooling, and two gentlemen associated with Camden Creek Apartments. Mr. Starnier's concern was providing outdoor combustion air for the fuel-gas appliances located within equipment rooms due to the existing conditions of the building. One suggestion was to acquire the outdoor combustion air from the attic. In order to obtain the outdoor combustion air from the attic, it would be necessary to provide fire dampers at the fire-rated floor / ceiling assemblies. The fire dampers would then have to be interlocked with the firing-cycle of the fuel-gas appliances to meet current code requirements. Along with the maintenance of the fire dampers in accordance with the manufacturer's listing.

Due to the mechanical equipment appeared to be in good condition and there was no evidence that the mechanical systems or structure has been altered from its original approval, I explained that per the State of Ohio Building Code (Section 103.6), the City of Columbus Building Department could not require that the combustion air meet current code requirements (or be retroactive) unless it was deemed to be a serious safety issue. The buildings were constructed approximately 10 years ago (1997 - 1998) and had obtained plan and inspection approvals at that time. To my knowledge there is no evidence or record that a serious safety issue has occurred or is probable with the existing conditions. The City also cannot require that changes be made that vary from the original approval obtained from the building department. I informed Mr. Starnier that a permit and inspection approval from our department would be required if any changes, additions or alterations were made to the existing system.

Please contact me at (614) 645-5270 or by e-mail at [clueahing@columbus.gov](mailto:clueahing@columbus.gov) if you should have any questions regarding this matter.

Sincerely,  
*Cheryl Roehrig*  
Cheryl Roehrig  
Mechanical Inspection Supervisor  
City of Columbus, Ohio.



COH00000681

EXHIBIT

February 14, 2008

Name:

Property Owner/Manager  
Cameron Creek Apartments  
1900 Cardinal Trail Dr.  
Galloway, Ohio 43119

RE: Gas service at Cameron Creek Apartments  
Galloway, Ohio 43119

To Whom It May Concern:

On February 8, 2008 a Columbia Gas of Ohio Inc. field service technician discovered a non-hazardous leak on the meter setting that serves 1941, 1945, 1949, 1953, 1957 and 1961 Red Forest Lane in Galloway Ohio. At that time your property management group was given 30 days to remedy the leak and bring the previous deficiencies out lined in our January 14, 2008 letter up to code for these 6 units that will be interrupted for leakage repair.

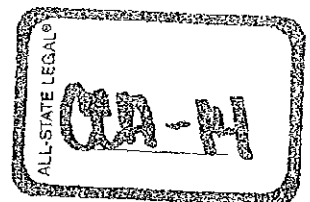
Remedial measures to correct these combustion ventilation issues associated with the units referenced above will need to be completed as soon as possible and no later than March 9, 2008. ✓  
Columbia Gas of Ohio, Inc. will not be reestablishing any interrupted gas service until this unsatisfactory condition is corrected.

Only a Columbia employee or a company authorized representative may establish or re-establish gas service, which includes the operation of the meter or curb valve. The Plumber/Property Owner is not allowed to establish or re-establish gas service from either the meter valve or the curb valve.

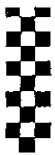
Finally, as noted in our letter of January 14, 2008, Columbia needs to be advised of your plans to remedy this unacceptable condition and all others within the apartment complex where gas service is currently established.

Sincerely,

Owen Garrett  
Field Operations Leader  
Columbia Gas of Ohio, Inc.

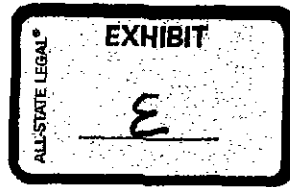


COH00001026



Feb. 20, 2008 3:15PM EMERALD EDGE APTS

CCA 141A No. 27796 P. 11



Columbia Gas<sup>®</sup>  
of Ohio

A NiSource Company

820 W. Goodale Blvd.  
Columbus, OH 43212

February 18, 2008

Melinda McClain  
Regional Manager  
Cameron Creek Apartments  
1900 Cardinal Trail Dr.  
Galloway, Ohio 43119

RE: Gas service at Cameron Creek Apartments  
Galloway, Ohio 43119

To Whom It May Concern:

On February 8, 2008 a Columbia Gas of Ohio Inc. field service technician discovered a non-hazardous leak on the meter setting that serves 1941, 1945, 1949, 1953, 1957 and 1961 Red Forest Lane in Galloway Ohio. At that time your property management group was given 30 days to remedy the leak and bring the previous deficiencies out lined in our January 14, 2008 letter up to code for these 6 units that will be interrupted for leakage repair.

Remedial measures to correct these combustion ventilation issues associated with the units referenced above will need to be completed as soon as possible and no later than March 9, 2008. Columbia Gas of Ohio, Inc. will not be reestablishing any interrupted gas service until this unsatisfactory condition is corrected.

Only a Columbia employee or a company-authorized representative may establish or re-establish gas service, which includes the operation of the meter or curb valve. The Plumber/Property Owner is not allowed to establish or re-establish gas service from either the meter valve or the curb valve.

Finally, as noted in our letter of January 14, 2008, Columbia needs to be advised of your plans to remedy this unacceptable condition and all others within the apartment complex where gas service is currently established.

Sincerely,

Owen Garrett  
Field Operations Leader  
Columbia Gas of Ohio, Inc.

EXHIBIT



Columbus West Operations

Columbia Gas<sup>®</sup>  
of Ohio

A NiSource Company

920 W. GODDARD BOULEVARD  
COLUMBUS, OH 43212

January 14, 2007 <sup>8</sup>

Property Owner/Manager  
Cameron Creek Apartments  
1900 Cardinal Trail Dr.  
Galloway, Ohio 43119

RE: Gas service at Cameron Creek Apartments  
Galloway, Ohio 43119

To Whom It May Concern:

Columbia Gas of Ohio Inc. has recently been made aware that combustion ventilation air is being utilized from spaces adjacent to the water heating and gas furnace closet in apartments within the Cameron Creek apartment complex. According to the National Fuel Gas Code (NFPA) each of these rooms shall have provisions for an adequate supply of combustion, ventilation, and dilution air that is not supplied from the habitable space. Please refer to sections 7.6.4 & 6.30.1 the 1996 NFPA that was in effect when the apartment complex was constructed.

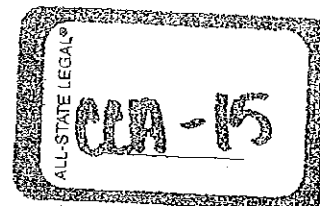
Remedial measures to correct these combustion ventilation issues will need to be done as soon as possible to ensure tenant safety. Columbia Gas of Ohio, Inc. will not be reestablishing any interrupted gas service until this unsatisfactory condition is corrected.

"Finally, Columbia needs to be advised of your plans to remedy this unacceptable condition for apartments where gas service is currently established."

Sincerely,



Owen Garrett  
Field Operations Leader  
Columbia Gas of Ohio, Inc.



COH00000740

EXHIBIT

Cameron Creek Apartment  
Meeting with City of Columbus  
March 19, 2008  
- Agenda

Introduction

Rob Smith -- Compliance Specialist  
Michael Ramsey -- Operations Compliance Manager  
Darnita Bradley -- Mgr. Local Governmental Affairs

Background/History -- Cameron Creek Apartments

Current Issues -- 60 Days (Feb. 23 until Apr. 22) layout our position  
City layout their plans that it was in compliance  
How do we address future situations?  
We can't determine if ever met code -- what code was used?  
The city/state is the final authority on code compliance

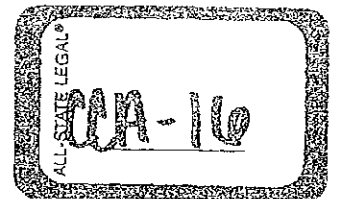
Identify Solutions -- HUD funding, County or City?

Next Steps

Follow up w/Sam -- BIA

Mike Purcell -- PUCO (Ed Steele) they don't need to be involved, backing out of it. Downstream not theirs to regulate -- beyond the scope of what PUCO is to do.

*HLB - Co. HUD wind*



COH00000840

EXHIBIT

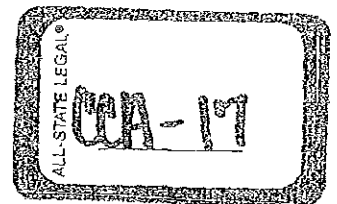
Meeting on Cameron Creek Apartments  
July 31, 2008

In attendance Owen Garrel, Michael Ramsey, Rob Smith, Carl Billisits - The Monticello Group, Joe Bush- Consultant (Former Head of Columbus Building Inspection Dept), Mike (we did not get his last name); Mike is a consultant used by the Monticello Group who has worked with construction community in Columbus for 25 years

Tone of the meeting with Cameron Creek's representatives was positive.

Carl Billisits firm was contacted by Sun America the owners of Cameron Creeks to provide a report on solutions for the Cameron Creeks combustion air/ventilation issues. Carl stated his goal for the meeting was to identify what our safety concerns were with any specific items that needed to be addressed so that they could be included in his report.

- Carl has received partial prints for some of the sections of apartment's, but as of the meeting had not received a full set of plans for the units at Cameron Creek Apartments.
- Carl went on to say that he has been looking at the 164 units that were in question. Rob informed Carl that it was just recently brought to our attention that the balance of the 262 units also had issues with sharing of common vents and obtaining combustion air from the habitable space. (against code)
- Rob summarized the two issues that Columbia believes need to be addressed: First, commonly vented equipment is not supplied with combustion ventilation air from outside the habitable space. Second, heating and water heating equipment is installed in bathroom closets and the doors are not self closing or weather stripped.
- Rob explained that he was contacted by Cheryl Roahrig from the City of Columbus Mechanical Inspection concerning Columbia's requirement that modifications be made to for the combustion and ventilation are for these units. Ms. Roahrig noted that the City would require permits for the remediation of the units in question.
- We had a discussion of the City of Columbus' position on the codes were in effect when the units were built. We also indicated that we believe that at the time the meters for Cameron Creeks were set, only customer service line, the meter setting and a stub house line were installed.
- We explained that we have documentation of two separate CO issues at Cameron Creeks that we believe were related to the current combustion ventilation air configuration that obtains air from the habitable space/ bathroom.
- They asked if Columbia had a list of items that needed addressed and we explained that this information had been previously supplied to Cameron Creeks through our legal counsel. They asked if we would consider allowing them to remediate only a portion of the items. We indicated that the combustion/ventilation needed to be brought up to the current code which included the possible use of an "engineered solution" by a Professional Engineer. We indicated that we would need to review the documentation for an "engineered solution.



COH00009602

- Carl Billisits specifically asked if Columbia had knowledge of any other apartment complexes that had similar combustion/ventilation air issues. We indicated that we had no specific knowledge of issues at other apartment complexes. We did let them know that the City of Columbus had indicated that there other apartment complexes in Columbus with similar issues. They mentioned that Sun America owned and operated a large amount of Commercial real estate / apartments and that this was an area of concern.
- Joe Busch indicated that he would be performing a through review of the codes that were in force at the time the Cameron Creek Apartments were built.
- They committed to get back to Michael Ramsey and the meeting adjourned.

## Meeting on Cameron Creek Apartments July 31, 2008

In attendance Owen Garret, Michael Ramsey, Rob Smith, Carl Billisits - The Monticello Group, Joe Bush - Consultant (Former Head of Columbus Building Inspection Dept), Mike (we did not get his last name); Mike is a consultant used by the Monticello Group who has worked with construction community in Columbus for 25 years

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- Joe Busch indicated that he would be performing a through review of the codes that were in force at the time the Cameron Creek Apartments were built.
- They committed to get back to Michael Ramsey and the meeting adjourned.



EXHIBIT

Meeting

7-31-08

→ Goal → working on getting  
full set of Plans ~ 160  
units

Joe  
Paul  
Mike → Goal → look at what our  
Safety concerns are → with  
Items need to include - in  
report

→ Rob - us NRC → change  
contracted us

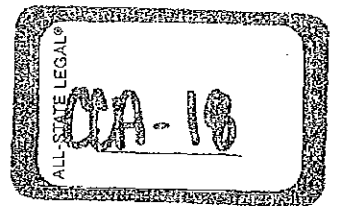
→ Red Tagged heat & H<sub>2</sub>O too  
need for modifications →

\* → We enforce code at time of meeting  
set - Rob

→ Cited code for in enclosed spaces  
code

→ Equipment → common work on  
more that one floor

→ Gordon 2nd + other 3rd - interlocking  
→ all share common Events



COH00000732

①

→ Prior to Code → permits were issued → took time to build out → seems to be a gap →

→ Joe → Clarified → plans good to code for 6 months to go work started → continuous construction prevents a reapproval of plans for code changes.

→ Also I mention we do have

→ Joe → yellow card → state we will be coming in →

→ We discussed the two CO ~~incidents~~ incidents we experienced → Event not well documented → Second - Shower on

→

EXHIBIT

From: Dave Monte  
Sent: Tuesday, September 2, 2008 12:35 PM  
To: Michael Ramsey  
Cc: Charles McCreery  
Subject: Re: NEED SOME HELP: Cameron Creek Apartments

---

That is much better..... thanks

Michael Ramsey/COH/Enterprise  
09/02/2008 12:26 PM

To  
Dave Monte/COH/Enterprise@NiSource  
cc  
Charles McCreery/TCO/Enterprise@nsource, Damita  
Bradley/COH/Enterprise@nsource, Jack Partridge/COH/Enterprise@nsource, Owen  
Garrett/COH/Enterprise@nsource, Richard Farmer/TCO/Enterprise@nsource, Rob  
Smith/COH/Enterprise@nsource, Samuel Gerhardtstein/COH/Enterprise@nsource,  
Steve Jablonski/COH/Enterprise@nsource, Steve  
Sylvester/COH/Enterprise@nsource, Suzanne Surface/COH/Enterprise@nsource  
Subject  
Re: NEED SOME HELP: Cameron Creek Apartments

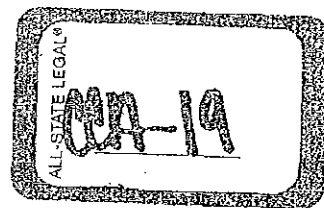
Dave,

I wanted to suggest an expansion of the second bullet point to emphasize that these apartments have never meet any recognized national or international code:

At the time of plan approval and installation for Cameron Creek, the City of Columbus were using their own building codes. The plans and installations for Cameron Creek did not meet the requirements of the National Fuel Gas Code nor the International Fuel Gas Code that were in effect at that time of construction. The City of Columbus has since adopted the International Fuel Gas Code.

Thanks, Michael  
Office - 614-460-4731  
Fax - 614-460-4265  
Cell - 614-554-4100

Dave Monte/COH/Enterprise  
08/31/2008 09:30 PM



COH00002949

1

To  
Jack Partridge/COH/Enterprise@NiSource

cc  
Charles McCreery/TCO/Enterprise@NiSource, Darnita  
Bradley/COH/Enterprise@NiSource, Michael Ramsey/COH/Enterprise@NiSource, Owen  
Garrett/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource, Rob  
Smith/COH/Enterprise@NiSource, Samuel Gerhardstein/COH/Enterprise@NiSource,  
Steve Jablonski/COH/Enterprise@NiSource, Steve  
Sylvester/COH/Enterprise@NiSource, Suzanne Surface/COH/Enterprise@NiSource  
Subject

Re: NEED SOME HELP: Cameron Creek Apartments

Sam,

My thoughts.... everyone please weigh-in.

We need to make this meeting happen as quickly as possible, the heating season  
will here quickly. Some key messages we can consider discussing....

This is about the safety of the customers at Cameron Creek.

While the initial installation was up to code, the code has changed..... for  
good reason.

People can die from CO poisoning, we have has two incidents at Cameron Creek  
this year already, there would more this winter if we left the gas on into the  
heating season.

We have already made concessions, met with Cameron Creek and given them  
options, they have given us no indication that will correct the situation.

This is not a cost Columbia is authorized to absorb in our current rate  
structure/tariff .... it is the customer's responsibility.

We will terminate gas services to those units not up to code on October 13th.

Service will be restored once the installations are remediated.

We have communicated this to Cameron Creek and will communicate it to the  
residents, the city and the PUCO next week.

Jack Partridge/COH/Enterprise  
08/30/2008 04:25 PM

To  
Charles McCreery/TCO/Enterprise@NiSource  
cc  
Darnita Bradley/COH/Enterprise@NiSource, Dave Monte/COH/Enterprise@NiSource,

COH00002950

2

Michael Ramsey/COH/Enterprise@NiSource, Owen Garrett/COH/Enterprise@NiSource,  
Richard Farmer/TCO/Enterprise@NiSource, Rob Smith/COH/Enterprise@NiSource,  
Samuel Gerhardstein/COH/Enterprise@NiSource, Steve  
Jablonski/COH/Enterprise@NiSource, Steve Sylvester/COH/Enterprise@NiSource,  
Suzanne Surface/COH/Enterprise@NiSource  
Subject  
Re: NEED SOME HELP: Cameron Creek Apartments

Charles McCreery/TCO/Enterprise  
08/29/2008 02:01 PM

To  
Samuel Gerhardstein/COH/Enterprise@NiSource  
cc  
Darnita Bradley/COH/Enterprise@nisource, Dave Monte/COH/Enterprise@nisource,  
Jack Partridge/COH/Enterprise@nisource, Michael Ramsey/COH/Enterprise@nisource,  
Owen Garrett/COH/Enterprise@nisource, Richard Farmer/TCO/Enterprise@nisource,  
Rob Smith/COH/Enterprise@nisource, Steve Jablonski/COH/Enterprise@nisource,  
Steve Sylvester/COH/Enterprise@nisource, Suzanne Surface/COH/Enterprise@nisource  
Subject  
Re: NEED SOME HELP: Cameron Creek Apartments

Sam,

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

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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

COH00002951

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.

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• Samuel Gerhardtstein/COH/Enterprise  
08/29/2008 01:41 PM

• To  
Charles McCreery/TCO/Enterprise@NiSource  
cc  
Darnita Bradley/COB/Enterprise@NiSource, Dave Monte/COH/Enterprise@NiSource,  
Jack Partridge/COH/Enterprise@NiSource, Michael Ramsey/COH/Enterprise@NiSource,  
Owen Garrett/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource,  
Rob Smith/COH/Enterprise@NiSource, Steve Jablonski/COH/Enterprise@NiSource,  
Steve Sylvester/COH/Enterprise@NiSource, Suzanne Surface/COH/Enterprise@NiSource  
Subject  
NEED SOME HELP: Cameron Creek Apartments

FYI -- Rep. Jim Hughes called to ask about this situation. Tom Hart contacted him, and Jim said he thought that if we could all sit down and talk this through, the situation could be resolved. That sounds very much like Tom Hart's initial overture to me many months ago.

I told Jim that there is a long history, and that we have bent over backwards to work with the owners, but that we have real concerns about safety. I need to call him back today, so please let me know ASAP if there are any new developments at all.

Also, I fully expect a meeting to result from Jim's involvement. I'll need to know who from Columbia would need to attend.

Sara E. Gerhardtstein  
Director, Governmental Affairs  
Columbia Gas of Ohio, Inc.  
200 Civic Center Drive  
Columbus, OH 43215  
614-460-4696

Charles McCreery/TCO/Enterprise  
08/13/2008 08:45 AM

To  
Darnita Bradley/COH/Enterprise@nisource, Dave Monte/COH/Enterprise@nisource,  
Michael Ramsey/COH/Enterprise@nisource, Owen Garrett/COH/Enterprise@nisource,

---

COH00002952

4



Rob Smith/COH/Enterprise@nsource, Steve Jablonski/COH/Enterprise@nsource,  
Steve Sylvester/COH/Enterprise@nsource, Suzanne  
Surface/COH/Enterprise@NiSource, Samuel Gerhardstein/COH/Enterprise@NiSource,  
Nick Partridge/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource

Subject  
Fw: Cameron Creek Apartments

[REDACTED]

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

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----- Forwarded by Charles McCreery/TCO/Enterprise on 08/13/2008 08:43 AM -----

Charles McCreery/TCO/Enterprise  
08/13/2008 08:13 AM

To  
JDillon@thompsoncoburn.com  
cc

Subject  
Cameron Creek Apartments

Dear Jim,

As you know representatives of Columbia Gas of Ohio met with Mr. Billisits and Mr. Bush on July 31 to discuss the issues surrounding the installation of the gas water heater and furnace units in the 262 units at Cameron Creek Apartments. While Columbia appreciated this opportunity, the fact remains that the units remain out of compliance with the National and International Fuel Gas codes regarding the source of combustion/dilution air for the appliances and

COH00002953

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thus represent a safety risk. Further, there is no current plan for remediation  
of the situation.

the past 12 months there were also 2 carbon monoxide events at the complex. While the first might arguably be attributed to a faulty water heater, the second, more recent event, represents the risk associated with this type of installation. Our understanding is that the guest of a tenant was taking a shower when the CO detector alarm triggered. In talking to our technical people, it appears the heavy moisture content of the air in the bathroom rendered less oxygen available for the appliances, which in turn caused incomplete combustion that produced the carbon monoxide and tripped the alarm. Again, one is left to speculate what may have happened if the detector had malfunctioned.

Please be advised that Cameron Creek and/or its owner must produce a complete remediation plan for Columbia's review no later than Friday, September 12, 2008. Upon receipt Columbia will review it, and approve the plan if it will bring the units into compliance with the National Fuel Gas Code requirements. As discussed at the July 31 meeting, the remediation plan could entail an engineered solution for Columbia's review. Additionally, all 262 units must be brought into compliance with the code, pursuant to the approved plan, no later than October 13, 2008 or Columbia will thereafter begin termination of service to all apartments with water heater/furnace installations that remain non-compliant.

As you are aware, we are on the verge of the next fall/winter heating season and the situation must be rectified before colder weather arrives.

Chuck McCrery  
(304) 357-2334 (direct dial)  
(304) 357-3206 (fax)

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EXHIBIT

From: Michael Ramsey

Sent: 08/11/2008 11:24 PM EDT

To: Dave Monte

Cc: Charles McCreery; Jack Partridge; Richard Farmer; Suzanne Surface;

•Steve Sylvester

Subject: Re: Cameron Creek Apts.

I like the idea of taking action to bring this to a conclusion. I will note that Cameron Creeks has just started the process of looking for an engineered solution and I do not anticipate that they will be able to make the necessary modifications to bring all units up to code in a month (with or without an engineered solution).

Would we consider an alternative of requiring Cameron Creeks to have a corrective action plan in place in 30 days (or less) and completion of the required modifications to all units by mid-October?

In either case Columbia will need an extensive communication plan for stake holder prior to beginning the shut offs.

Thanks, Michael

Office - 614-460-4731

Fax - 614-460-4265

Cell - 614-554-4100

Dave Monte/COH/Enterprise

08/11/2008 03:25 PM

To

Charles McCreery/TCO/Enterprise@NiSource

cc

Michael Ramsey/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource,

"Jack Partridge" <jpartridge@nisource.com>, "Mr. Steve Sylvester"

<ssylvester@nisource.com>, "Suzanne Surface" <ssurface@nisource.com>

Subject

Re: Cameron Creek Apts.

----- Original Message -----

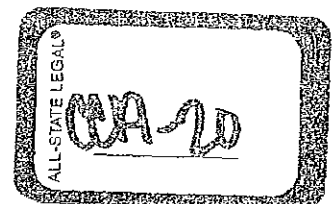
From: Charles McCreery

Sent: 08/11/2008 02:54 PM EDT

To: Dave Monte

Cc: Michael Ramsey; Richard Farmer

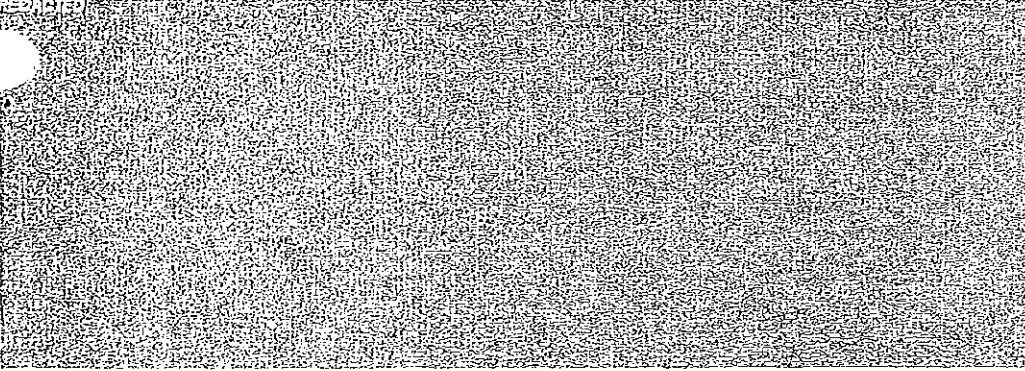
Subject: Cameron Creek Apts.



COH00002235

(1)

Dave,



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

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Fax 614-460-6986

Cell 614-620-4463

Jack Partridge/COH/Enterprise  
08/12/2008 07:30 AM

To  
Dave Monte/COH/Enterprise@NiSource  
cc  
Charles McCreery/TCO/Enterprise@NiSource, Michael  
Ramsey/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource, "Steve  
Jablonski" <sjablonski@nisource.com>, Steve Sylvester/COH/Enterprise@NiSource,  
Suzanne Surface/COH/Enterprise@NiSource, Damita Bradley/COH/Enterprise@NiSource  
Subject  
Re: Cameron Creek Apts.

Let's copy Damita on these notes

Dave Monte/COH/Enterprise  
08/12/2008 07:10 AM

To  
Michael Ramsey/COH/Enterprise@NiSource  
cc  
Charles McCreery/TCO/Enterprise@NiSource, Jack  
Partridge/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource,  
Suzanne Surface/COH/Enterprise@NiSource, Steve  
Sylvester/COH/Enterprise@NiSource, "Steve Jablonski" <sjablonski@nisource.com>  
Subject  
Re: Cameron Creek Apts.

Based on the last discussion I had regarding the equipment I think we can be  
reasonable but need to push them to move as fast as possible. We have to have  
them fixed or off by the first cold day of the heating season.

----- Original Message -----

COH00002234

3

EXHIBIT

From: Michael Ramsey  
Sent: Tuesday, August 12, 2008 10:03 PM  
Cc: Charles McCreery; Dave Monte; Jack Partridge; Richard Farmer; Steve Jablonski <sjablonski@nsource.com>; Steve Sylvester; Suzanne Surface; Darnita Bradley; Rob Smith  
Subject: Cameron Creek Apts. - Conversation with Ed Steele

---

FYI,

I talked to Ed Steele today and mentioned our intention to take a strong stance to resolve the issues at Cameron Creek Apartments. Ed indicated that because Columbia has referenced the National Fuel Gas Code in our O&M plan that he did not see any problems with us solving this public safety issue. I committed to keep Ed informed as we move forward.

Thanks, Michael  
Office - 614-460-4731  
Fax - 614-460-4265  
Cell - 614-554-4100

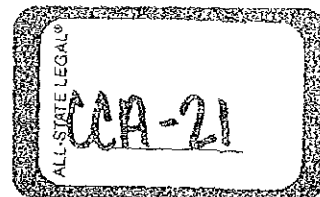
Darnita Bradley/COH/Enterprise  
08/12/2008 07:23 PM

To  
Jack Partridge/COH/Enterprise@NiSource  
cc  
Charles McCreery/TCO/Enterprise@NiSource, Dave Monte/COH/Enterprise@NiSource,  
Michael Ramsey/COH/Enterprise@NiSource, Richard Farmer/TCO/Enterprise@NiSource,  
"Steve Jablonski" <sjablonski@nsource.com>, Steve  
Sylvester/COH/Enterprise@NiSource, Suzanne Surface/COH/Enterprise@NiSource  
Subject  
Re: Cameron Creek Apts.

Jack,

Once legal sends the notice to Cameron Creek, I will take the lead on notifying the City of Columbus and other interested stakeholders.

Darnita Bradley  
Manager Local Governmental Policy  
Columbia Gas of Ohio  
200 Civic Center Drive  
Columbus, Ohio 43215  
Office 614-460-4615



COH00002235



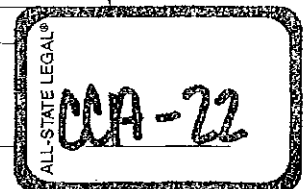
EXHIBIT

SPONSOR NAME (DEPARTMENT)		POLICY/PROCEDURE REFERENCE NO. - 725-2
Engineering - Service Operations		GENERAL SUBJECT: Service Operations
DATE ISSUED	EFFECTIVE DATE	SUBSIDIARY SUBJECT:
February 21, 1992	February 21, 1992	Service Procedures
STATUS (NEW, REVISED OR CANCELLED)		
Revised		
TITLE		
Advising Customers Concerning New or Replaced Customer Owned Service Lines		
PURPOSE		
To advise customers concerning new or replacement piping.		
CROSS REFERENCE		
Code of Federal Regulations - Title 49 - Part 192 - Subpart H.		
Table of Contents		Page
1. General.....		1
2. 2. Customer, Plumber or Builder Information.....		1
<p>1. General</p> <p>When requested, the Company representative will advise the customer concerning new or replacement customer owned service lines. The customer owned service line and Company-owned meter set assembly shall be sized and installed in accordance with Form C 2235, "Standards for Customer Owned Service Lines" ("Plumber's Guide"). Whereas house lines shall be sized and installed according to the "National Fuel Gas Code" (ANSI Z 223.1-NFPA 54).</p> <p>Company owned customer service lines are installed in accordance with Policy and Procedure Reference No. 640-2, "Service Lines."</p> <p>2. Customer, Plumber or Builder Information</p> <p>A Company representative will provide the customer, plumber or builder with the following information; as applicable:</p> <ol style="list-style-type: none"> <li>If a main extension is required, the terms and conditions of the extension.</li> <li>Indicate the location where the customer owned service line connection is to be made to the Company's service line.</li> <li>Location of the meter set assembly and, if required, provide guidance regarding its protection against damage.</li> </ol>		

THIS PROCEDURE ISSUED PER CORPORATE POLICY STATEMENT 500 WITH APPROVALS ON FILE.

FORM C 174A PC  
(8-01)

4957



COH00000755

Advising Customers Concerning New or  
Replaced Customer Owned Service Lines

- d. Provide physical service line information requirements regarding:
  - (1) Construction materials, such as pipe, location wire, service riser and pipe fittings;
  - (2) If steel, corrosion protection requirements; e.g., coating and anodes;
  - (3) Trench alignment, depth and backfill requirements;
  - (4) Building wall service entry requirements, when meter is to be located inside.
- e. House line installation requirements by directing the customer, plumber or builder attention to the "National Fuel Gas Code" (ANSI Z 223.1-NFPA 54). If requested, the Company representative may furnish more detailed guidance to explain the NFGC.
- f. Inspection and test requirements prior to establishment of gas service, such as:
  - (1) "Open Ditch" visual inspection;
  - (2) Service line pressure testing. See Policy and Procedure Reference Nos. 725-3, "Testing of Customer Owned Service Line Installation over 2"," and 725-4, "Inspection and Testing of New or Replaced Customer Owned Service Lines 2" and Under."
- g. Regarding setting of meter, Company representative will explain that if service is not to begin at the time of pressure testing that the customer or builder must call afterwards to have the meter set and gas turned on. See Policy and Procedure Reference No. 725-5, "Methods for Testing Existing Customer's House and/or Service Lines."

EXHIBIT

**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.

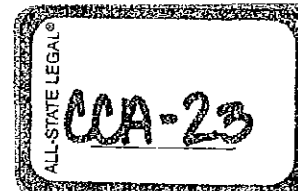
Proprietary: RCT LS, RS, DB 2/20/02 SH Establish Gas Svc Rev 9/17/08

**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,

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**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 1<sup>st</sup> 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.

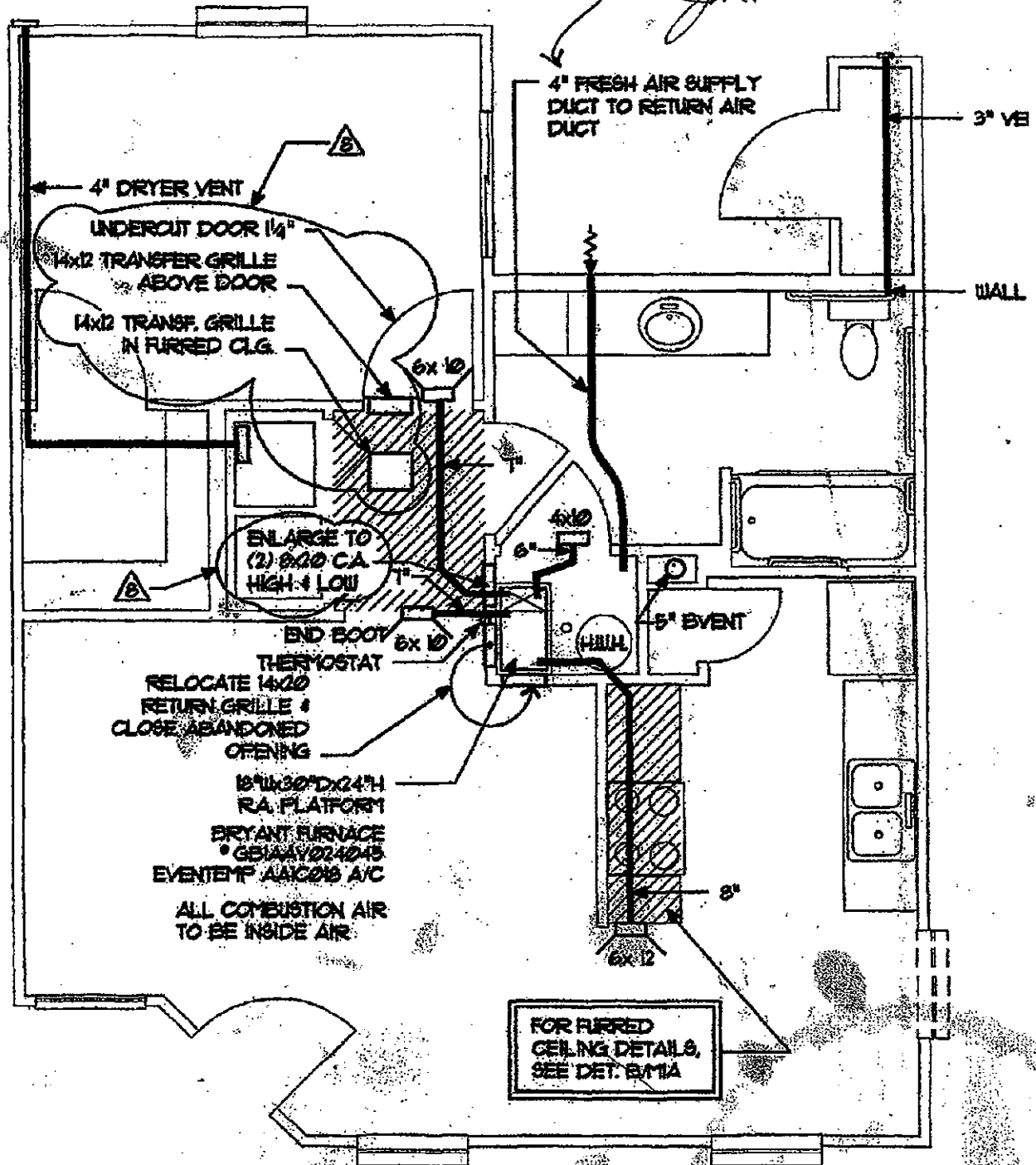
9.2. All other types of service of a technical nature should be performed by a qualified external repairperson at the customers' expense. When customer requested appliance work is done by a company employee the following Ohio charges apply:

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 1<sup>st</sup> hour.
  - b. Other than regular working hours: \$72.00 minimum and/or hourly charge and \$18.00 for each ¼ hour after the 1<sup>st</sup> 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.

EXHIBIT

CCA 44.38

DAN: I JUST CONFIRMED WITH THE ON-SITE PEOPLE THAT THIS 4" FRESH AIR SUPPLY DUCT IS IN ALL THE UTILITY ROOMS. I ASKED THEM TO SEND US A PHOTO.



## UNITS A & B - FIRST FLOOR MECH.

SCALE: 1/4" = 1'-0"

THE CEILINGS OF THE FIRST FLOOR ARE RATED.

ALL DUCTS LOCATED IN SPOOTS BELOW RATED CEILING TO BE RATED.