

DIRECT TESTIMONY

OF

KEVIN SPOTTISWOOD,
UNITED STEELWORKERS OF AMERICA, LOCAL 12012-3

DOCKET NUMBER DG-06-107

NATIONAL GRID/KEYSPAN MERGER

ORIGINAL	
F.J.C. Case No.	DG06-107
Exhibit No.	9
Witness	Spottiswood
DO NOT REMOVE FROM FILE	

1. Introduction and Qualifications

Q. Please state your full name, business address and title.

A. Kevin Spottiswood
Unit Chairperson
United Steelworkers of America, Local 12012-3
1 High Plain Avenue
Litchfield, NH 03052

Q. Please describe your educational background and professional experience.

A. I have worked in the gas industry for 17 years. I am employed by Keyspan as an MSF Tech-A Foreman.

I have an Associates degree in HVAC.

2. Purpose of Testimony

Q. What is the purpose of your testimony?

A. I speak on behalf of my union members in opposition to the proposed settlement.

Q. Please state why you are opposed to the settlement:

A. The proposed settlement is not complete as to the entirety of the safety and service quality issues. The proposed settlement would conditionally permit the use of "outside contractors" to mark out the company's underground gas lines. Although this is only a small portion of the overall proposal its impact is significant.

Q. What portion of the settlement proposal is unsatisfactory?

A. “Marking of Underground Facilities.

The Company commits that it will continue to exclusively use in-house personnel for the marking of underground facilities for a period no less than two years from the closing of the Merger. If at any time after two years, the Company plans to use outside contractors for this activity, it will notify the Safety Division no later than six months before implementing a change and hold a technical conference. To the extent the Safety Division has any safety concerns about a proposed change in practice after the technical conference, it may request the Commission to open a docket before the Company implements the change, in order to address the Safety Division’s concerns. In any such proceeding, the Company shall have the burden of showing that any changes will not result in a degradation to service quality, safety, and reliability.”

Q. What are the safety and service issues involved?

A. Our concern is with the knowledge, expertise and supervision of the “outside contractors” to mark out gas lines within our system. A mistake in marking can lead to a leak and/or explosion causing at least an interruption in service for one or more customers. Aside from the hazards associated with seeking out and repairing leaks and pipe damage, injury or death may result. Gas is invisible, travels and collects in confined spaces. The public is at risk when gas is not contained. The risk increases as the system is maintained and/or extended.

Q. What is your alternate proposal?

A. The Union adopts the initial proposal of the PUC staff to limit the marking of underground facilities, pipes and hardware to “in-house” personnel only.

The language should be modified as follows:

~~The Company commits that it will continue to exclusively use in-house personnel for the marking of underground facilities. for a period no less than two years from the closing of the Merger. If at any time after two years, the Company plans to use outside contractors for this activity, it will notify the Safety Division no later than six months before implementing a change and hold a technical conference. To the extent the Safety Division has any safety concerns about a proposed change in practice after the technical conference, it may request the Commission to open a docket before the Company implements the change, in order to address the Safety Division’s concerns. In any such proceeding, the Company shall have the burden~~

~~of showing that any changes will not result in a degradation to service quality, safety, and reliability.~~

Q. What is your rationale for the Union's proposal?

A. As the individuals handling live gas situations, accurate marking must be a priority. Currently, the in-house marking crew handles 15,000 "mark-outs" per year. They are an integral part of the Dig Safe Program. Ideally, they are aided by "tracer wire", maps and accurate measurements. In practice, not all pipes have records of their existence or use current landmarks. The current in-house crew utilizes an approximate average of 14 to 15 years of institutional knowledge to locate and mark. At times, only in-house experience allows for a proper "mark out". The Petitioners have not demonstrated an ability to provide a comparable level of safety and quality in this area.

Q. Do you agree that the safety concerns can be addressed with the joint proposal to hold a "technical conference" and perhaps "open a docket" prior to the use of outside contractors? Please explain.

A. No. The time to deal with this issue is now. The joint proposal effectively avoids this critical safety issue for two years. No explanation has been provided for why the Petitioners can't prove the safety and reliability of their "outside contractors" as part of this docket. In the absence of such a showing, the settlement should not be approved.

3. Conclusion

Q. Does that conclude your testimony?

A. Yes.

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