

**USW Local 11-6's Response to Laclede Gas Company's
First Set of Data Requests
Case No. GC-2006-0060**

FILED²

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Missouri Public
Service Commission

1. Please provide copies of all correspondence, letters, notes, pamphlets, hand-outs or other written materials produced by or under the supervision of the Union or any of its members within the past twelve months which address or refer to, either directly or indirectly, any of the matters alleged or otherwise addressed by the Union in its Complaint or Amended Complaint in the proceeding.

RESPONSE: USW Local 11-6 will produce documents responsive to this request.

2. For each of the documents provided in response to Data Request No. 1, please provide the date that the document was prepared, who prepared it, all persons who reviewed it and all persons who were provided a copy of the document by the Union or any of its members.

RESPONSE: The pamphlet was compiled by Mike Pona, Vice-President of USW Local 11-6, from articles previously published in other media and was distributed to some of Local 11-6's members. The notes of hazards were prepared by members of USW Local 11-6, without attribution, and were reviewed by Joe Schulte and Pat White, who compiled the notes into the exhibit attached to USW Local 11-6's motion for immediate relief. The Resolutions were prepared by Shawn Gilchrist, a representative of the USW International, were reviewed by Joe Schulte, and were distributed to various alderpersons and councilpersons.

3. Please provide written summaries or notes of all oral communications made by or between the Union, its members and any third party during the past twelve months which address or refer to, either directly or indirectly, any of the matters alleged or otherwise addressed by the Union in its Complaint or Amended Complaint in the proceeding.

RESPONSE: USW Local 11-6 objects to this request on the grounds that it is overbroad and calls for information protected by the attorney-client privilege. USW Local 11-6 states further that no "written summaries or notes" of oral communications exist that are responsive to this request. Notwithstanding these objections, USW Local 11-6 states that Joe Schulte informed the union's members at membership meetings that Laclede Gas was requesting a tariff revision regarding annual meter reads and turn off/turn on inspections. Joe Schulte has also addressed several local governmental entities to discuss the resolutions produced in response to request 1. His comments to these public bodies are a matter of public record.

Exhibit No. 14
Case No(s) GC-2006-0060
Date 5-22-06 Rptr KF

4. For each of the alleged "hazards" identified in Exhibits 1, 2 and 3 to the February 3, 2006, Affidavit of Joseph Schulte in this case, please provide:

(a) the name of the employee who identified the hazard;

RESPONSE: The employees who identified the hazards in Exhibits 1, 2, and 3 to the February 3, 2006, Affidavit of Joseph Schulte submitted written notes of found hazards, which were produced in response to both DR 1 and DR 4(b), but did not include their names for fear of retribution by Laclede Gas Company. Thus, USW Local 11-6 does not know which employee submitted the produced notes. However, as is evidenced by DRs 9-11, 14-15, and 19-20, Laclede maintains the records that would enable it to determine the identity of the serviceperson who found the hazards.

(b) a copy of all materials prepared and provided by the employee to the Union, its members, or any third party in connection with that employee's identification of such alleged hazard;

RESPONSE: See response to DR 1.

(c) a full and complete statement by the employee who identified the alleged hazard as to when or over what period of time the alleged hazard developed or would have developed;

RESPONSE: USW Local 11-6 does not know the identity of the employees who identified the hazards, nor does it have any written statements by employees regarding the hazards.

(d) a full and complete statement by the employee who identified the alleged hazard as to whether the alleged hazard could and should have been detected (or a full and complete explanation of why the hazard should not have been detected) had a TFTO inspection been previously conducted by a Laclede employee within:

- (i) 30 days;
- (ii) 60 days;
- (iii) 90 days;
- (iv) 120 days; and/or
- (v) one year;

of the date the alleged hazard was identified by the employee.

RESPONSE: USW Local 11-6 does not know the identity of the employees who identified the hazards, nor does it have any written statements by employees regarding the hazards.

- (e) a full and complete statement by the employee who identified the alleged hazard as to whether the alleged hazard could and should have been detected (or a full and complete explanation of why the hazard should not have been detected) had a House Sale Inspection been previously conducted by a Laclede employee within:

- (i) 30 days;
- (ii) 60 days;
- (iii) 90 days;
- (iv) 120 days; and/or
- (v) one year;

of the date the alleged hazard was identified by the employee.

RESPONSE: USW Local 11-6 does not know the identity of the employees who identified the hazards, nor does it have any written statements by employees regarding the hazards.

- (f) a full and complete statement by the employee who identified the alleged hazard as to whether the alleged hazard could and should have been detected (or a full and complete explanation of why the hazard should not have been detected) had a gas turn on inspection been conducted by a Laclede employee within:

- (i) 30 days;
- (ii) 60 days;
- (iii) 90 days;
- (iv) 120 days; and/or
- (v) one year;

of the date the alleged hazard was identified by the employee.

RESPONSE: USW Local 11-6 does not know the identity of the employees who identified the hazards, nor does it have any written statements by employees regarding the hazards.

- (g) a full and complete statement by the employee who identified the alleged hazard as to whether the alleged hazard could and should have been detected (or a full and complete explanation of why the hazard should not have been detected) had an inside leak inspection been previously conducted by a Laclede employee within:

- (i) 30 days;

- (ii) 60 days;
- (iii) 90 days;
- (iv) 120 days; and/or
- (v) one year;

of the date the alleged hazard was identified by the employee.

RESPONSE: USW Local 11-6 does not know the identity of the employees who identified the hazards, nor does it have any written statements by employees regarding the hazards.

5. For each of the employees identified in response to Data Request No. 4, please provide copies of all written or summaries of all verbal instructions, directions, or advice of any kind that was given to the employee by the Union or any of its members during the past twelve months in connection with customer premises inspections, including, but not limited to, how hazards should be identified and reported to any party.

RESPONSE: Although USW Local 11-6 cannot identify the employees who submitted reports of found hazards, USW Local 11-6 states that Joe Schulte explained in a membership meeting that Laclede Gas had filed for a tariff revision, discussed the substance of Laclede's tariff revision, and asked the members to let USW 11-6 know of any found hazards during any safety inspections, such as TFTO inspections. The members were told to submit notes of such found hazards but were not asked to identify themselves.

6. Please provide copies of all correspondence, letters, notes, pamphlets, hand-outs or other written materials produced by or under the supervision of, and summaries of all oral communications of, the Union or any of its members within the past twelve months that in any way question the commitment of Laclede Gas Company, its officers or employees, to the safety of its customers or the public generally.

RESPONSE: USW Local 11-6 objects to the characterization of any of the documents it has produced as ones that "question the commitment of Laclede . . . to the safety of its customers or the public generally." USW Local 11-6 has produced any documents related to the subject matter of its Amended Complaint in response to DR 1.

7. For all of the written material or oral summaries provided in response to Data Request No. 6, please provide the date that the document or oral communication was prepared, who prepared it, all persons who reviewed it and/or authorized it, and all persons who were provided a copy of the document or received the oral communication by or from the Union or any of its members.

RESPONSE: See response to DR 6.

8. For all of the written material or oral summaries provided in response to Data Request No. 6, please provide all information that the Union relied upon to support the accuracy of the matters asserted in such written material or oral summaries.

RESPONSE: See response to DR 6.

DRs 9-20 relate to Exhibit 1 to the Schulte Affidavit attached to the Union's Motion for Immediate Relief filed in the proceeding on February 10, 2006.

RESPONSE TO DRs 9-20: USW Local 11-6 objects to DRs 9-20 because they call for speculation and hypothesis. USW Local 11-6 has produced the documents from which it created the exhibits accompanying Mr. Schulte's affidavit. USW Local 11-6 will not speculate as to why hazards were found on a particular date but not another, nor can it provide more exact address information than what was reported to it by its members.

9. With respect to the first item listed under "May 2005 Furnaces found," please give all reasons why a flu liner issue was identified in the TFTO inspection at 4544 Athlone, 1st Floor, by Mr. Bishop on May 5, 2005, but not by Mr. Blanchard in a previous TFTO on February 28, 2005?
10. With respect to the second item listed under "May 2005 Furnaces found," please give all reasons why insufficient combustion air in the furnace room at 201 Wooster was identified in the TFTO inspection by Mr. Bishop on May 6, 2005, but not by Mr. Davis in a house sale inspection in April 2005?
11. With respect to the fourth item listed under "May 2005 Furnaces found," please give all reasons why holes in the vent pipe were identified in the TFTO inspection at 932 Pike, by Mr. Bishop on May 7, 2005, but not by Mr. Douglas in a previous TFTO on April 11, 2005?
12. With respect to the fifth item listed under "May 2005 Furnaces found," please identify which of the 38 apartments at 4400 McPherson did a Laclede serviceman perform a TFTO inspection on May 9, 2005.
13. With respect to the thirteenth (5900 Ferris) and twentieth (4608 Alaska) items listed under "May 2005 Furnaces found," please confirm that these items were identified during house sale inspections and not TFTO inspections.
14. With respect to the fourteenth item listed under "May 2005 Furnaces found," please give all reasons why a carbonized boiler was identified in the TFTO inspection at 12457 Cohasset by Mr. Ketchel on May 24, 2005, but not by Mr.

Bowler in a previous TFTO on March 28, 2005, or by Mr. Callier in a house sale inspection on March 21, 2005?

15. With respect to the eighteenth item listed under "May 2005 Furnaces found," please give all reasons why a carbonized heat exchanger was identified in the TFTO inspection at 12724 Coeur du Monde, Apt. 2G, by Mr. Hunt on May 26, 2005, but not by Mr. McDonald in a previous TFTO on May 13, 2005?
16. With respect to the fifteenth item listed under "May 2005 Furnaces found," please identify which of the 18 addresses at 2155 N. New Florissant did a Laclede serviceman perform a TFTO inspection on May 24, 2005.
17. With respect to the sixteenth item listed under "May 2005 Furnaces found," please identify which of the 12 addresses at 13919 Reflection did a Laclede serviceman perform a TFTO inspection on May 25, 2005.
18. With respect to the first item listed under "May 2005 Water Heater Hazards," since Laclede's records do not indicate service at a 2135 Cleveland, please identify the correct address at which a Laclede serviceman performed the subject TFTO inspection on May 3, 2005.
19. With respect to the third item listed under "May 2005 Water Heater Hazards," please give all reasons why a rusted vent pipe at 10057 Lilac was identified in a TFTO inspection by Mr. Bishop on May 7, 2005, but not by Mr. Davis in a house sale inspection on April 20, 2005?
20. With respect to the seventh item listed under "May 2005 Water Heater Hazards," please give all reasons why a button-type flex connector at 6758 Nashville was identified in a TFTO inspection by Mr. Bishop on May 13, 2005, but not by Mr. Hearold in a house sale inspection on May 4, 2005?
21. Please provide all reasons that the Union believes it is advisable to mandate a TFTO inspection within a very short period of time (i.e., less than 30 days) following a house sale inspection.

RESPONSE: USW Local 11-6 states that a house inspection most often occurs before the seller has vacated the premises. Subsequent to the house inspection, as the seller vacates the premises, the seller may remove or disturb various gas appliances. If the removal of appliances was done incorrectly and therefore caused gas leaks or other disturbances to the gas supplying apparatus in the premises, or if the appliance developed a leak as a result of being jostled by moving furniture, a TFTO inspection would provide an opportunity to correct the problem before the new owner moves in and attempts to connect its own gas appliances.

22. If the tenants in a given apartment changed each month, such that there were 12 opportunities each year to perform a TFTO inspection at that apartment, would the Union recommend performing such an inspection at each opportunity?

RESPONSE: Yes.

23. If the Union's answer to DR 22 is no, how often do you believe it is advisable to mandate a gas safe inspection at an apartment?
24. In the Union's opinion, how often should residential customers have their furnaces inspected?

RESPONSE: At least as often as recommended by the manufacturer.

25. Please provide any information the Union has that demonstrates that any jurisdiction in the United States of America requires a gas utility to:
- a. inspect its own equipment upon a change in customers when the flow of gas is not interrupted;
 - b. inspect customer equipment upon a change in customers when the flow of gas is not interrupted.

26. Please provide any information the Union has that demonstrates that any gas utility in the state of Missouri, other than Laclede, regularly conducts an inspection of its own equipment upon a change in customers when the flow of gas is not interrupted.
27. Please provide any information the Union has that demonstrates that any gas utility in the state of Missouri, other than Laclede, regularly conducts an inspection of customer-owned equipment upon a change in customers when the flow of gas is not interrupted.
28. Please provide any information the Union has that demonstrates that any gas utility in the United states of America, other than Laclede, regularly conducts an inspection of either its own equipment or of customer-owned equipment upon a change in customers when the flow of gas is not interrupted.

RESPONSE TO DRS 25-28: USW 11-6 has no information responsive to these DRs.

The information provided to Laclede Gas Company in response to the above data requests 1-28 is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned.

Date: March 27, 2006

Signed By: _____

Title: Attorney for Plaintiff