TAYLOR R. BROOKS, ISB # 11542
DEPUTY ATTORNEY GENERAL
IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0320
taylor.brooks@puc.idaho.gov

RECEIVED

2072 MAR -3 AM IO: 32

1072 MAR -3 COMMISSION

Street Address for Express Mail: 11331 W CHINDEN BLVD, BLDG 8, SUITE 201-A BOISE, ID 83714

Attorney for the Commission Staff

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

COMPANY'S INFOREGARDING UNO	OF INTERMOUNTAIN GAS ORMAL COMPLAINT QUALIFIED OPERATORS VE RESIDENTIAL METER	) ) ) ) ) ) _	CASE NO. INT-G-22-01  AFFIDAVIT OF MARIA BARRATT-RILEY IN SUPPORT OF THE IDAHO PUBLIC UTILITY COMMISSION STAFF'S PETITION TO CREATE A FORMAL COMPLAINT
STATE OF IDAHO County of Ada	) ss. )		

- I, Maria Barratt-Riley, being first duly sworn under oath, depose and state as follows:
- 1. I have personal knowledge of the facts stated in this affidavit.
- 2. The information contained herein is true and correct to the best of my knowledge.
- 3. I am the Executive Director and I am responsible for the Pipeline Program at the Idaho Public Utilities Commission.
- 4. In my position over the Pipeline Safety Program, along with Former Pipeline Program Manager, Darrin Ulmer, we investigated Jesse Urzua's ("Complainant") Complaint expressing concern that as a new employee for Intermountain Gas Company, ("the

- Company") he was an unqualified operator performing live residential meter exchanges for the Company.
- 5. Mr. Ulmer forwarded all e-mails from the Complainant in the above-described matter to me. Therefore, I have personal knowledge that the e-mails and communications from the Complainant attached to this Affidavit are true and correct.
- 6. Mr. Ulmer resigned from the Idaho Public Utilities Commission in September of 2021.
- 7. Attached as Exhibit 1 is a true and correct copy of the Complainant's initial e-mail to Mr. Ulmer on April 23, 2021 which was forwarded to me on April 23, 2021.
- 8. Attached as Exhibit 2 is a true and correct copy of Mr. Ulmer's correspondence to me in which Mr. Ulmer stated that he asked the Complainant for additional documentation regarding his Complaint which was forwarded to me on April 26, 2021.
- 9. Attached as Exhibit 3 is a true and correct copy of all documentation from the Complainant within Exhibit 2 which was forwarded to me on April 26, 2021, and May 3, 2021.
- 10. On May 11, 2021, I contacted Patrick Darras—the Vice President of Engineering and Operations for the Company—and provided evidence of correspondence from the Complainant and requested a formal written response within 21 days. Attached as Exhibit 4 is a true and correct copy of this e-mail and formal request attachment.
- 11. On May 28, 2021, I received a written response from the Company. Attached as Exhibit 5 is a true and correct copy of this response and all attachments.
- 12. On August 2, 2021, I e-mailed Mr. Darras in reply to the Company's response letter and requested additional information. Attached as Exhibit 6 is a true and correct copy of this reply letter.
- 13. On August 31, 2021, I received the Company's written reply with all additional information that I had requested on August 2<sup>nd</sup>. Attached as Exhibit 7 are true and correct copies of appropriate attachments contained in the company's written reply.
- 14. On October 21, 2021, I received a follow-up letter from the Company detailing several remedies and recommendations on how to comply with pipeline safety and how to ensure that the problem described from the Complainant does not occur again. Attached as Exhibit 8 is a true and correct copy of this letter.



Maria Barratt-Riley
Executive Director
Idaho Public Utilities Commission

SUBSCRIBED AND SWORN to before me this 25th day of February 2022.

[SEAL] HAW OTARY

Notary Public for Idaho
Residing at: Ada County, Idaho
Commission expires: March 15, 2025

1:\Legal\GAS\INT-G-22-01 Urzua\Memos\Complaint\INTG2201\_affidavit\_tb.docx

Exhibit 1

(Attached)

From:

Darrin Ulmer

Sent:

Friday, April 23, 2021 10:07 AM

To:

Bruce Perkins; Jeff Brooks; Maria Barratt-Riley

Subject:

Fwd: UNQUALIFIED OPERATOR PERFORMING RESIDENTIAL METER EXCHANGES

**Attachments:** 

Screenshot (25).png; Screenshot (26).png; Screenshot (27).png; Screenshot (30).png; Screenshot (32).png; Screenshot (33).png; Screenshot (29).png; Screenshot (31).png; Screenshot (28).png; Screenshot (35).png; Screenshot (36).png; Screenshot (34).png; Screenshot (38).png; Screenshot (39).png; Screenshot (40).png; Screenshot (43).png; Screenshot (44).png; Screenshot (41).png; Screenshot (45).png; Screenshot (47).png; Screenshot (49).png

FYI

Get Outlook for iOS

From: Jesse Urzua <jesseurzua@gmail.com> Sent: Friday, April 23, 2021 9:50:54 AM

To: Darrin Ulmer < Darrin. Ulmer@puc.idaho.gov>

Subject: UNQUALIFIED OPERATOR PERFORMING RESIDENTIAL METER EXCHANGES

Dear Mr. Ulmer:

I have enclosed documentation in support of my assertion that I was an unqualified operator that was performing live residential meter exchanges as directed by Lead Service Technician Jason Wixom on behalf of my employer, Intermountain Gas Co., in Pocatello.

Upon receipt of this communication, kindly contact me at your earliest convenience so I can answer your questions and provide specific information for your investigation.

Thank you for your attention to this matter.

Sincerely,

Jesse Urzua

208-284-9708

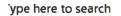


POCATELLO	lech	URZUAJ	Day	11/30/2020	Guery

HOLD	DISPATCHED	RECEIVED	ACCEPTED	ENROUTE	ONSITE	REPORTING	CLEARED
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20201130-20681	1894493878	G-EXCH	Sare Ist.	POCATELLO	RECEIVED	11-30-2020 09:17 US/Mountain		45		
20201130-20693	3638397669	G-EXCH		POCATELLO	CLEARED	11-30-2020 12:15 US/Mountain		45	35	GAS METER
<u>20201130-20702</u>	0283164557	G-EXCH		POCATELLO	CLEARED	11-30-2020 13:49 US/Mountain		45	56	GAS METER
<u>20201130-20736</u>	1274883624	G-EXCH		POCATELLO	CLEARED	11-30-2020 15:00 U5/Mountain		45	36	GAS_METER
20201130-20685	6511282859	G-EXCH		POCATELLO	CLEARED	12-02-2020 10:21 US/Mountain		45	68	GAS METER
20201130-20726	9317668120	G-EXCH		POCATELLO	CLEARED	12-02-2020 11:36 US/Mountain		45	35	GAS METER

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tus	Start	Origin	Туре	Address
TY	00:13	CADREMOVE		
TY	00:13		READY	
/AILABLE	07:48	CADAGENT	TRAINING	
D	00.15	CADACENIT	DEADY	















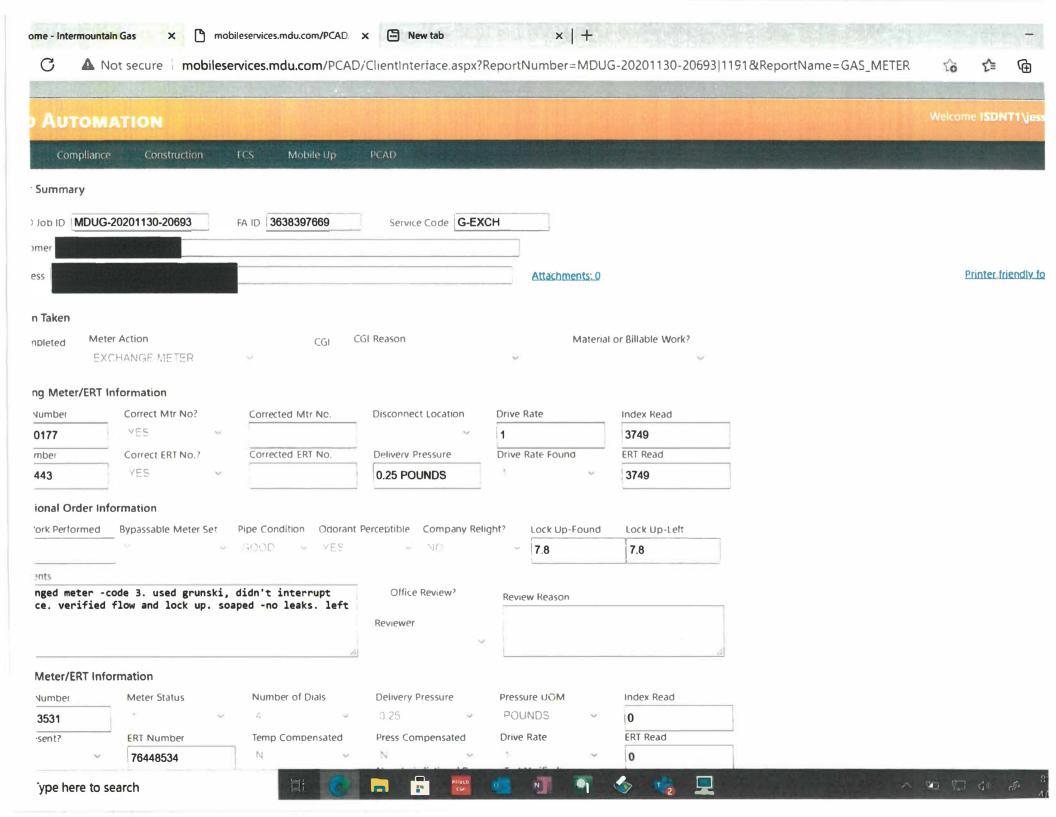


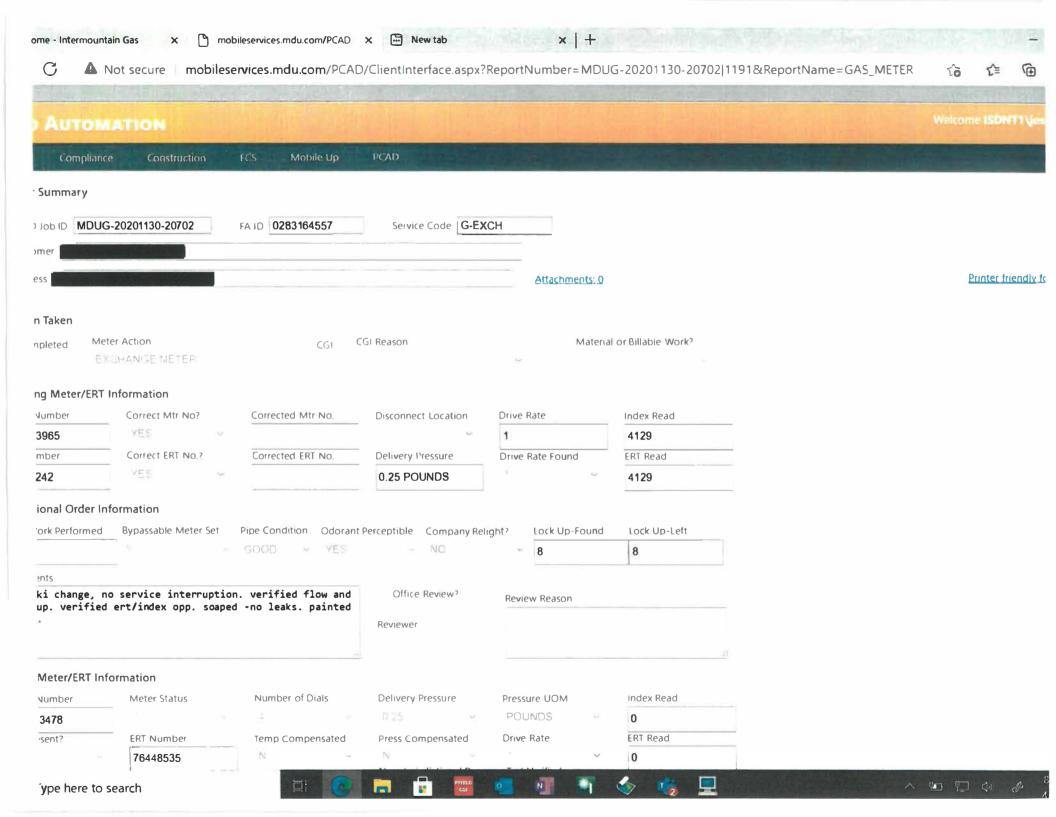


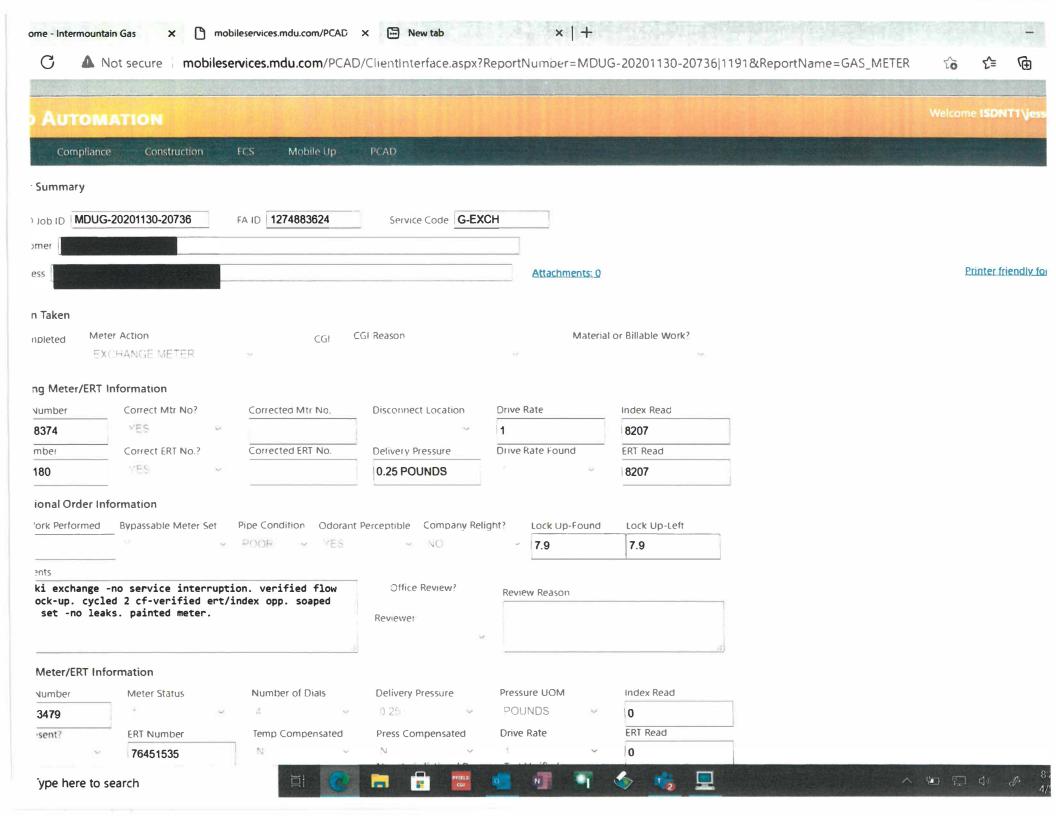


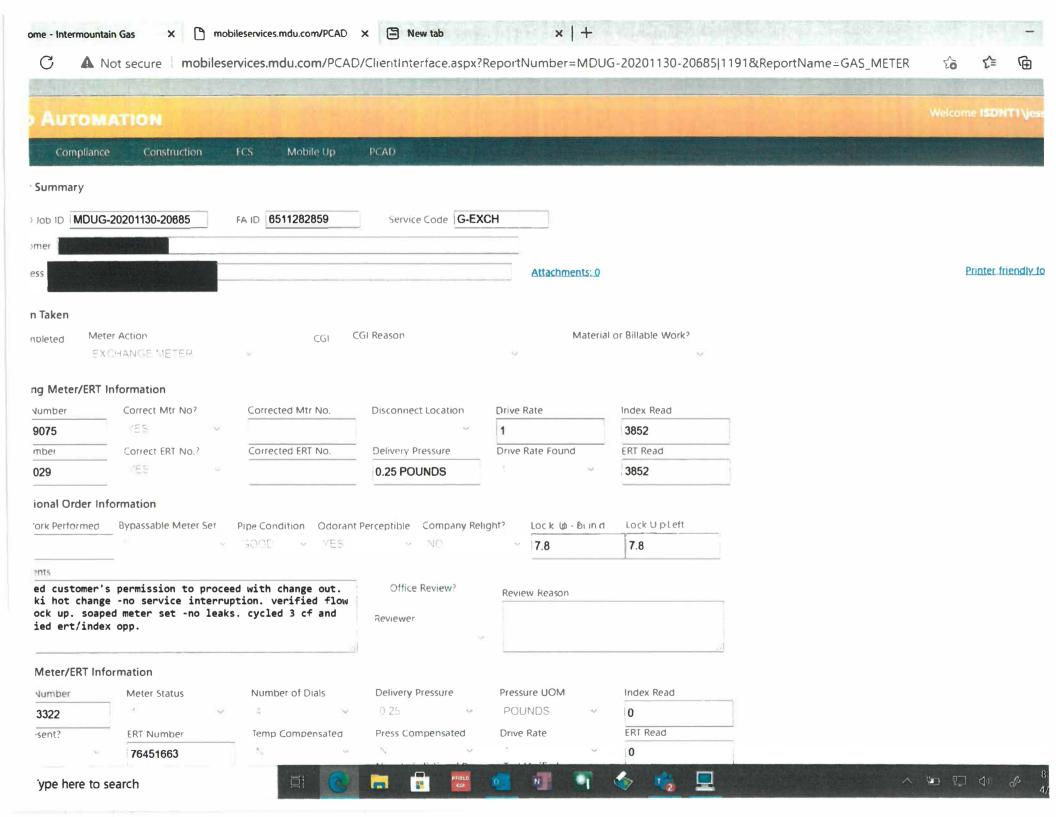


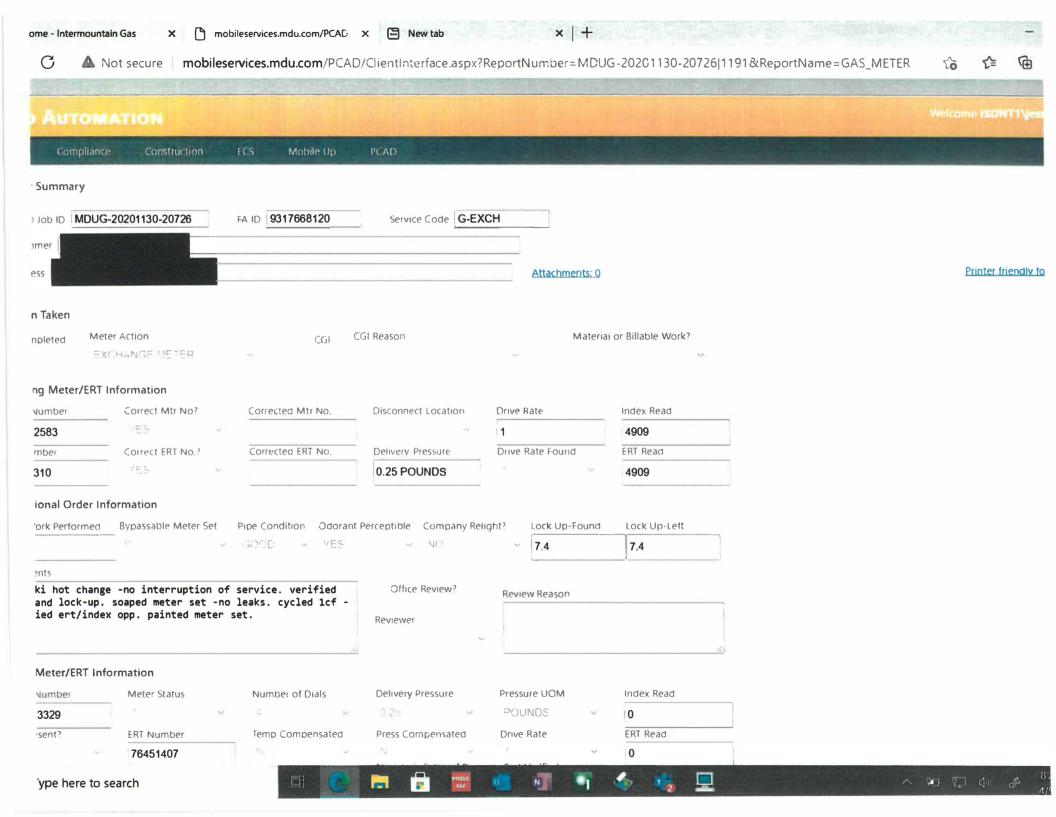


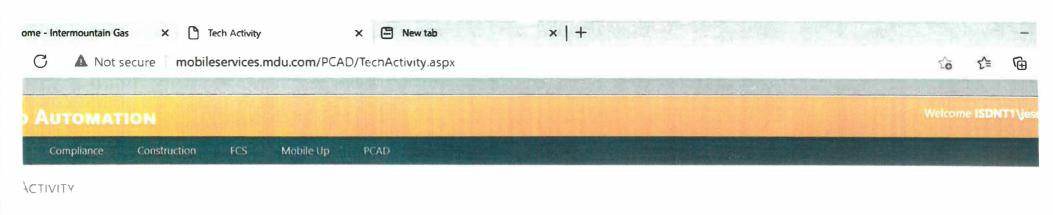










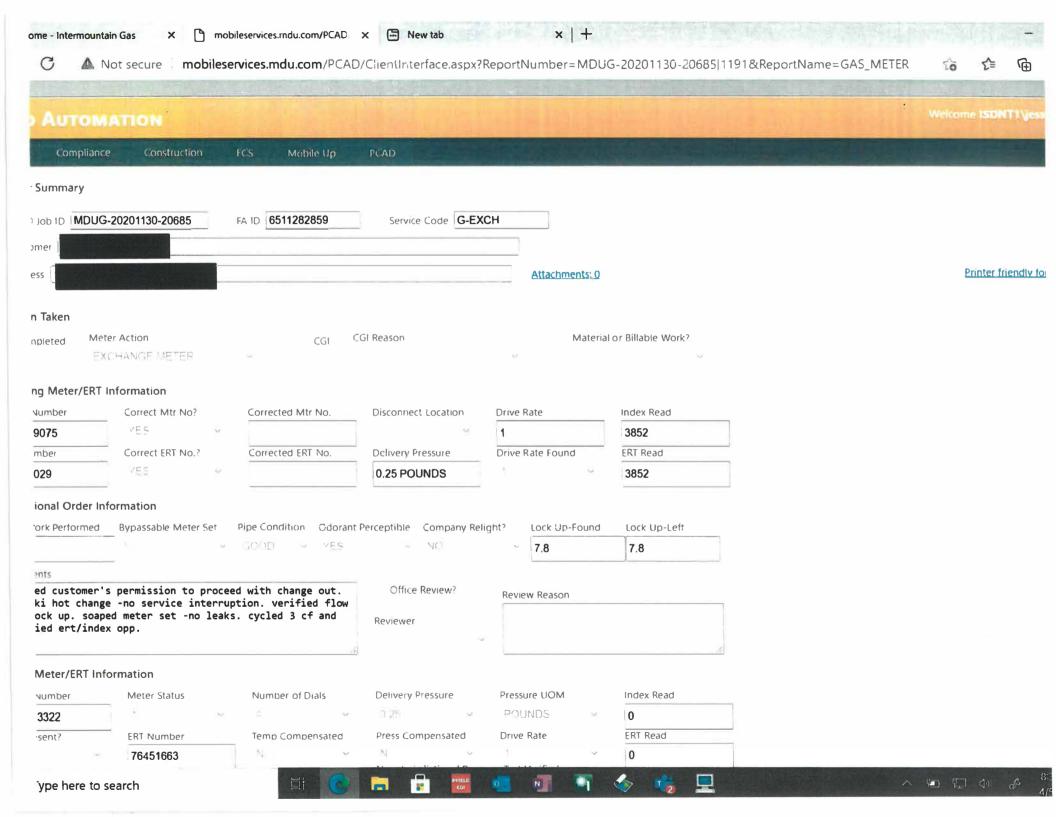


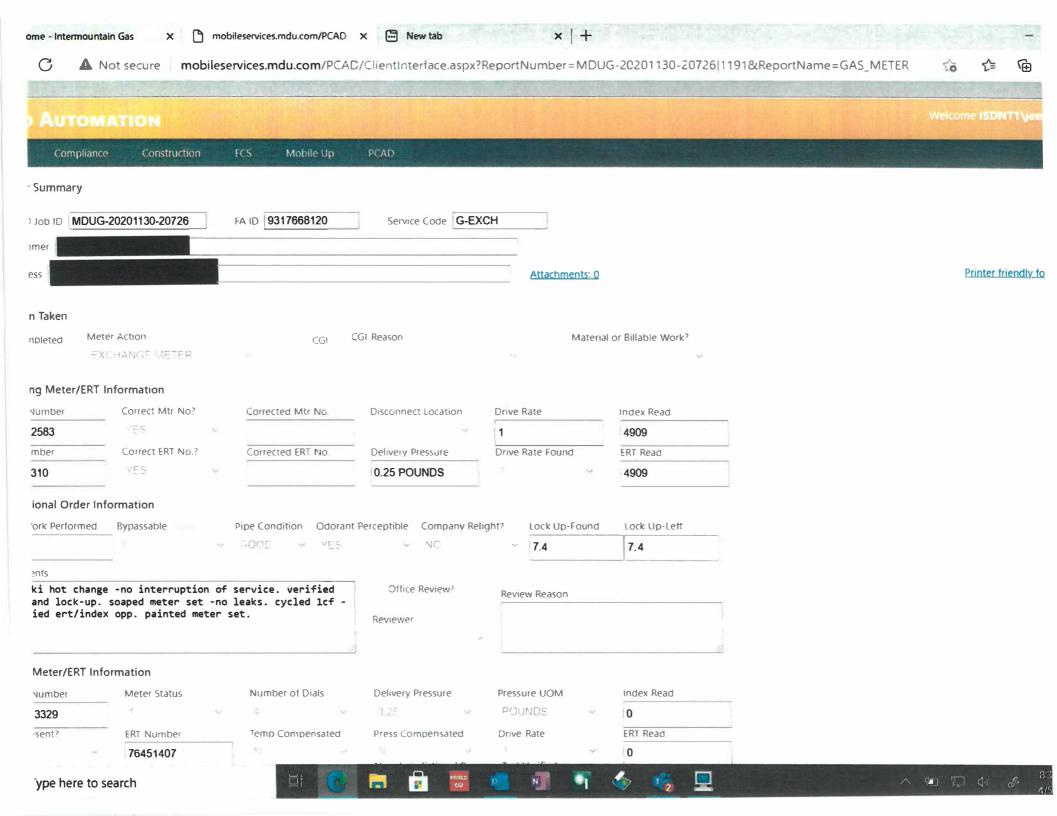
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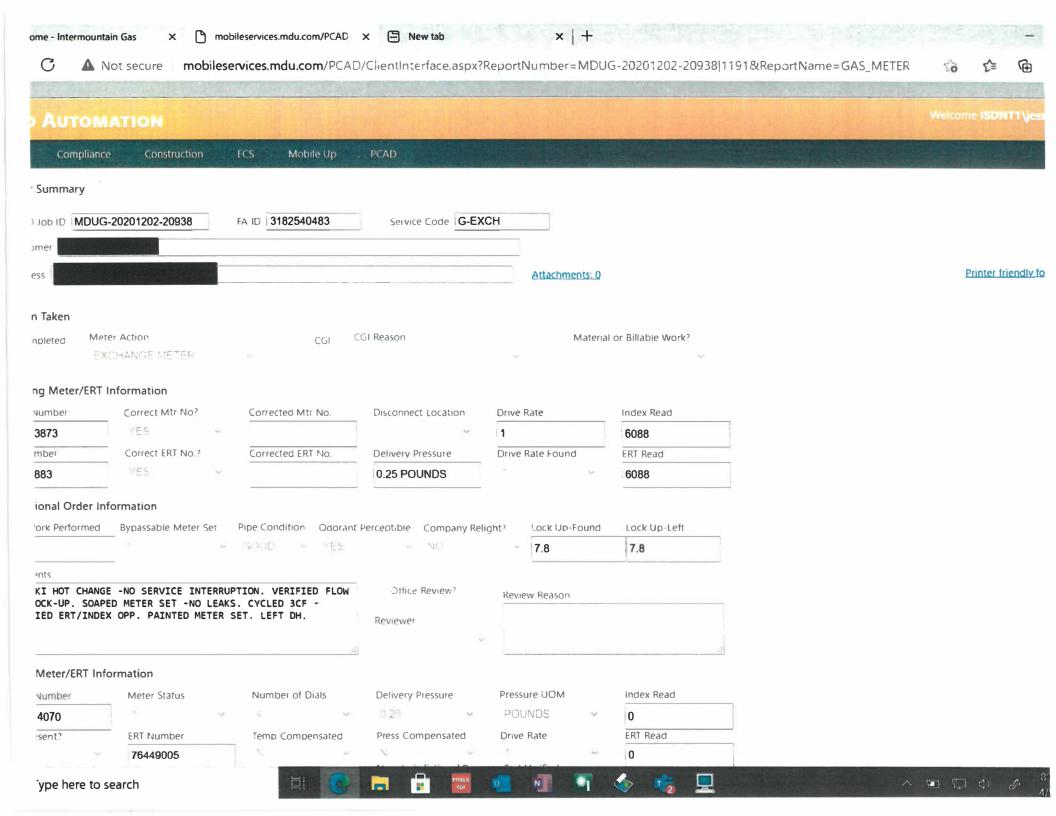
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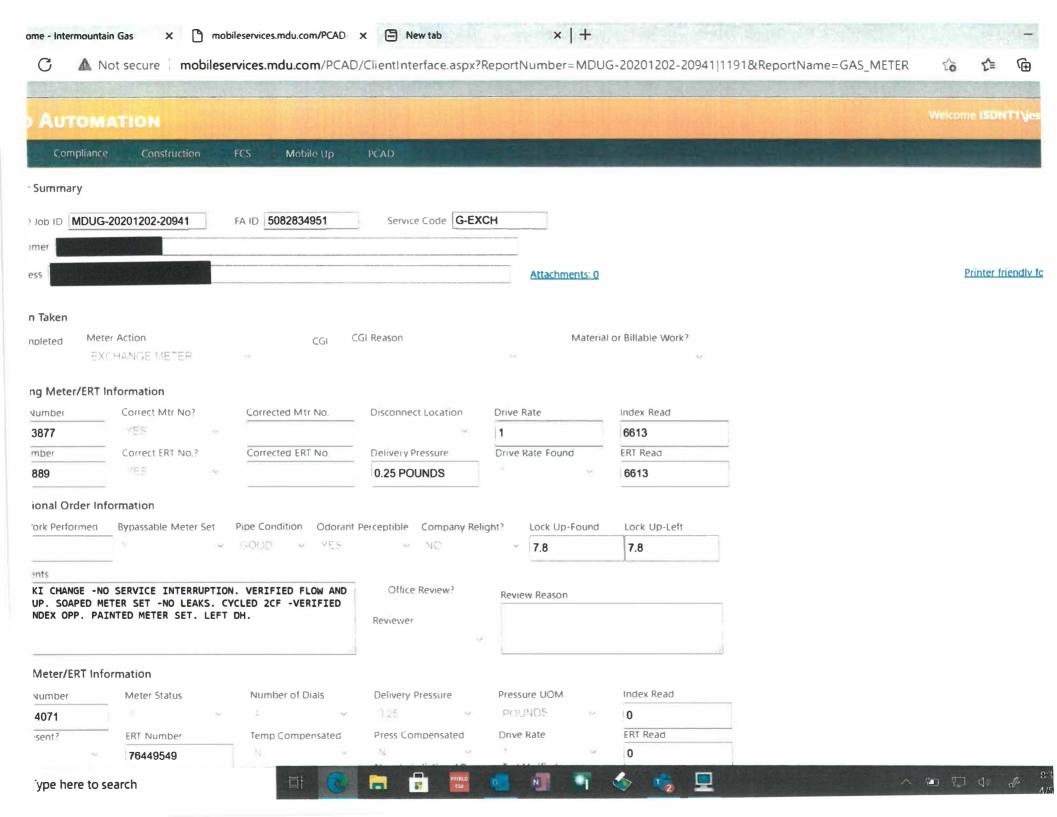
AD Job ID	FA ID	Service Code	Address	City	Status	Status Date	Appointment	Estimated Minutes	Actual Minutes	Reports
20201130-20685	6511282859	G-EXCH		POCATELLO	CLEARED	12-02-2020 10:21 US/Mountain		45	68	GAS_METER IGC_ONLY
<u>20201130-20726</u>	9317668120	G-EXCH		POCATELLO	CLEARED	12-02-2020 11:36 US/Mountain		45	35	GAS METER
20201202-20919	6936146106	G-EXCH		POCATELLO	CLEARED	12-02-2020 14:25 US/Mountain		45	36	GAS METER
20201202-20938	3182540483	G-EXCH		POCATELLO	CLEARED	12-02-2020 15:49 US/Mountain		45	73	GAS METER
20201202-20941	5082834951	G-EXCH		POCATELLO	CLEARED	12-02-2020 15:57 US/Mountain		45	, 7	GAS METER

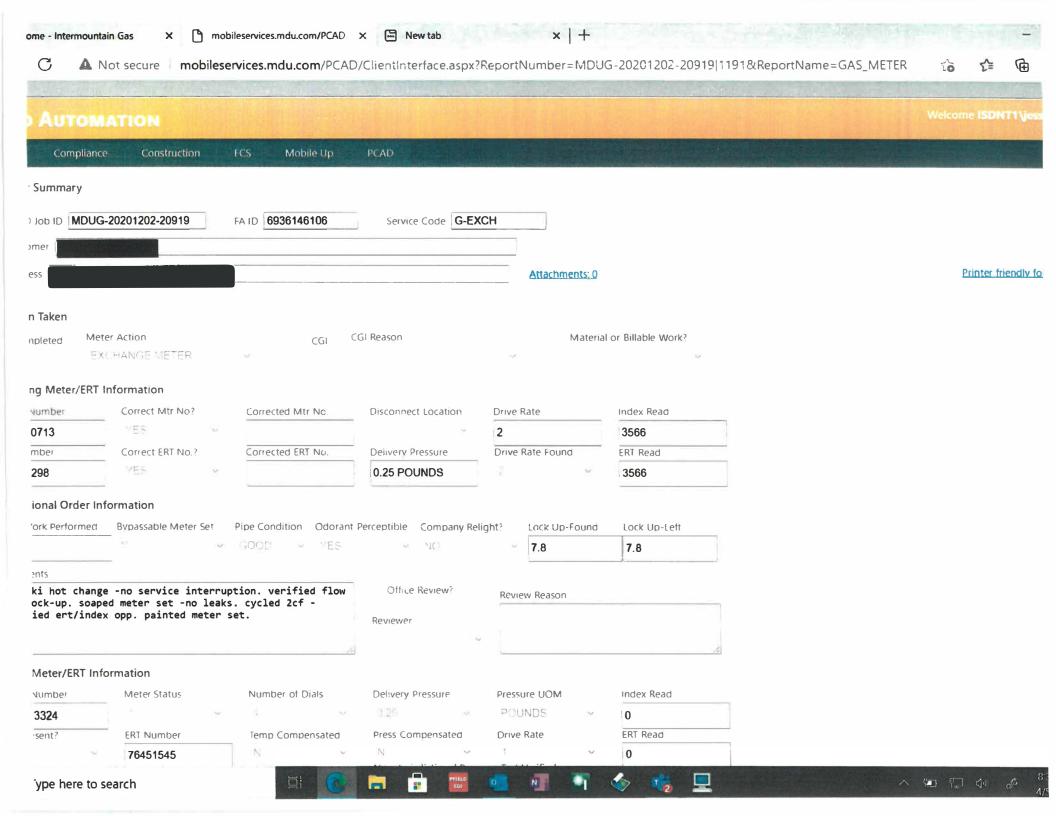
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TY	00:16	CADREMOVE	READY	
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D	08:28	CADAGENT	READY	
TY	08:46			
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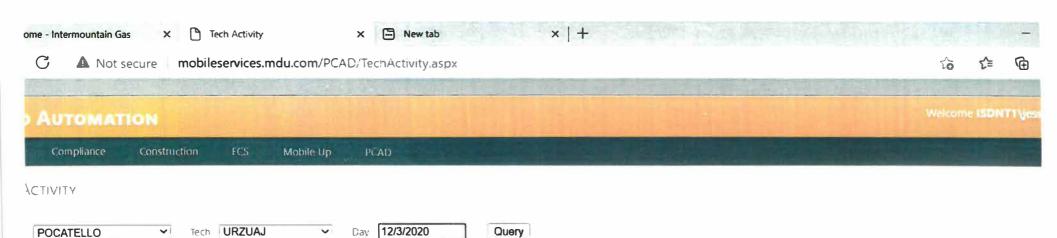












HOLD	DISPATCHED	RECEIVED	ACCEPTED	ENROUTE	ONSITE	REPORTING	CLEARED
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0	0	0	0	0	0	0	220

AD Job ID	FA ID	Service Code	Address	City	Status	Status Date	Appointment	Estimated Minutes	Actual Minutes	Reports
<u>20201130-20685</u>	6511282859	G-EXCH		POCATELLO	CLEARED	12-02-2020 10:21 US/Mountain		45	68	GAS METER
<u>20201130-20726</u>	9317668120	G-EXCH		POCATELLO	CLEARED	12-02-2020 11:36 US/Mountain		45	35	GAS_METER
20201202-20919	6936146106	G-EXCH		POCATELLO	CLEARED	12-02-2020 14:25 US/Mountain		45	36	GAS_METER
<u>20201202-20938</u>	3182540483	G-EXCH		POCATELLO	CLEARED	12-02-2020 15:49 US/Mountain		45	73	GAS_METER
20201202-20941	5082834951	G-EXCH		POCATELLO	CLEARED	12-02-2020 15:57 US/Mountain		45	7	GAS_METER

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tus	Start	Origin	Туре	Address
TY	00:16	CADREMOVE	READY	
/AILABLE	08:02	CADAGENT	SHOP	
D	08:28	CADAGENT	READY	
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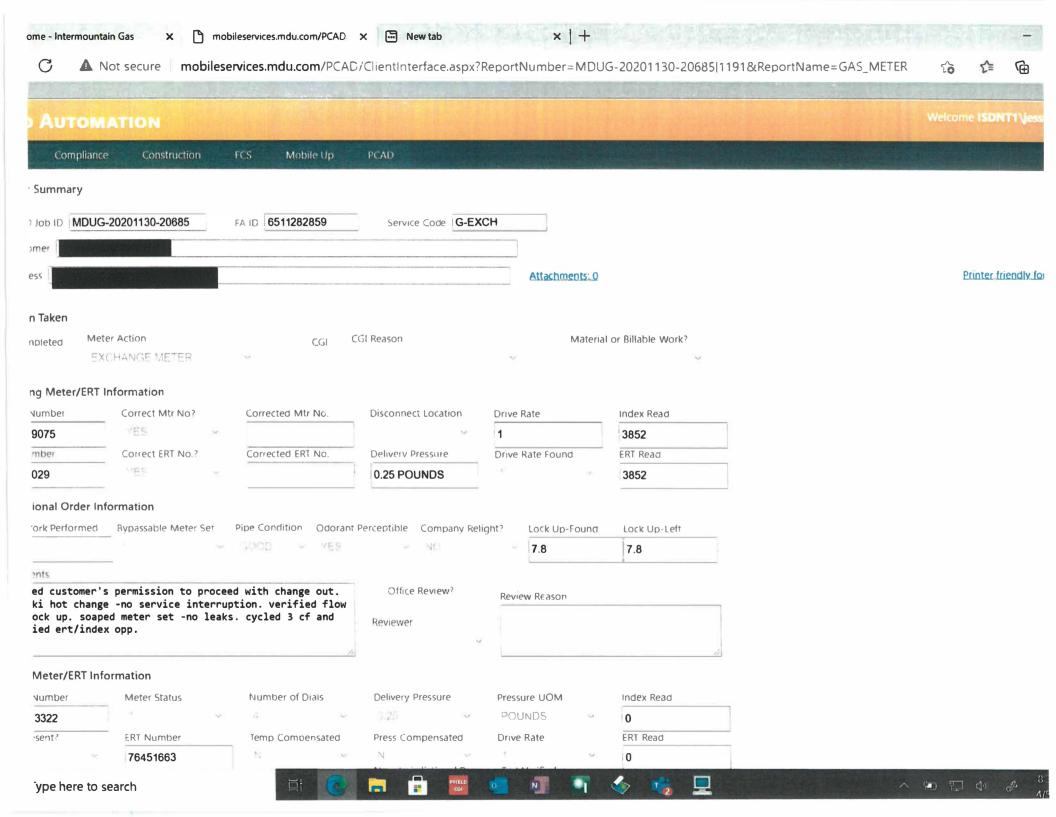


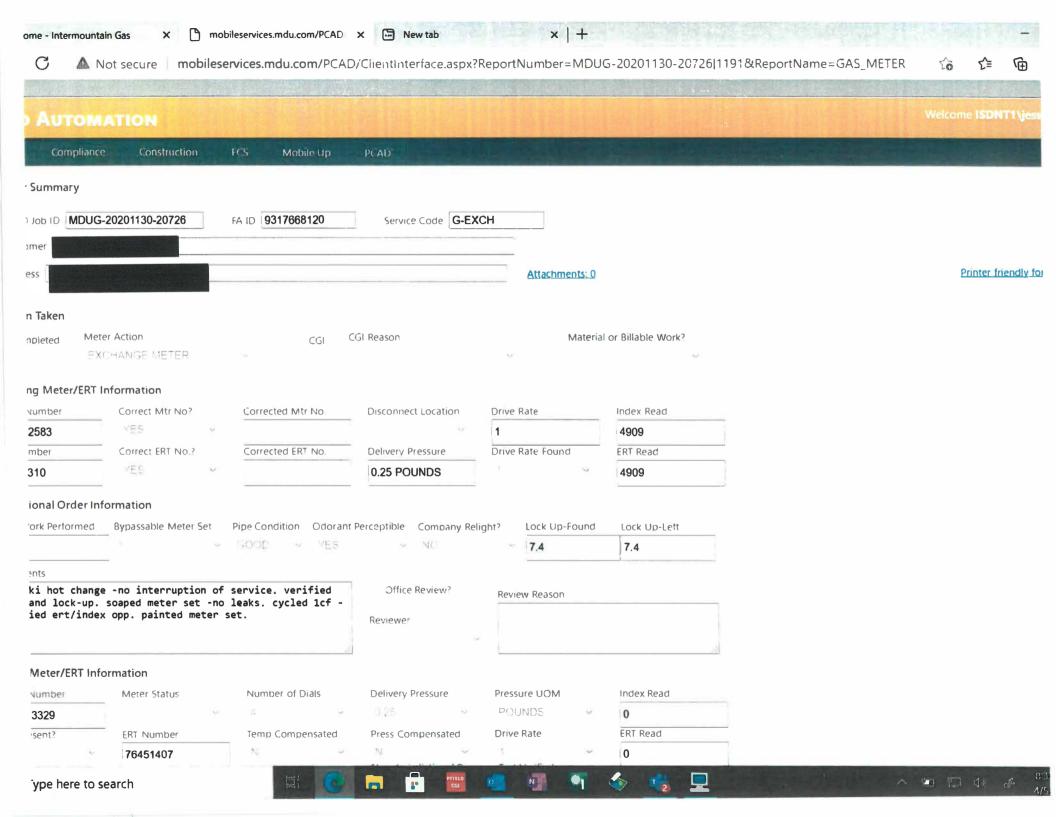


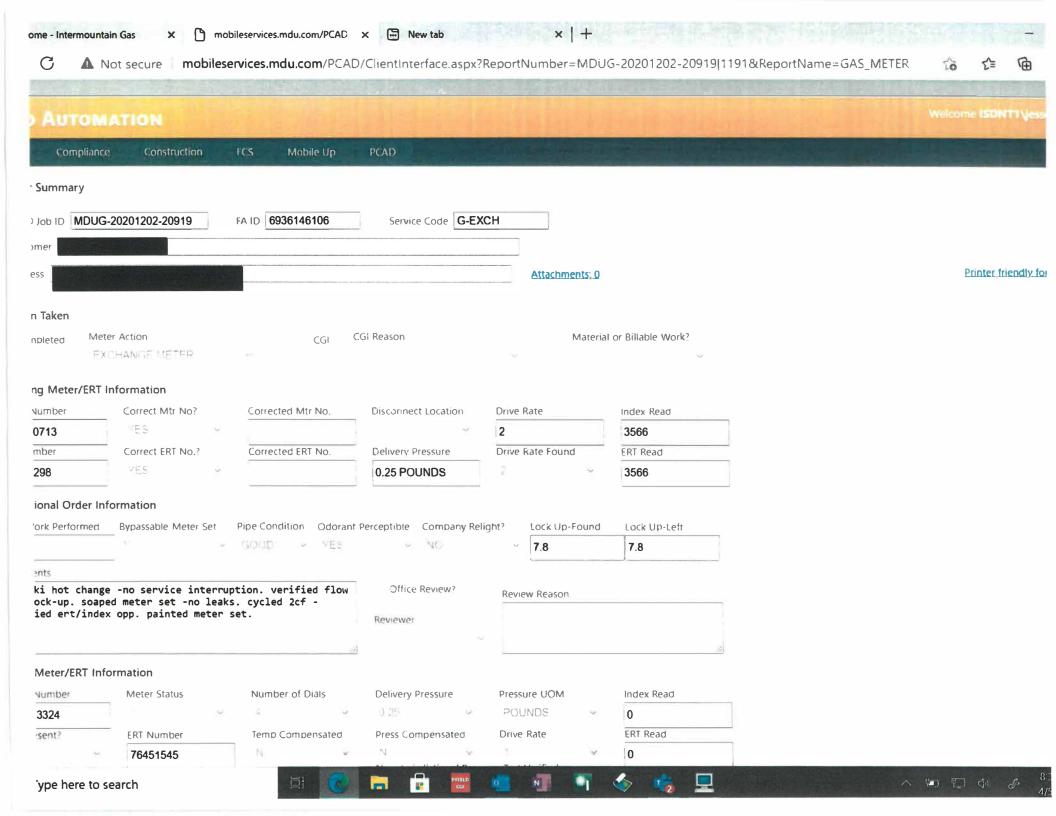


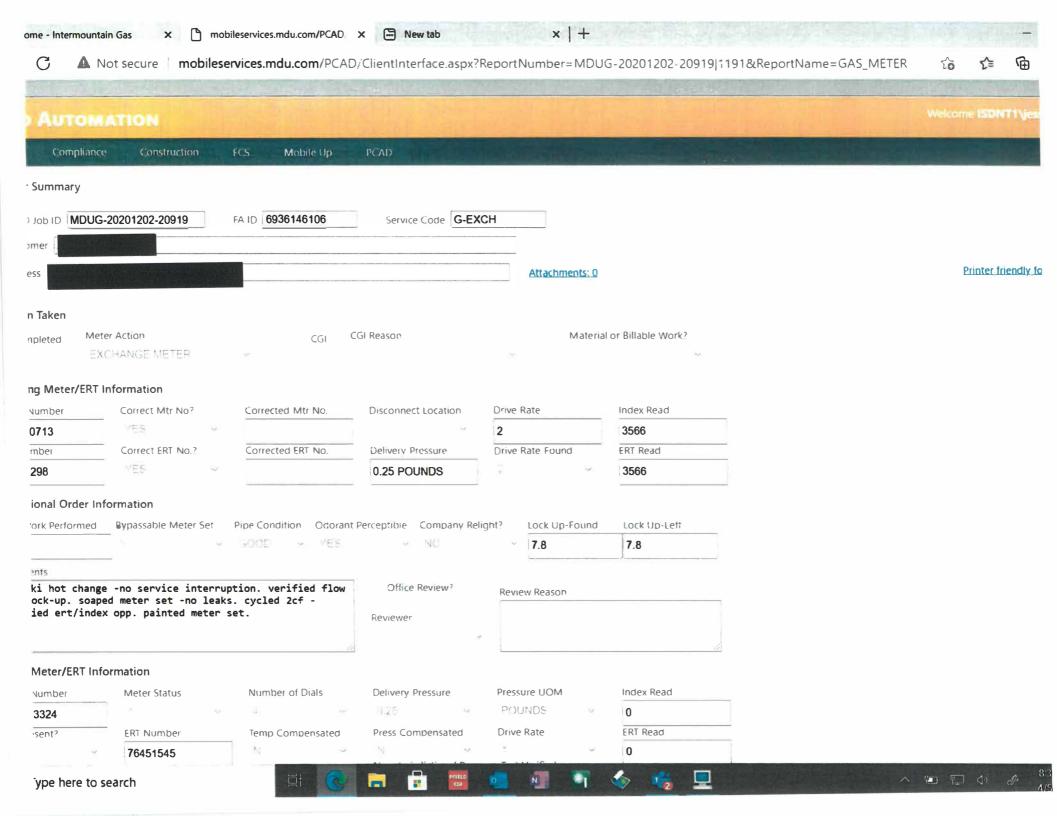


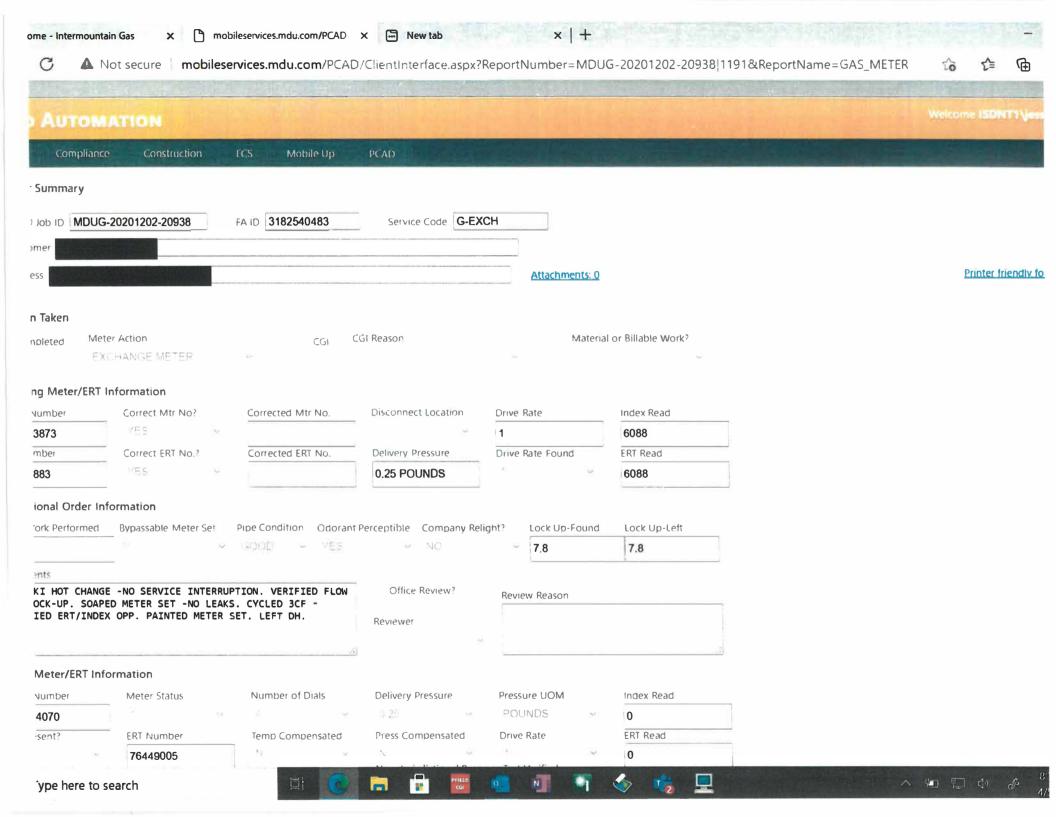


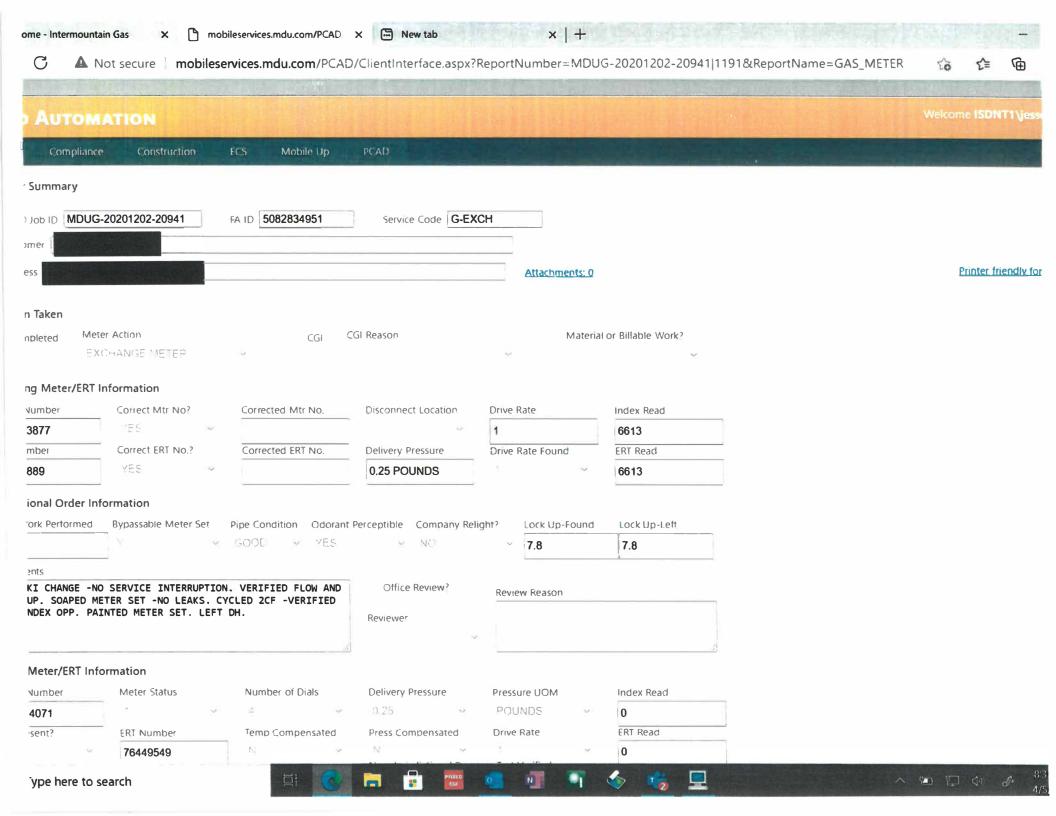


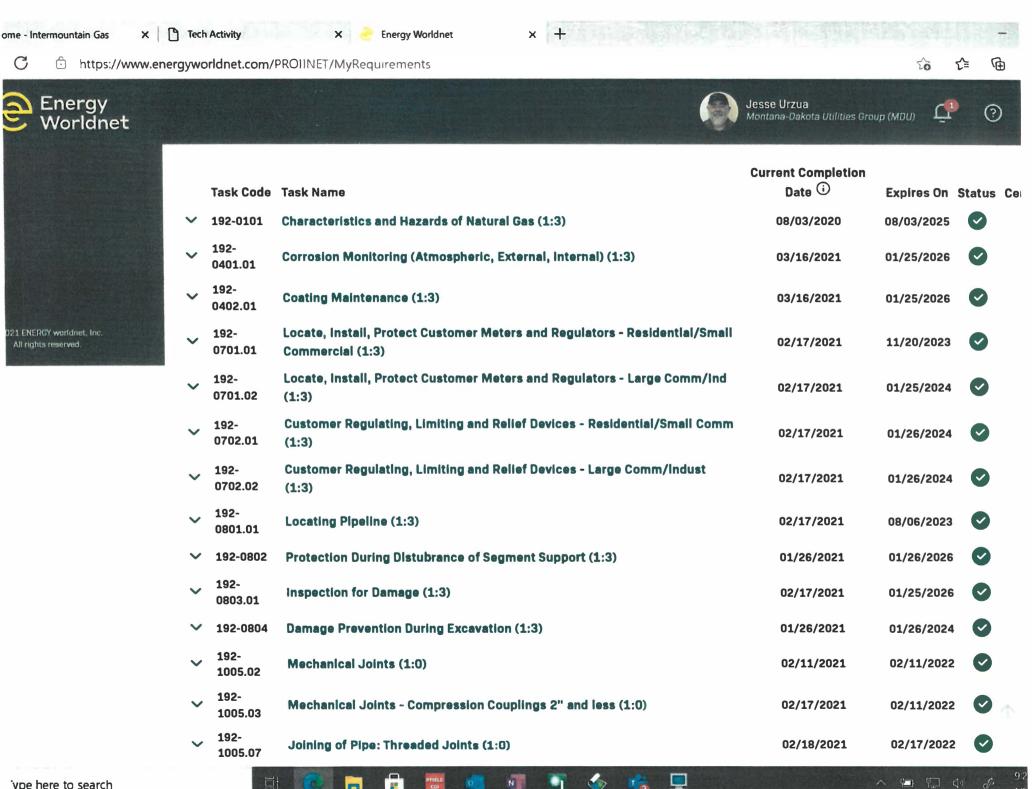










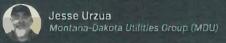


https://www.energyworldnet.com/PROIINET/MyRequirements









V	1005.02	Mechanical Joints (1:0)	02/11/2021	02/11/2022	V
~	192- 1005.03	Mechanical Joints - Compression Couplings 2" and less (1:0)	02/17/2021	02/11/2022	<b>②</b>
~	192- 1005.07	Joining of Pipe: Threaded Joints (1:0)	02/18/2021	02/17/2022	•
~	192- 1201.01	Leakage Survey: Distribution and Transmission - Walking (1:3)	02/18/2021	01/27/2024	•
~	192- 1202.01	Outside Leakage Investigation (1:3)			•
~	192- 1203.01	Inside Leak Investigation (1:3)			•
~	192- 1301.01	Leak/Strength Test - Svc/Main/Trans. Line: Gas pressure <100 psi (1:3)			•
~	192- 1301.04	Leak/Strength Test - Svc/Main/Trans. Line: Soap Test (1:3)			•
~	192-1401	Abandonment or inactivation of Facilities (1:3)	11/23/2020	11/23/2025	$\bigcirc$
~	192-1402	Backfilling (1:3)	11/23/2020	11/23/2025	$\bigcirc$
~	192-1405	Undergound Clearances (1:3)	02/17/2021	02/17/2026	$\bigcirc$
~	192- 1408.01	Installation of Plastic Pipe: Direct Burial (1:3)	02/24/2021	01/26/2026	•
~	192- 1410.01	Cover - Service Lines, Mains, and Transmission Lines (1:3)	11/23/2020	11/23/2025	<b>②</b>
~	192- 1411.01	Inspection: Compliance with Procedures and Standards (1:3)	02/24/2021	01/26/2026	•
~	192- 1411.02	Inspection: Inspection of Materials (1:3)	02/24/2021	01/26/2026	<b>Ø</b>
~	192-1413	Line Markers (1:3)	01/26/2021	01/26/2024	<b>②</b>
~	192-	Pipeline Shutdown/Startup/Pressure Change: Squeeze Off Pipe (1:3)			•

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https://www.energyworldnet.com/PROIINET/MyRequirements





~	192- 1411.02	Inspection: Inspection of Materials (1:3)	02/24/2021	01/26/2026	<b>②</b>
~	192-1413	Line Markers (1:3)	01/26/2021	01/26/2024	$\bigcirc$
~	192- 1414.02	Pipeline Shutdown/Startup/Pressure Change: Squeeze Off Pipe (1:3)			•
~	192-1415	Protection from Hazards (1:3)	11/23/2020	11/23/2025	
~	192- 1418.01	Purging: Large Vol, Segment of Main or Trans. Line, Etc. (1:3)			•
~	192- 1418.02	Purging: Small Vol, Short Pipe, Compressor, Etc. (1:3)			•
~	192- 1427.01	Valve Maintenance: Inspection/Partial Operation (1:3)			•
~	192-1434	Bypass - Regulator Stations & Meter Sets (1:3)			•
~	192- 1435.01	Bypass - Gas Mains and Services (1:3)			•
~	192- 1501.01	Odorization: Mains and Transmission Lines: Periodic Sampling (1:3)			0
~	192- 1803.01	Pressure Regulating Limiting , and Relief Device Operation and Maintenance (1:3)	02/24/2021	01/28/2026	•
~	192-2011	Prevention of Accidental Ignition (1:3)	08/04/2020	08/04/2023	$\bigcirc$
~	192-2014	Service Lines Not in Use and Service Discontinuance (1:3)	11/23/2020	11/23/2025	
~	192-AOC	Abnormal Operating Conditions (1:3)	08/04/2020	08/03/2023	
~	CMV-1001	Commercial Motor Vehicle Safety (1:0)	02/18/2021	Non- Expiring	•
~	CUST-8002	FR Clothing (1:0)	02/19/2021	Non- Expiring	<b>②</b>

https://www.energyworldnet.com/PROIINET/MyRequirements

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~	CMV-1001	Commercial Motor Vehicle Safety (1:0)	02/18/2021	Non- Expiring	•
~	CUST-8002	FR Clothing (1:0)	02/19/2021	Non- Expiring	•
~	CUST-8007	Return to Workplace Training (1:0)	02/17/2021	Non- Expiring	<b>②</b>
~	CUST-8009	MDUG CBT - ACE Safety Management System Tier 1 Training (1:0)	02/17/2021	Non- Expiring	•
~	ERPT-5002	Emergency Action Plan (OSHA) (1:0)	09/15/2020	09/15/2021	$\bigcirc$
~	ERPT-5003	Emergency Response and Restoration of Service (1:0)	02/01/2021	02/01/2022	$\bigcirc$
~	ERPT-5004	IS-100 Basic incident Command (1:0)	02/23/2021	Non- Expiring	•
~	OSHE-6000	New Hire Orientation (1:0)	09/15/2020	Non- Expiring	•
~	OSHE-6002	Animal Attack and Dog Awareness (1:0)	09/15/2020	09/15/2022	$\bigcirc$
~	OSHE-6004	Back Safety and Proper Lifting (1:0)	08/06/2020	08/06/2022	<b>②</b>
~	OSHE-6005	Carbon Monoxide Safety (1:0)	08/06/2020	08/06/2023	
~	OSHE-6006	Confined Spaces Awareness (1:0)	08/07/2020	08/06/2021	<b>②</b>
~	OSHE-6009	Driver Safety (1:0)	08/07/2020	08/07/2023	
~	OSHE-6010	Decision Driver (1:0)	10/16/2020	Non- Expiring	•
~	OSHE-6011	Ergonomics (1:0)	09/15/2020	09/15/2022	
~	OSHE-6012	Trenching, Excavation and Shoring Safety (1:0)	08/10/2020	08/10/2023	•
~	OSHE-6015	Hantavirus (1:0)			0
~	OSHE-6016	Heat Stress (1:0)	11/17/2020	11/17/2022	

https://www.energyworldnet.com/PROIINET/MyRequirements







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	9	OSHE-6011	Ergonomics (1:0)	09/15/2020	09/15/2022	~
•	~	OSHE-6012	Trenching, Excavation and Shoring Safety (1:0)	08/10/2020	08/10/2023	igoremsize
•	~	OSHE-6015	Hantavirus (1:0)			!
,	~	OSHE-6016	Heat Stress (1:0)	11/17/2020	11/17/2022	$\bigcirc$
•	~	OSHE-6017	Accident and Hazard Reporting (1:0)	01/19/2021	01/19/2022	
,	~	OSHE-6018	Job Safety Analysis (1:0)	08/10/2020	08/10/2021	$\bigcirc$
,	~	OSHE-6019	Ladder Safety (1:0)	01/25/2021	01/25/2024	$\bigcirc$
•	~	OSHE-6027	Personal Protective Equipment (1:0)	08/10/2020	08/10/2021	
	~	OSHE-6028	Public Awareness (1:0)	02/18/2021	02/18/2024	
	~	OSHE-6030	Security Threat Recognition and Reporting (1:0)	08/07/2020	08/07/2021	
	~	OSHE-6033	Walking Working Surfaces (1:0)	08/10/2020	08/10/2022	$\bigcirc$
	~	OSHE-6039	Materials of Trade (1:0)	02/19/2021	02/19/2023	$\bigcirc$
	~	OSHE-6041	Control of Hazardous Energy (1:0)	10/21/2020	10/21/2021	
	~	OSHE-6042	First Aid/CPR/AED/BB Pathogen (1:0)			•
	~	OSHE-6043	Asbestos Awareness (1:0)	02/18/2021	02/18/2022	
	~	OSHE-6045	Fire Protection and Prevention (1:0)	08/18/2020	08/18/2021	
	~	OSHE-6046	Hazard Communication (1:0)	08/10/2020	08/10/2022	$\bigcirc$
	~	OSHE- 6047.01	Powered Industrial Lift Truck - Class I (1:0)			•

OSHE-6049 Tool Safety (1:0)

OSHE-

6047.04







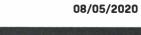
Powered Industrial Lift Truck - Class IV (1:0)













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Energy Worldnet







~	OSHE-6039	Materials of Trade (1:0)	02/19/2021	02/19/2023	0
~	OSHE-6041	Control of Hazardous Energy (1:0)	10/21/2020	10/21/2021	lacksquare
~	OSHE-6042	First Ald/CPR/AED/BB Pathogen (1:0)			•
~	OSHE-6043	Asbestos Awareness (1:0)	02/18/2021	02/18/2022	
~	OSHE-6045	Fire Protection and Prevention (1:0)	08/18/2020	08/18/2021	
~	OSHE-6046	Hazard Communication (1:0)	08/10/2020	08/10/2022	$\bigcirc$
~	OSHE- 6047.01	Powered Industrial Lift Truck - Class I (1:0)			•
~	OSHE- 6047.04	Powered Industrial Lift Truck - Class IV (1:0)			•
~	OSHE-6049	Tool Safety (1:0)	08/05/2020	Non- Expiring	•
~	OSHE-6050	Occupational Noise Exposure (1:0)	08/10/2020	08/10/2021	
~	OSHE- 6051.01	Introduction to OSHA (1:0)	08/04/2020	Non- Expiring	•
~	OSHE-6058	Residental Meter Ergonomics and Safety (1:0)			•
~	OSHE- 6060.02	H2S Awareness (1:0)	08/06/2020	08/06/2021	•
~	OSHE-6062	Backhoe Safety - Bystander (1:0)	08/07/2020	08/07/2023	
~	OSHE-6063	Voluntary Respirator Use (1:0)	01/26/2021	Non- Expiring	<b>②</b>
~	OSHE-6064	Cold Stress (1:0)	11/17/2020	11/17/2022	





















(Attached)

From:

Darrin Ulmer

Sent:

Monday, April 26, 2021 5:15 PM

To:

Maria Barratt-Riley

Subject:

Re: UNQUALIFIED OPERATOR PERFORMING RESIDENTIAL METER EXCHANGES

Maria,

I have looked at the work orders (completed in Nov and Dec 2020) before he became qualified in Feb 2021. I spoke to him again today and he is going to forward photos of texts (from his work phone) and emails as documentation. He is also going to type a statement email. The stress of all this has made him resign (about a week or two ago, before he contacted us) so he no longer is an IGC employee.

Thanks Darrin

## Get Outlook for iOS

From: Maria Barratt-Riley <maria.barratt-riley@puc.idaho.gov>

Sent: Monday, April 26, 2021 5:03:47 PM

To: Darrin Ulmer < Darrin. Ulmer@puc.idaho.gov>

Subject: RE: UNQUALIFIED OPERATOR PERFORMING RESIDENTIAL METER EXCHANGES

Darrin,

John Hammond has asked if you can take a look at the work orders he sent over, as well as his qualifications (I think he sent those too) and see if you feel he is/isn't qualified to do the work. Also, do you know if Mr. Urzua is still employed with IGC?

Thanks,

Maria

From: Darrin Ulmer < Darrin. Ulmer@puc.idaho.gov>

Sent: Friday, April 23, 2021 10:07 AM

To: Bruce Perkins <Bruce.Perkins@puc.idaho.gov>; Jeff Brooks <jeff.brooks@puc.idaho.gov>; Maria Barratt-Riley

<maria.barratt-riley@puc.idaho.gov>

Subject: Fwd: UNQUALIFIED OPERATOR PERFORMING RESIDENTIAL METER EXCHANGES

FYI

Get Outlook for iOS

From: Jesse Urzua <<u>jesseurzua@gmail.com></u>
Sent: Friday, April 23, 2021 9:50:54 AM

To: Darrin Ulmer < Darrin. Ulmer@puc.idaho.gov>

Subject: UNQUALIFIED OPERATOR PERFORMING RESIDENTIAL METER EXCHANGES

Dear Mr. Ulmer:

I have enclosed documentation in support of my assertion that I was an unqualified operator that was performing live residential meter exchanges as directed by Lead Service Technician Jason Wixom on behalf of my employer, Intermountain Gas Co., in Pocatello.

Upon receipt of this communication, kindly contact me at your earliest convenience so I can answer your questions and provide specific information for your investigation.

Thank you for your attention to this matter.

Sincerely,

Jesse Urzua

208-284-9708

(Attached)

## RE: TIMELINE AND REPORT OF UNQUALIFIED OPERATOR WORK PERFORMED

I applied online for a Service Technician Apprentice position with Intermountain Gas Company (IGC) at the end of May, 2020. Between June and July, 2020, I was interviewed several times via Microsoft Teams. The IGC interview panel included former Pocatello District Manager Brandon Lance, current Pocatello District Manager James Murphy, and on occasion, Larissa Vossenkemper. At the end of one of the interviews, I asked Mr. Lance if I could be trained to do the job, since I did not have any previous gas industry experience. Mr. Lance assured me that IGC would train me to do the job.

My first day of work at IGC was August 3, 2020. On August 7, 2020, I was asked to meet with Mr. Murphy. He explained to me that IGC Human Resources advised him to coach me about what they believed to be a relationship with Bill McCulloch (IGC Service Technician A). Mr. McCulloch's wife and my wife are sisters. Mr. Murphy made it clear to me that I was not in trouble because I had not violated an IGC policy, but that neither myself nor Mr. McCulloch could be the lead of the Service Technician department. IGC's position on this issue has been challenged by the union that the Service Technicians belong to because the service technician lead is more of a pay scale than an actual position and the service technician lead does not have the authority to hire, fire or discipline employees.

In late November, 2020, I began performing residential meter exchanges by myself. I was not aware that I was not Operator Qualified to be performing such tasks. My training and Operator Qualifications were being overseen by Service Technician lead Jason Wixom. Mr. Wixom directed me on what tasks to perform and which technician to work with. He "signed off" on my apprentice training handbook and also "signed off" on my Operator Qualification performance evaluations. Mr. Wixom, on more than one occasion "signed off" on something which he had not seen me perform. Mr. Wixom provided very little training, if any, and the limited training that he did occasionally offer was haphazard, at best, and did not follow any sort of structure. Mr. Wixom also signed off on several performance evaluations without actually conducting a performance evaluation. In one particular instance, the line locating performance evaluation, Mr. Wixom signed off on the performance evaluation but told me that I needed more training. If that was the case, he should not have signed off on the PE.

On December 11, 2020, I received a text message from Service Technician Lead Jason Wixom. He was concerned about the number of meters that I was exchanging. As a result, I requested -via email- to meet with James Murphy. I met with the Pocatello District Manager James Murphy on December 11, 2020, to discuss my concerns about the lack of training and ongoing criticism from Jason Wixom. Mr. Murphy advised me that Jason Wixom was not a good coach. He also stated that I was doing fine at my job and he advised me to be patient.

Despite my formal meeting with James Murphy, the situation did not improve. I did still did not receive much training from Jason Wixom. Mr. Wixom also continued his verbal criticism of the number of meter exchanges that I was completing. I was really feeling pressured and was concerned about losing my job. As a result, I tried to complete an exchange 25 minutes before a United Way luncheon that IGC was providing for the Pocatello District employees. On this particular meter

exchange (in December 2020), I attempted to exchange a meter that was set on 2 pounds of pressure instead of the ¼ pound pressure that I had previously encountered. I was not aware that IGC set meters on 2 pounds of pressure. The Grunski bag I was using was blown apart by the higher pressure and the property serviced by the meter -a dentist's office- was left without gas. I called Service Technician Dave Thomson, an A level service technician for assistance in resolving the problem. Mr. Thompson turned on all the gas appliances that had lost gas. It is my understanding that either later that day or later that week, Mr. Thompson met with James Murphy and advised him that I had not been trained correctly to exchange meters and should not be performing the work by myself. Mr. Thompson himself shared this information with me at a later date.

Mr. Thompson was one of several Service Technicians that spoke to Mr. Murphy about Jason Wixom's refusal to train me. It is my understanding that John Schwartz, Service Technician A; Brad Sheehan, Service Technician B; Bill McCulloch, Service Technician A,; and Dave Thompson, Service Technician A, all shared concerns about my lack of training with James Murphy. The situation, however, did not improve. I did not receive structured or organized training from Mr. Wixom.

In early 2021, Mr. Wixom advised me that I was not where I needed to be in my training and that I needed to work on Operator Qualifications. I had not been previously made aware that I was falling behind -in any capacity- and had also never received any sort of job performance feedback apart from Mr. Murphy's assertion that I was doing fine at my job (during our December meeting). The focus shifted from me completing residential meter exchanges to completing OQs (computer based training (CBT) and performance evaluations (PE) as quickly as possible. The emphasis was not on learning the material in order to perform the work safely but on completing the OQs as quickly as possible. Mr. Murphy approached me one day and apologized for not overseeing my completion of OQs and explained that he though Mr. Wixom was doing seeing to that task.

On March 23, 2021, Mr. Wixom called Glen Morgan, Service Technician A, while I was riding in Mr. Morgan's work truck. Mr. Wixom was not aware that I was in the same vehicle as Mr. Morgan and could overhear their conversation clearly. Mr. Wixom asked Mr. Morgan why I was taking so long to get to a particular work order. Mr. Morgan advised Mr. Wixom that we were completing work orders. What Mr. Wixom did not know was that Mr. Morgan was actually training me and part of that training was showing me where IGC gas lines and regulator stations were located in Blackfoot, ID. I overheard Mr. Wixom ask Mr. Morgan to tell him, just between the two of them, what time I had arrived in Blackfoot. The fact that Mr. Wixom was talking about me to a fellow employee was very upsetting. As I previously stated, Mr. Wixom was not a supervisor -he merely pretended to be one. I immediately contacted my union representative, Sherman Schmidt, and he in turn requested a meeting with IGC management. Because Mr. Murphy was on vacation, Mr. Schmidt and I met with IGC Regional Director Doug Hansen and Operations Manager Phillip Colborn. During the meeting I shared my concerns about not receiving training but frequently receiving criticism from Mr. Wixom. I advised Mr. Hansen that the only task Mr. Wixom wanted me completing seemed to be exchanging meters. Mr. Hansen replied that exchanging meters was a good way to get trained.

On March 31, 2021, Mr. Schmidt and I met with Mr. Murphy. We discussed the meeting that Mr. Schmidt and I had with Mr. Hansen and Mr. Colborn. Mr. Murphy stated that he wished I'd come to him more often -as of the time of this statement by Mr. Murphy, I had already met with him once formally about Mr. Wixom, once informally (when Mr. Murphy apologized for Mr. Wixom not overseeing my training and OQs), and several service technicians had also advised him about Mr. Wixom's unwillingness to train me. Between this meeting and my resignation from IGC, I was finally given structured training. I was

assigned to a Service Technician A and worked with that technician for several days in a row and on at least one occasions a complete workweek.

On April, 9, 2021, Mr. Schmidt and I met with Mr. Murphy. Prior to this meeting Mr. Murphy sent me several emails indicating that he was going to put together a training plan and wanted input from me about what work tasks I needed more training on. This was the first time during my tenure with IGC that Mr. Murphy inquired about my training. Based on the conversation we were having, it was clear to me that Mr. Murphy was aware that I had not been trained by Mr. Wixom. I felt the meeting was progressing fine until Mr. Murphy advised me that I my probationary period would be extended from six months to nine months. I was actually pretty shocked by Mr. Murphy's threat of a disciplinary action. I was never counseled, warned, or even spoken to by Mr. Murphy about any issues with my job performance. At the time of this meeting, Mr. Murphy was not even aware of how long I had worked at IGC. I explained to him that I was closer to nine months of service than to six months of service. He was confused but eventually realized that I had been working at IGC for over 8 months. After the meeting with Mr. Murphy ended, I met with Mr. Schmidt to advise him that I was not going to be put back on probation by IGC. I believed the threat of an extended probation was a retaliatory act. The brashness of such an unwarranted retaliation left no doubt in my mind that IGC was committed to terminating me. As such, I decided that I would give my two-week notice on Monday, April 12, 2021. Mr. Schmidt and the Union Business Unit Manager contacted IGC and advised them that the Union disagreed with IGC's threat of an extended probation.

On April 12, 2021, Mr. Murphy contacted myself and Mr. Schmidt and advised us that IGC had rescinded the extended probation disciplinary action. His words did little to overturn the damage done by the unwarranted retaliatory threat. Later that day, I submitted my written notice of resignation, via email, to Mr. Murphy.

On April 13, 2021, Craig Pulley, contacted me. I believe Mr. Pulley is a Human Resources professional with either IGC or Montana Dakota Utilities. Mr. Pulley conducted an exit interview. During the interview, I explained that my resignation was due to the lack of training and because of IGC's threat of an unwarranted disciplinary action. At one point during the conversation, Mr. Pulley stated that exchanging meters was a great training opportunity for me, do to how involved the process was. I specifically asked Mr. Pulley about whether or not I should have been performing residential meter exchanges that I was not qualified to be exchanging. He responded that that was a question for Mr. Murphy.

# Jesse Urzua

## Summary of Concerns and Timeline 4/13/21

December 2020: Jesse came to me with concerns that Jason was not happy with where he was in his training. I explained to Jesse that he was doing fine and that Covid had made this situation challenging. I told him that I would talk with Jason and explain that to him which I did. I have been trying to coach Jason since I have come into this new role, and this was another opportunity I took to ask Jason to be patient and to help Jesse get where he wanted him to be in training.

March 23,2021: Jesse reached out to Sherm to after he had reached a breaking point that happened when Jason called the Tech (Glen Morgan) that was training Jesse and asked Glen when he had arrived on the job. Sherm suggested that they talk with Phil Colborn and Doug Hansen as I (JJ Murphy and Jesse's manager) was on vacation. On 3/31/21 Sherm told me that he suggested that they talk with Phil and Doug because he didn't want the situation to escalate while they waited for me to return from vacation. I have included Doug's notes and Phil's notes of the conversation that they had with Sherm and Jesse on this day.

March 29, 2021: Was able to schedule a meeting with Doug and Phil to discuss the meeting that they had with Jesse and Sherm and then with Jason.

March 30, 2021: Was able to schedule a meeting with Jason. Jason had concerns about Jesse's productivity. Jason stated that there were gaps in his workday that he seemed to always have an excuse for. Jason said that he had asked him to do OQ's one day and he had left without telling him and he didn't know where he went. He said that Jesse is on his personal phone all the time and had even left a training to take a call from his wife. He stated that he had asked Jesse to meet him at the office at 8am and Jesse left from his house at 8am and didn't arrive until 8:40am. Jason also stated that Jesse was acting weird around him and had tried to talk to him with his phone out like Jesse was trying to record the conversation. At that time, I told Jason to work through me on any concerns that he had with any Techs. I told him that Jesse was at that time going to continue training with him until we had the situation figured out. Jesse was already scheduled to train with Dave Thompson, so I let him go with Dave the rest of the week and then I set his training schedule for the next two weeks to ride with other Techs.

March 31, 2021: Was able to schedule a meeting with Jesse and Sherm. Jesse was concerned that Jason was calling out his morality when he questioned Glen about the time that he had gotten there. Jesse said it took a little bit of time to get the orders scheduled like Jason wanted. Jesse said that he has not take lunch or breaks to try and be more productive. Jesse was frustrated because he doesn't feel he is getting the level of training that he thought he should be, and that Jason is always unhappy with his productivity.

Jesse talked about a situation in which Jason was asking Jesse questions about Bill McCulloch and Jesse told him that he didn't know and that he should ask Bill. Jesse mentioned this to Bill and Bill called Jason to ask why he was asking other Techs about him and an argument ensued between Bill and Jason. After that Jason approached Jesse and was upset that he talked to Bill about it. He told Jesse that "he decided Jesse could go get fucked". Also, Jesse stated that Jason constantly trash talks each Tech to other Techs.

Jesse is upset that Jason has provided no clear direction, but at the same time is expecting Jesse to just know what to do. He says that Jason would tell him that he would be training with him, but then would send him with Bill. He says that Jason would tell him to do meter exchanges and then be mad at him for not doing OQ's.

April 9 2021, I scheduled a meeting with Jesse and Sherm. I had gone through Jesse's training log and OQ's to come up with a plan for him to finish his training with employees other than Jason. I got a feel for what types of orders he still need training on so that we could try to get him to as many of those orders as possible over the next several weeks. I told him that we were going to extend his probationary period out until May 3<sup>rd</sup> to allow for accelerated training and to get him where he needed to be for a better performance review. Also, I explained that we could not have him train with Bill since they were Brother-In-Laws. Sherm called me later that day and explained that the Union thought that Jesse had fulfilled his responsibility for his probationary period, and they didn't want to extend it. I talked with Amanda and Craig and we agreed not to extend it.

April 12, 2021: I called Sherm and Jesse first thing in the morning to let them know that the probationary period had not been extended and that I was close to being ready to give his performance review. Later that day I received an email notice of Jesse giving his two-week notice and resignation. I asked Jesse if he could come into the office to meet.

Jesse stated that he felt that Jason was out to get him. He said that he had lost sleep and fought with his wife because of the stress over the last several months. He said that he didn't want to be unemployed in this area because there are no good jobs here and that he was moving back to the Boise area. He also said that he didn't make this decision lightly and that it would cost him about \$30,000 to \$40,000 in realtor and moving costs from him moving over here and back. He said that the extension of the probationary period was the last straw and that his wife is in HR and couldn't believe we would do that. Jesse stated that the other newer Techs had told him that they had similar experiences with Jason during training. Jesse stated that he thought that Jason was harassing him and that he didn't know if it was because he was older or because he was "Mexican". He then brought up a story that Jason had told him about the last time that Jason "slapped a guy" and that it was an "older dude". He brought up that it was hard to know exactly what Jason wanted because Jason would tell him stories about Jason goofing off and not working, but then would expect Jesse to do more work than he was capable of.

I apologized to Jesse for not being able to fix this situation before it came to this and asked him why he hadn't kept me informed as this was going on after the last several months. He said he didn't want to be a complainer, and he knew I had a lot going on.





Thu, Nov 12, 8:28 AM

Good morning! Do you want me to grab the one read in Soda Springs and the one read in Montpelier?

Yes please

Copy!

Mon, Nov 16, 7:51 AM

Please head to Blackfoot. I'll get you some orders



Will do!

Thu, Nov 19, 8:05 AM

I'll have a couple of orders sent to you. After you are done work on OQs

Sounds good!

Mon, Nov 30, 8:36 AM

I'm out for a while. The wife has it and I think I do to. Please work on g exchanges and respond to emergencies with other techs when you can. Thanks

Tue, Dec 1, 2:21 PM

Are vou working on a



Tue, Dec 1, 2:21 PM

# Are you working on g exchanges?

JJ had me go with Bill to Fort Hall where I assisted with a two meter manifold install and am now assisting with locates.

Located in ft hall still?

Locates

Yes.

Ok. Make sure your also working on exchanges when you can. Especially while the weather is holding. If you are assisting



grab the spare but it doesn't have the things I need on it. I'm gonna head out and start doing G exchanges.

Fri, Dec 11, 10:34 AM

Hey just wanted to touch base and see what is going on with orders.? I know there have been a few activities going on around the shop, but as far as I can tell you aren't getting much done and spending way to much time at the shop. Again, I'm on the outside looking in. But You are only averaging 2 to 3 a day on exchanges. Without an area you should easily be able to average 6 if you start from your house and do orders for more than a few hours a day. There are



But You are only averaging 2 to 3 a day on exchanges. Without an area you should easily be able to average 6 if you start from your house and do orders for more than a few hours a day. There are techs completing their daily orders while also doing several exchanges a day. We are not required to go to the shop every morning at 8. It is best to plan your day and start from home at 8. No need to drive in to the office each morning when there is nothing to do there. Just call Kendra and have orders sent. But averaging 2 and 3 orders a day isn't good. We'll talk more Monday.

Mon, Dec 14, 12:39 PM

(Attached)

From:

Darras, Patrick < Patrick. Darras@mdu.com>

Sent:

Tuesday, May 11, 2021 3:42 PM

To:

Maria Barratt-Riley

Cc:

Blattner, Lori; Darrin Ulmer; John Hammond

Subject:

RE: Message from KM\_C658

Ms. Barratt-Riley,

I am in receipt of this correspondence and we will provide a written response within 21 days. Should we have questions we will be sure to reach out.

Thank you,

#### Pat Darras

VP, Engineering & Operations Services 400 North Fourth Street, Bismarck, ND 58501 Ph 701-222-7611



From: Maria Barratt-Riley < maria.barratt-riley@puc.idaho.gov>

**Sent:** Tuesday, May 11, 2021 4:06 PM

To: Darras, Patrick < Patrick. Darras@mdu.com>

Cc: Blattner, Lori <LORI.BLATTNER@intgas.com>; Darrin Ulmer <Darrin.Ulmer@puc.idaho.gov>; John Hammond

<John.Hammond@puc.idaho.gov>; Maria Barratt-Riley <maria.barratt-riley@puc.idaho.gov>

**Subject:** FW: Message from KM\_C658

\*\* WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. \*\*

Mr. Darras,

The Idaho Public Utilities Commission pipeline program recently received a complaint regarding an unqualified operator performing live residential meter exchanges. Please see the attached memo and claim documentation. We are asking for a written response within 21 days of this correspondence.

Please let me know if you have any questions.

Thank you,

Maria Barratt-Riley Executive Director Idaho Public Utilities Commission 208 334-0337



# **Idaho Public Utilities Commission**

PO Box 83720, Boise, ID 83720-0074

Brad Little, Governor

Paul Kjellander, Commissioner Kristine Raper, Commissioner Eric Anderson, Commissioner

May 7, 2021

Pat Darras Intermountain Gas Company 400 N 4<sup>th</sup> St. Bismarck, ND 58501

Dear Mr. Darras:

On April 23, 2021 the Commission received a complaint that an unqualified operator ("Operator") had been performing live residential meter exchanges in Pocatello between November 2020 to mid-April 2021. Enclosed, please find a copy of the complaint and documentation of meter exchanges the Operator worked on between November 2020 and mid-April 2021 lodged informally with the Commission.

The complaint describes an event timeline where the Operator continually reached out to Pocatello District Manager James Murphy, with concerns about the lack of training he was being provided by Service Technician lead Jason Wixom. The complaint includes allegations that Mr. Wixom signed off on training and performance which Mr. Wixom did not personally witness nor conduct an evaluation on the work done by the Operator.

The complaint includes specific work orders, and situations during the timeframe set forth above where Mr. Wixom continued to push for a higher number of meter exchanges to be completed, work the operator claimes he was not knowledgeable or qualified to perform. One such event occurred on in December and the lack of operator knowledge resulted in a Gurnski bag being blown apart and a dentist office being left without gas service.

The Commission takes such allegations seriously. Please provide a written response to the allegations contained in the complaint within twenty-one (21) day of the date of this correspondence. This response can be sent either by U.S. Mail to:

Maria Barratt-Riley Idaho Public Utiliteis Commission PO Box 83720 Boise, ID 83720-0074

or by email to: maria.barratt-riley@puc.idaho.gov.

Specifically, such response should, included but not be limited to, address each meter exchange performed by the Operator between November 2020 and mid-April 2021 and whether the Operator was qualified to perform such work.

If you have any questions please feel free to contact me at 208-334-0337.

Sincerely,

Maria Barratt-Riley

**Executive Director** 

Idaho Public Utilities Commission

cc: John Hammond, Deputy Attorney General Darrin Ulmer, Pipeline Program Manager

Jesse Urzua 88 Princeton Avenue Pocatello, ID 83201

## RE: TIMELINE AND REPORT OF UNQUALIFIED OPERATOR WORK PERFORMED

I applied online for a Service Technician Apprentice position with Intermountain Gas Company (IGC) at the end of May, 2020. Between June and July, 2020, I was interviewed several times via Microsoft Teams. The IGC interview panel included former Pocatello District Manager Brandon Lance, current Pocatello District Manager James Murphy, and on occasion, Larissa Vossenkemper. At the end of one of the interviews, I asked Mr. Lance if I could be trained to do the job, since I did not have any previous gas industry experience. Mr. Lance assured me that IGC would train me to do the job.

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Despite my formal meeting with James Murphy, the situation did not improve. I did still did not receive much training from Jason Wixom. Mr. Wixom also continued his verbal criticism of the number of meter exchanges that I was completing. I was really feeling pressured and was concerned about losing my job. As a result, I tried to complete an exchange 25 minutes before a United Way luncheon that IGC was providing for the Pocatello District employees. On this particular meter

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On April, 9, 2021, Mr. Schmidt and I met with Mr. Murphy. Prior to this meeting Mr. Murphy sent me several emails indicating that he was going to put together a training plan and wanted input from me about what work tasks I needed more training on. This was the first time during my tenure with IGC that Mr. Murphy inquired about my training. Based on the conversation we were having, it was clear to me that Mr. Murphy was aware that I had not been trained by Mr. Wixom. I felt the meeting was progressing fine until Mr. Murphy advised me that I my probationary period would be extended from six months to nine months. I was actually pretty shocked by Mr. Murphy's threat of a disciplinary action. I was never counseled, warned, or even spoken to by Mr. Murphy about any issues with my job performance. At the time of this meeting, Mr. Murphy was not even aware of how long I had worked at IGC. I explained to him that I was closer to nine months of service than to six months of service. He was confused but eventually realized that I had been working at IGC for over 8 months. After the meeting with Mr. Murphy ended, I met with Mr. Schmidt to advise him that I was not going to be put back on probation by IGC. I believed the threat of an extended probation was a retaliatory act. The brashness of such an unwarranted retaliation left no doubt in my mind that IGC was committed to terminating me. As such, I decided that I would give my two-week notice on Monday, April 12, 2021. Mr. Schmidt and the Union Business Unit Manager contacted IGC and advised them that the Union disagreed with IGC's threat of an extended probation.

On April 12, 2021, Mr. Murphy contacted myself and Mr. Schmidt and advised us that IGC had rescinded the extended probation disciplinary action. His words did little to overturn the damage done by the unwarranted retaliatory threat. Later that day, I submitted my written notice of resignation, via email, to Mr. Murphy.

On April 13, 2021, Craig Pulley, contacted me. I believe Mr. Pulley is a Human Resources professional with either IGC or Montana Dakota Utilities. Mr. Pulley conducted an exit interview. During the interview, I explained that my resignation was due to the lack of training and because of IGC's threat of an unwarranted disciplinary action. At one point during the conversation, Mr. Pulley stated that exchanging meters was a great training opportunity for me, do to how involved the process was. I specifically asked Mr. Pulley about whether or not I should have been performing residential meter exchanges that I was not qualified to be exchanging. He responded that that was a question for Mr. Murphy.

## Jesse Urzua

### Summary of Concerns and Timeline 4/13/21

December 2020: Jesse came to me with concerns that Jason was not happy with where he was in his training. I explained to Jesse that he was doing fine and that Covid had made this situation challenging. I told him that I would talk with Jason and explain that to him which I did. I have been trying to coach Jason since I have come into this new role, and this was another opportunity I took to ask Jason to be patient and to help Jesse get where he wanted him to be in training.

March 23,2021: Jesse reached out to Sherm to after he had reached a breaking point that happened when Jason called the Tech (Glen Morgan) that was training Jesse and asked Glen when he had arrived on the job. Sherm suggested that they talk with Phil Colborn and Doug Hansen as I (JJ Murphy and Jesse's manager) was on vacation. On 3/31/21 Sherm told me that he suggested that they talk with Phil and Doug because he didn't want the situation to escalate while they waited for me to return from vacation. I have included Doug's notes and Phil's notes of the conversation that they had with Sherm and Jesse on this day.

March 29, 2021: Was able to schedule a meeting with Doug and Phil to discuss the meeting that they had with Jesse and Sherm and then with Jason.

March 30, 2021: Was able to schedule a meeting with Jason. Jason had concerns about Jesse's productivity. Jason stated that there were gaps in his workday that he seemed to always have an excuse for. Jason said that he had asked him to do OQ's one day and he had left without telling him and he didn't know where he went. He said that Jesse is on his personal phone all the time and had even left a training to take a call from his wife. He stated that he had asked Jesse to meet him at the office at 8am and Jesse left from his house at 8am and didn't arrive until 8:40am. Jason also stated that Jesse was acting weird around him and had tried to talk to him with his phone out like Jesse was trying to record the conversation. At that time, I told Jason to work through me on any concerns that he had with any Techs. I told him that Jesse was at that time going to continue training with him until we had the situation figured out. Jesse was already scheduled to train with Dave Thompson, so I let him go with Dave the rest of the week and then I set his training schedule for the next two weeks to ride with other Techs.

March 31, 2021: Was able to schedule a meeting with Jesse and Sherm. Jesse was concerned that Jason was calling out his morality when he questioned Glen about the time that he had gotten there. Jesse said it took a little bit of time to get the orders scheduled like Jason wanted. Jesse said that he has not take lunch or breaks to try and be more productive. Jesse was frustrated because he doesn't feel he is getting the level of training that he thought he should be, and that Jason is always unhappy with his productivity.

Jesse talked about a situation in which Jason was asking Jesse questions about Bill McCulloch and Jesse told him that he didn't know and that he should ask Bill. Jesse mentioned this to Bill and Bill called Jason to ask why he was asking other Techs about him and an argument ensued between Bill and Jason. After that Jason approached Jesse and was upset that he talked to Bill about it. He told Jesse that "he decided Jesse could go get fucked". Also, Jesse stated that Jason constantly trash talks each Tech to other Techs.



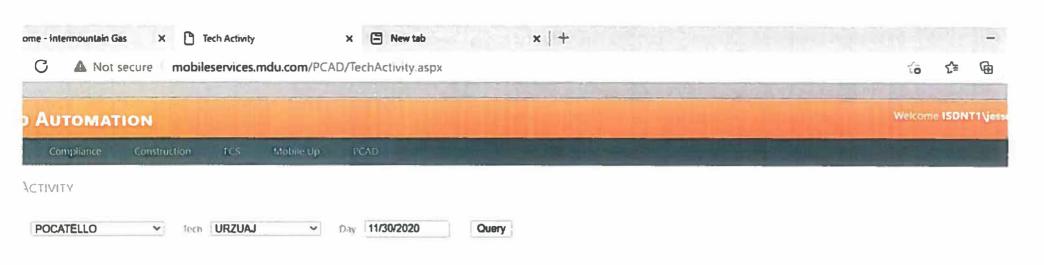
Jesse is upset that Jason has provided no clear direction, but at the same time is expecting Jesse to just know what to do. He says that Jason would tell him that he would be training with him, but then would send him with Bill. He says that Jason would tell him to do meter exchanges and then be mad at him for not doing OQ's.

April 9-2021, I scheduled a meeting with Jesse and Sherm. I had gone through Jesse's training log and OQ's to come up with a plan for him to finish his training with employees other than Jason. I got a feel for what types of orders he still need training on so that we could try to get him to as many of those orders as possible over the next several weeks. I told him that we were going to extend his probationary period out until May 3<sup>rd</sup> to allow for accelerated training and to get him where he needed to be for a better performance review. Also, I explained that we could not have him train with Bill since they were Brother-In-Laws. Sherm called me later that day and explained that the Union thought that Jesse had fulfilled his responsibility for his probationary period, and they didn't want to extend it. I talked with Amanda and Craig and we agreed not to extend it.

April 12, 2021: I called Sherm and Jesse first thing in the morning to let them know that the probationary period had not been extended and that I was close to being ready to give his performance review. Later that day I received an email notice of Jesse giving his two-week notice and resignation. I asked Jesse if he could come into the office to meet.

Jesse stated that he felt that Jason was out to get him. He said that he had lost sleep and fought with his wife because of the stress over the last several months. He said that he didn't want to be unemployed in this area because there are no good jobs here and that he was moving back to the Boise area. He also said that he didn't make this decision lightly and that it would cost him about \$30,000 to \$40,000 in realtor and moving costs from him moving over here and back. He said that the extension of the probationary period was the last straw and that his wife is in HR and couldn't believe we would do that. Jesse stated that the other newer Techs had told him that they had similar experiences with Jason during training. Jesse stated that he thought that Jason was harassing him and that he didn't know if it was because he was older or because he was "Mexican". He then brought up a story that Jason had told him about the last time that Jason "slapped a guy" and that it was an "older dude". He brought up that it was hard to know exactly what Jason wanted because Jason would tell him stories about Jason goofing off and not working, but then would expect Jesse to do more work than he was capable of.

I apologized to Jesse for not being able to fix this situation before it came to this and asked him why he hadn't kept me informed as this was going on after the last several months. He said he didn't want to be a complainer, and he knew I had a lot going on.



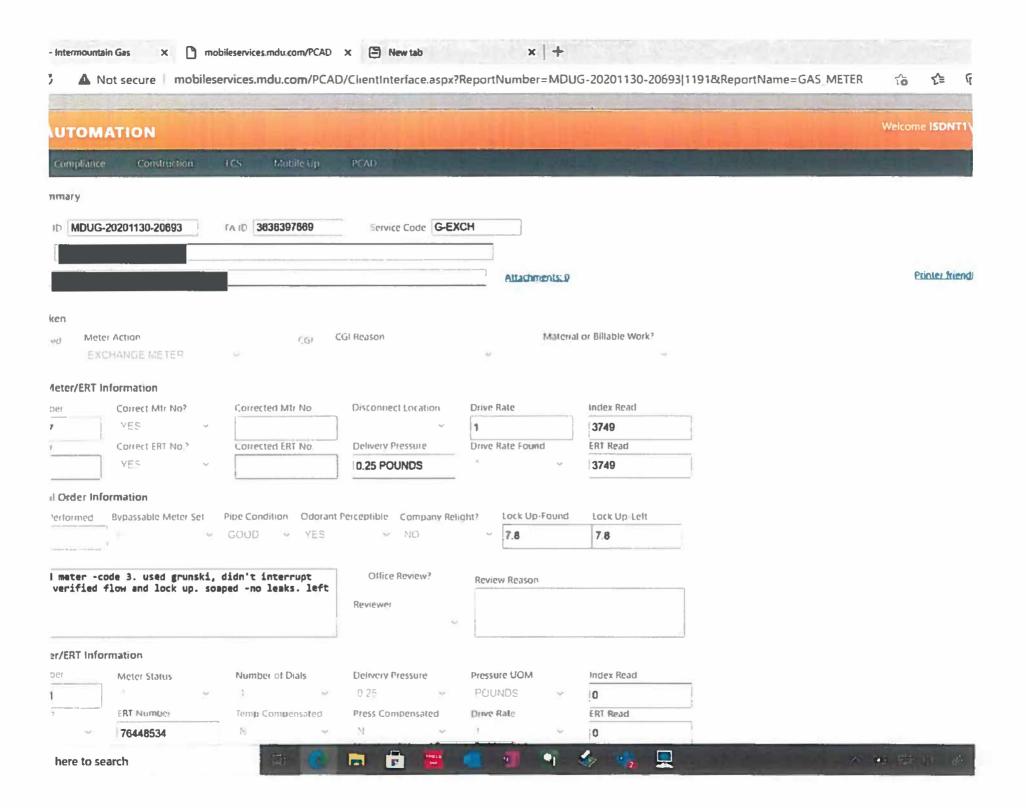
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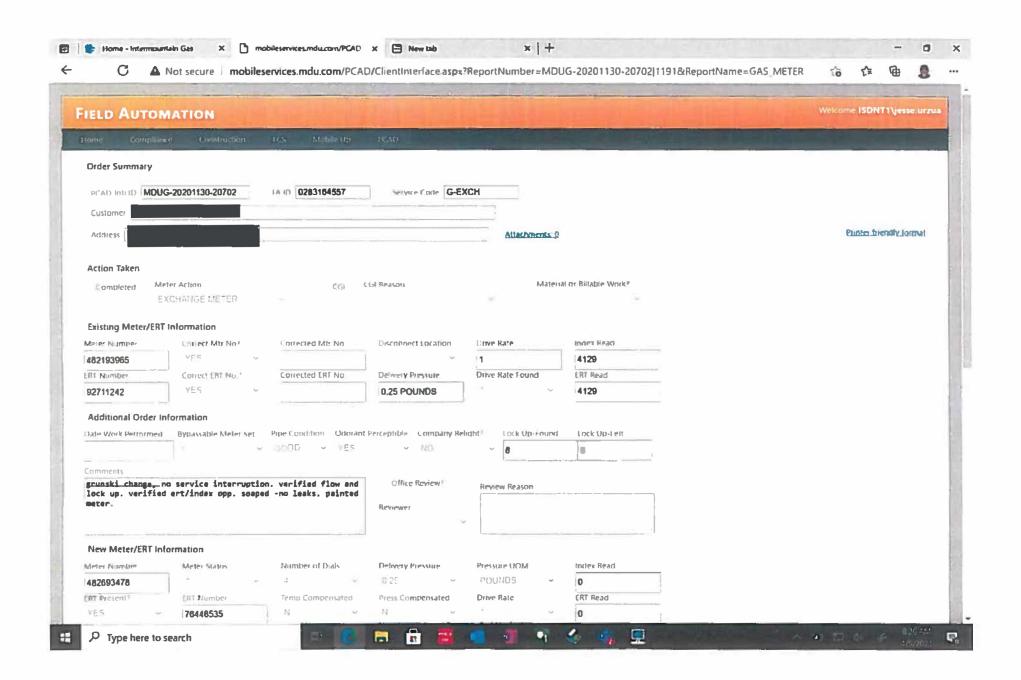
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20201130-20726	9317658120	G EXCH		POCATELLO	CLEARED	12-02 2020 11,36 US/Mountain	45	35	GAS METER

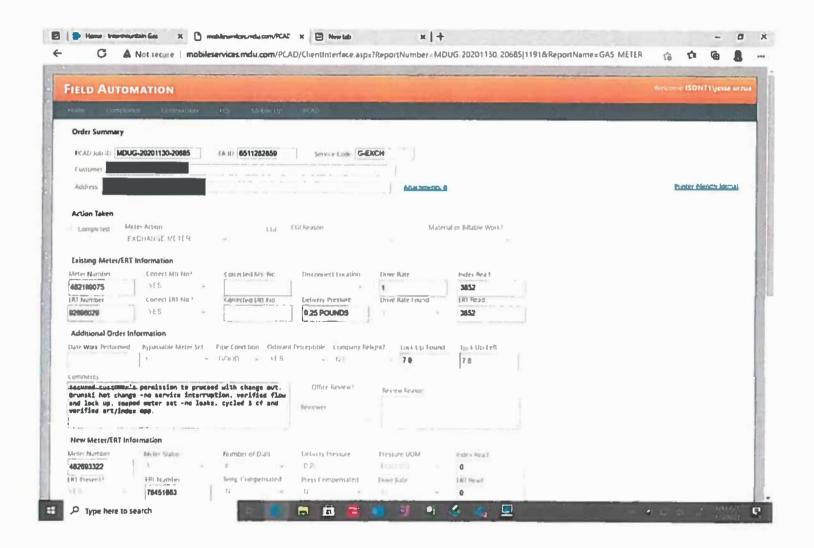


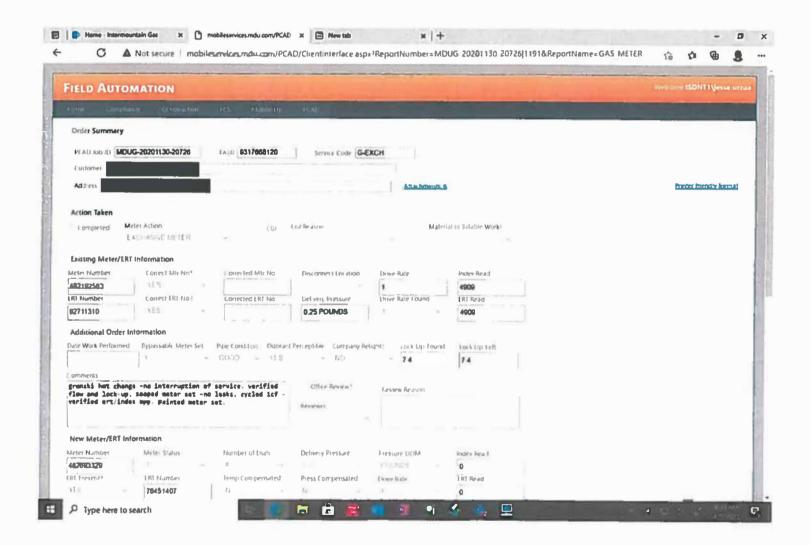
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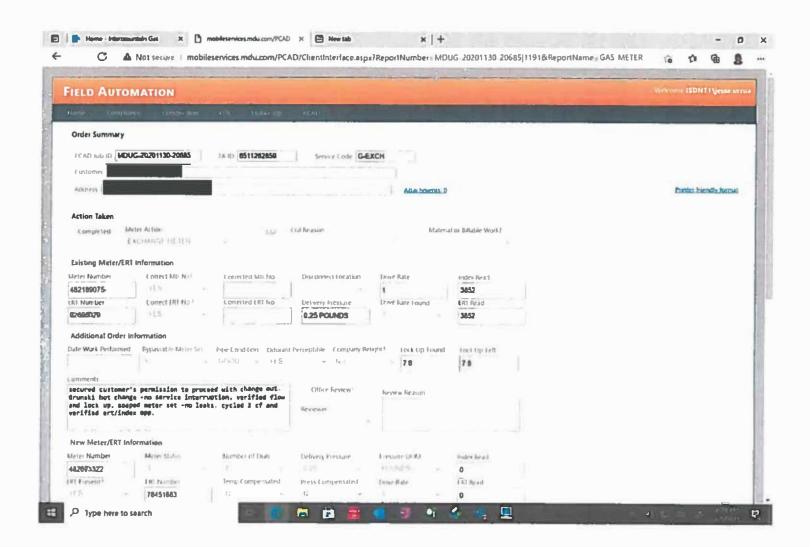


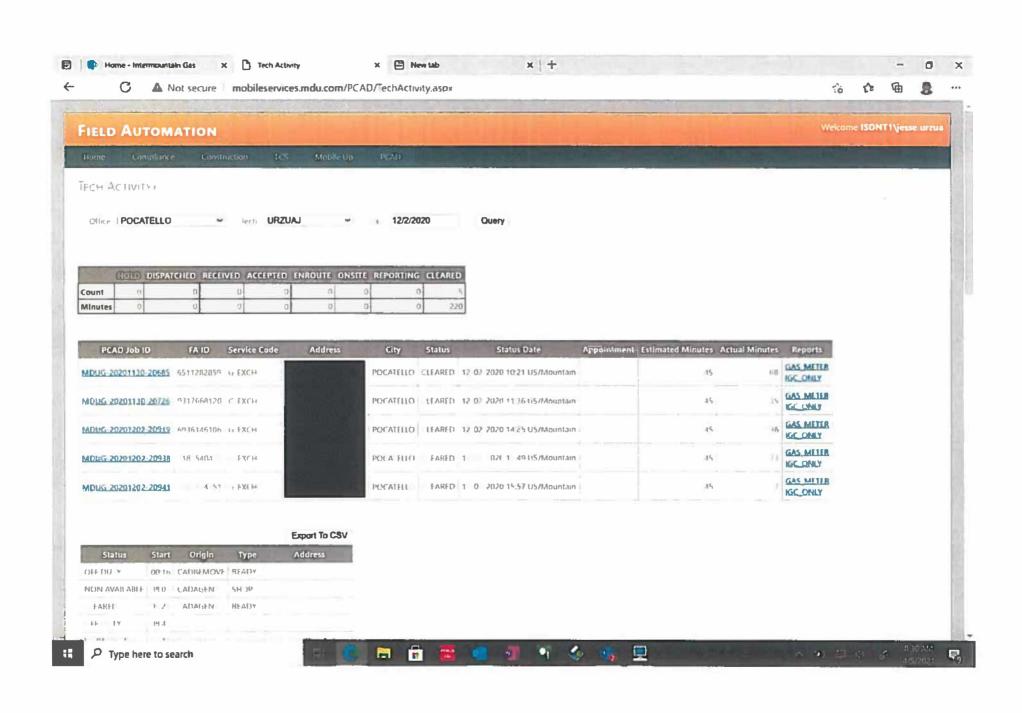


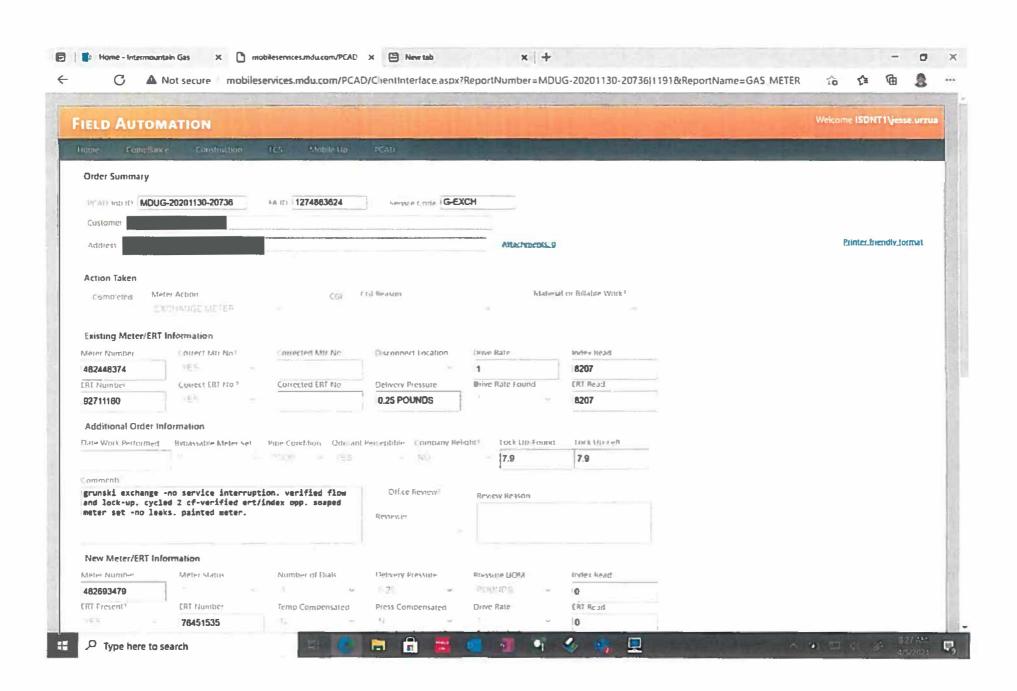


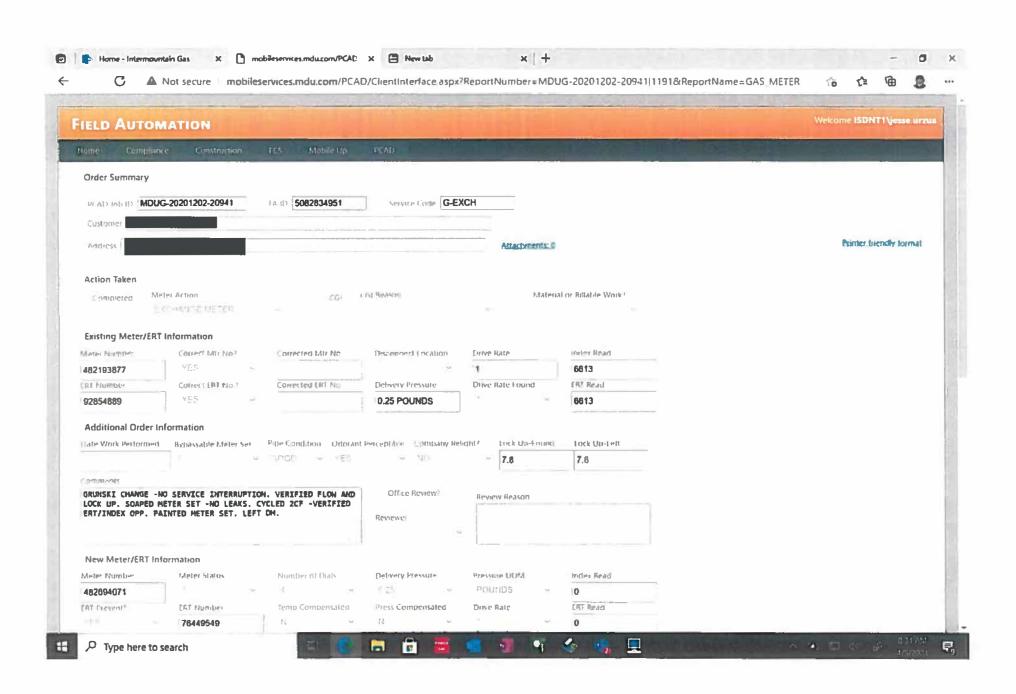


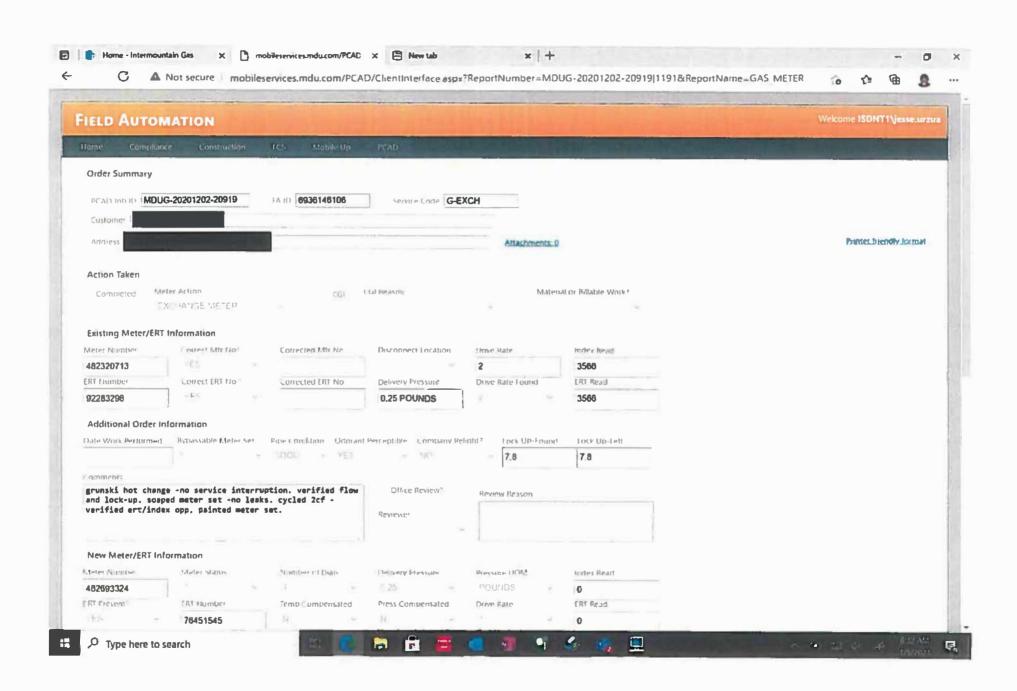


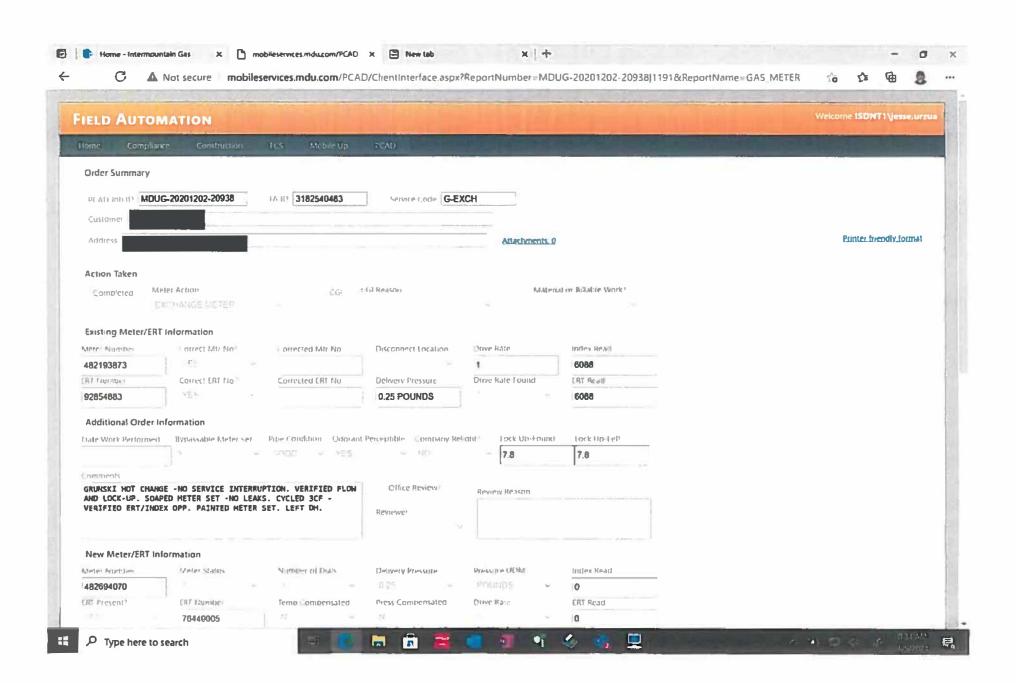


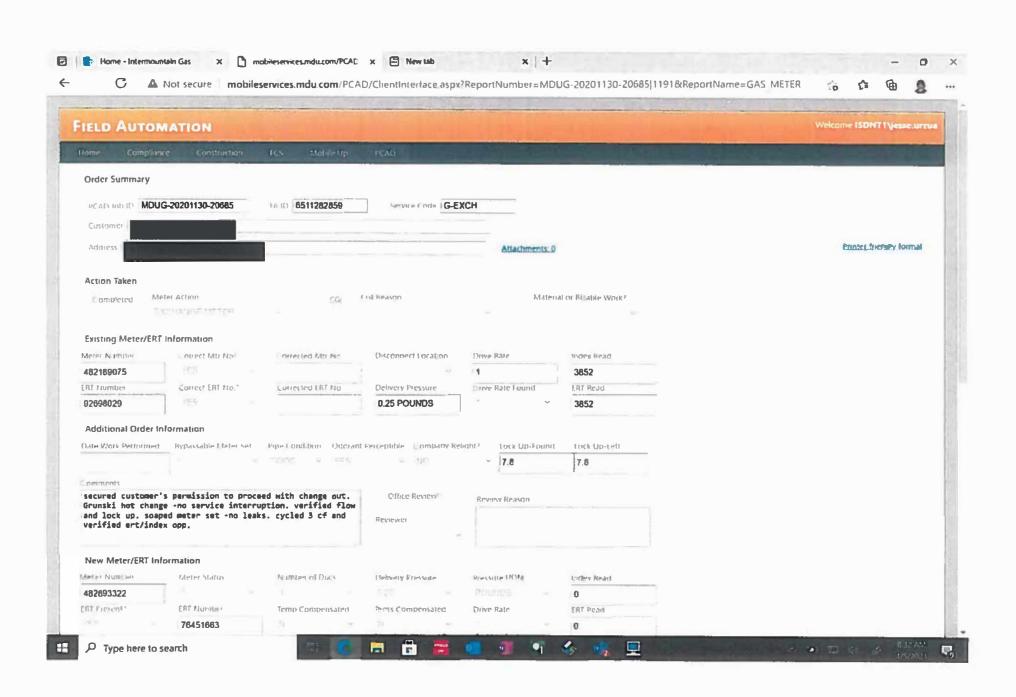


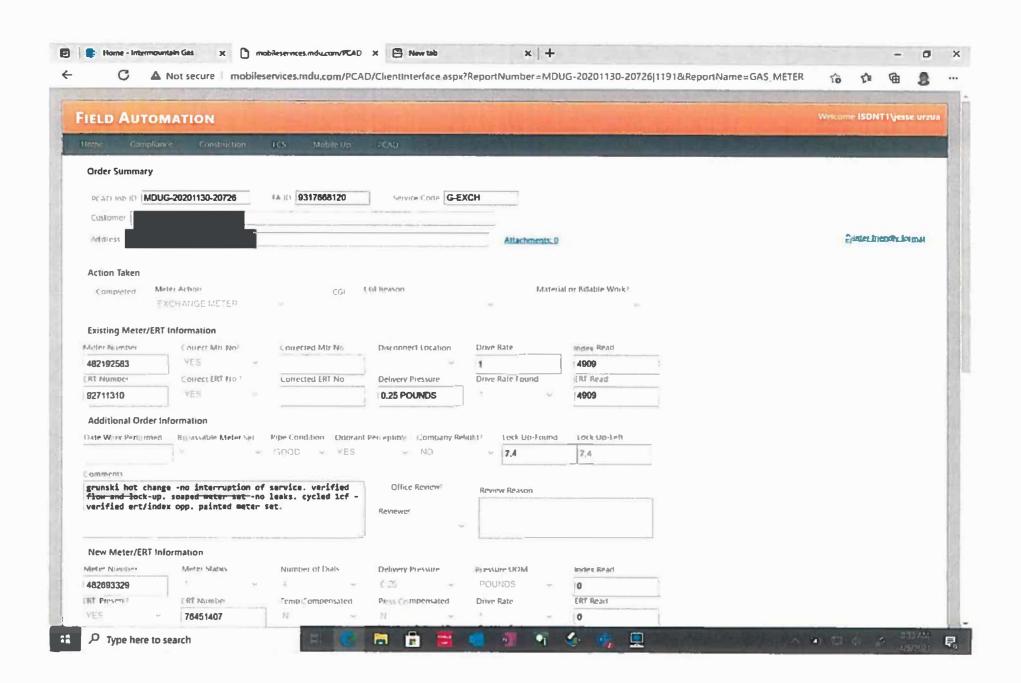


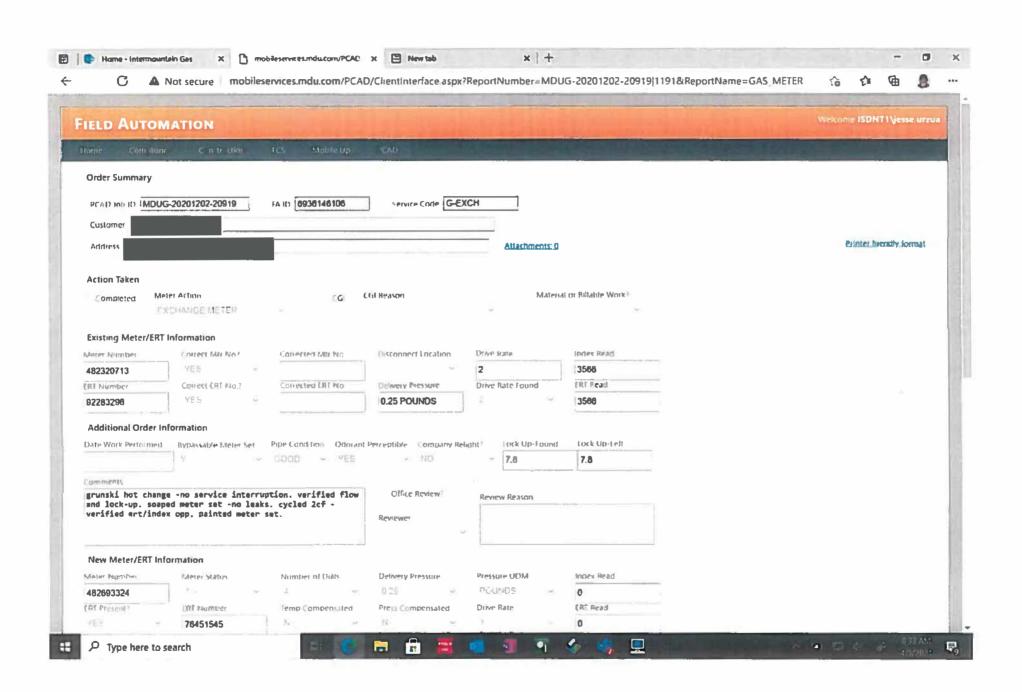


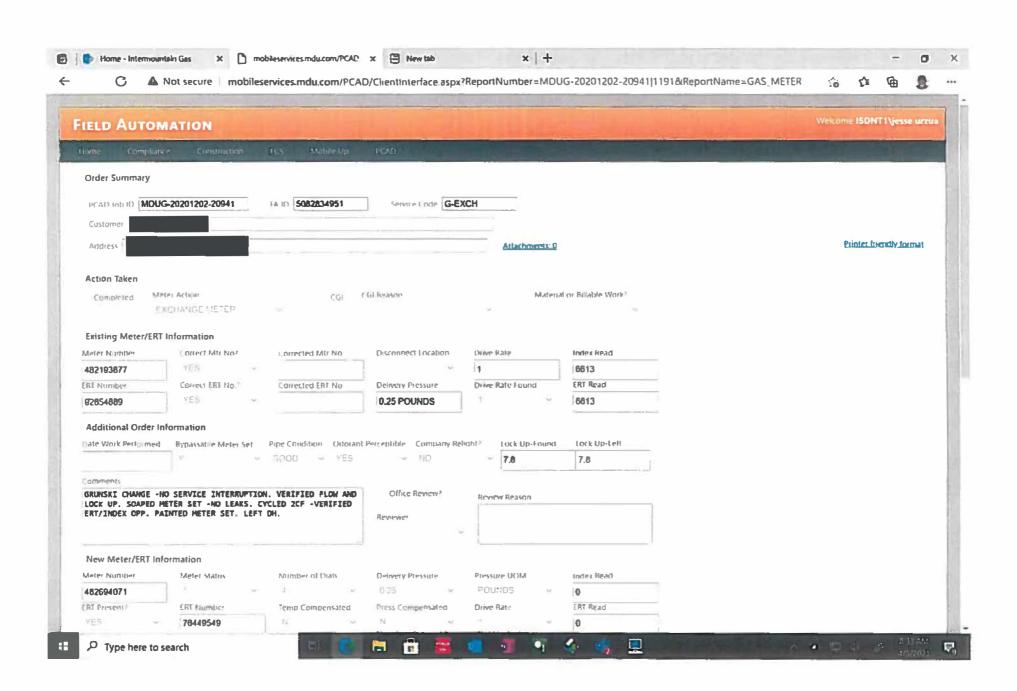


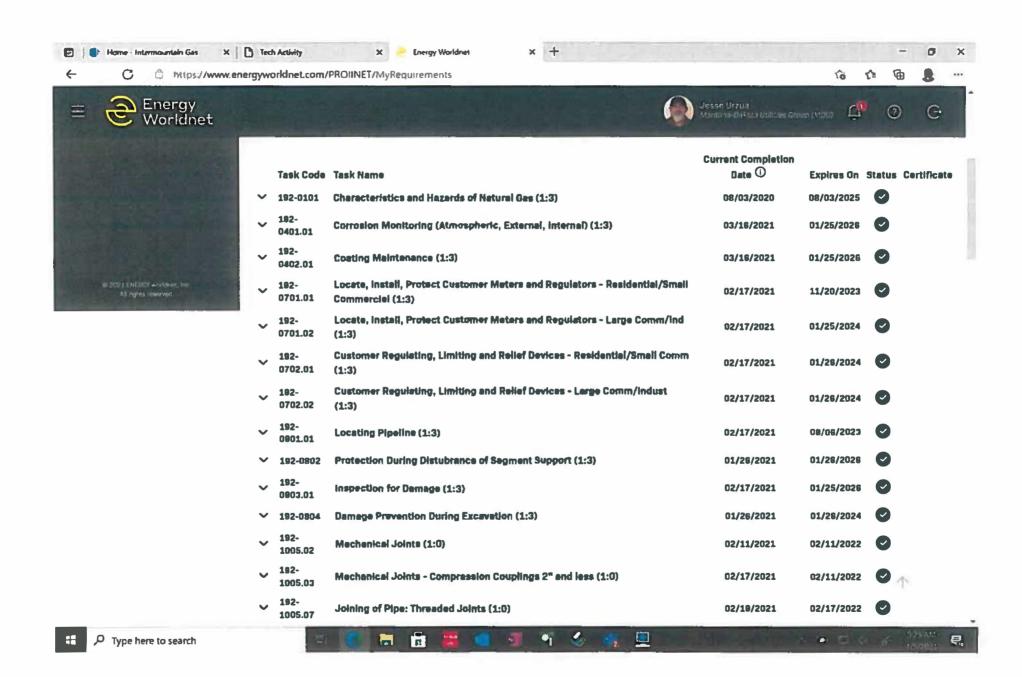


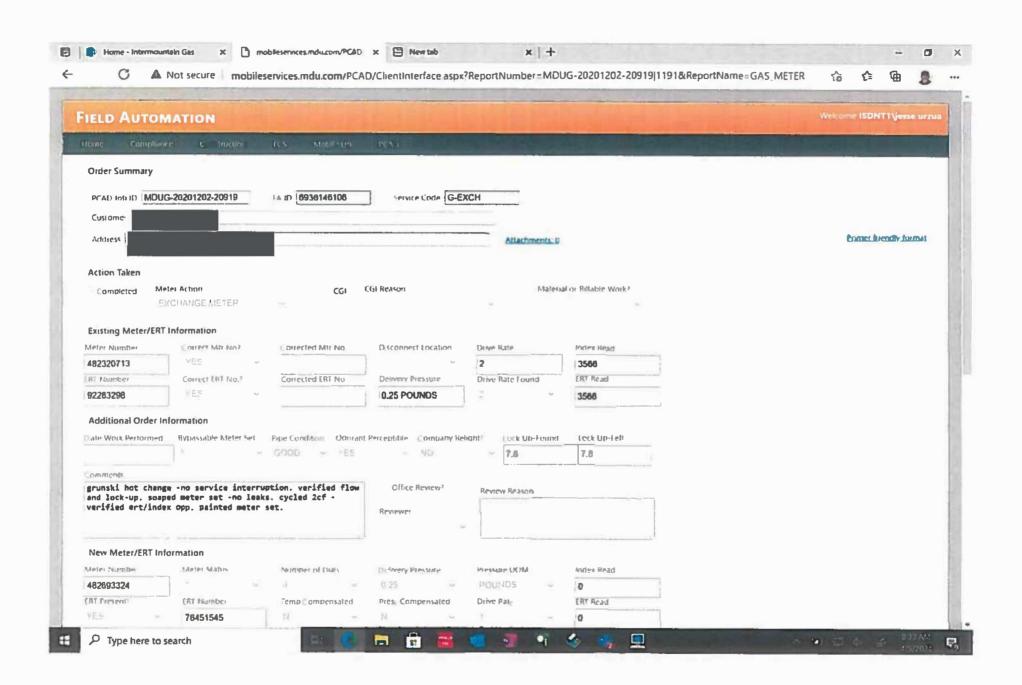


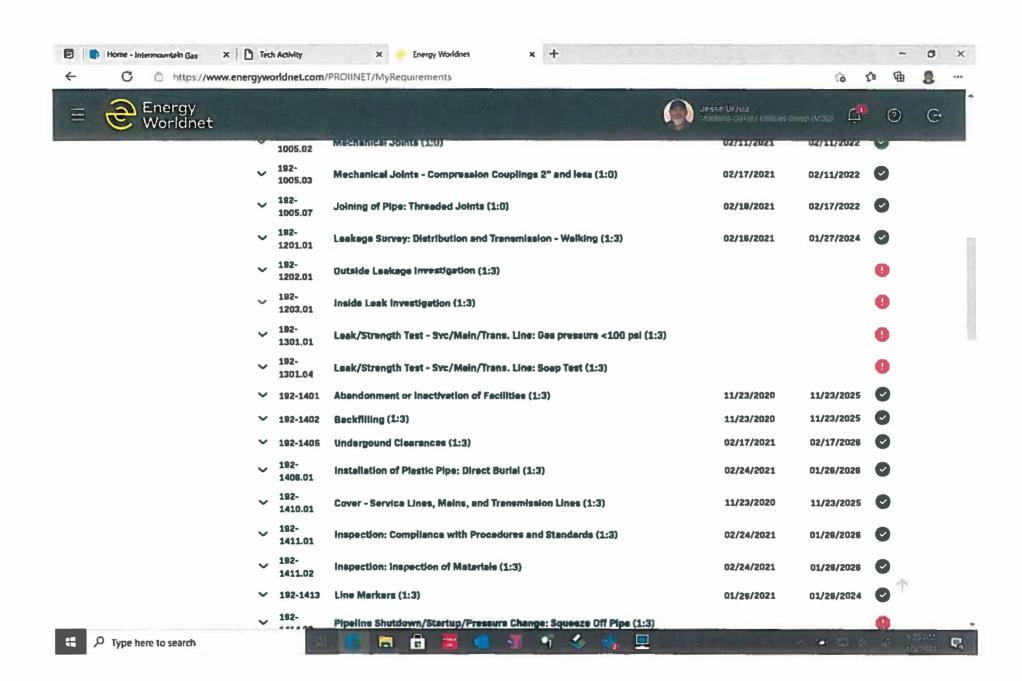


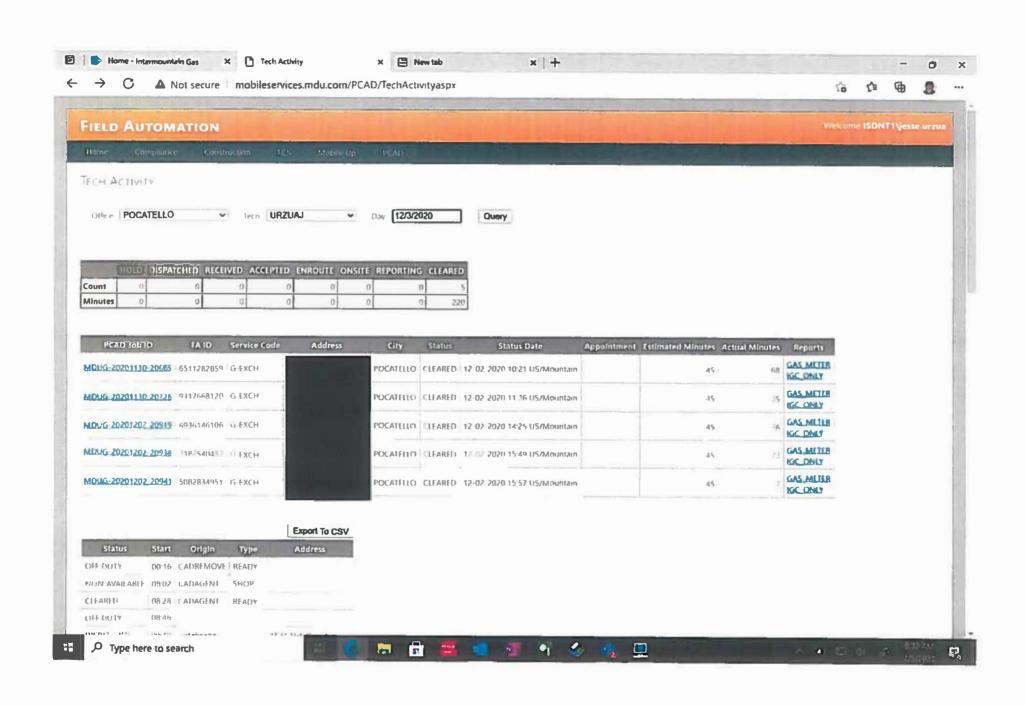


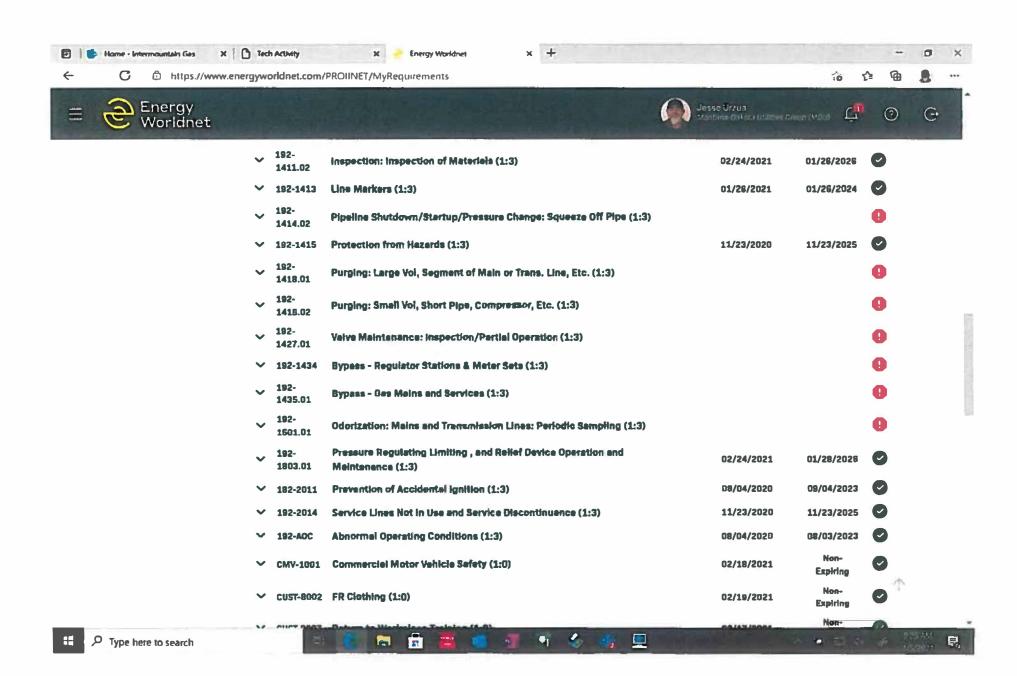


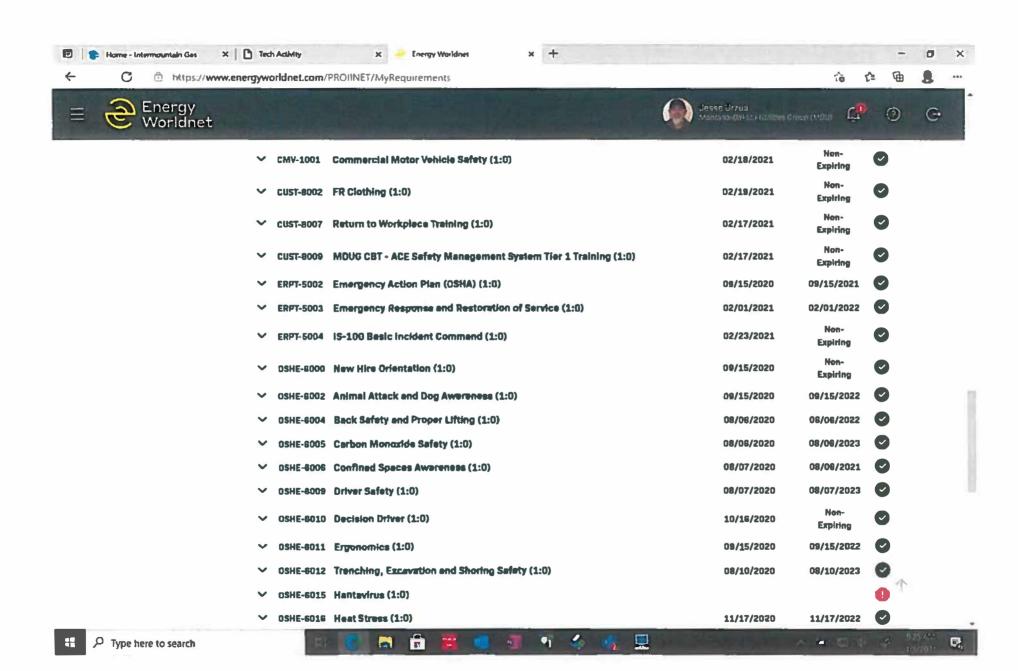


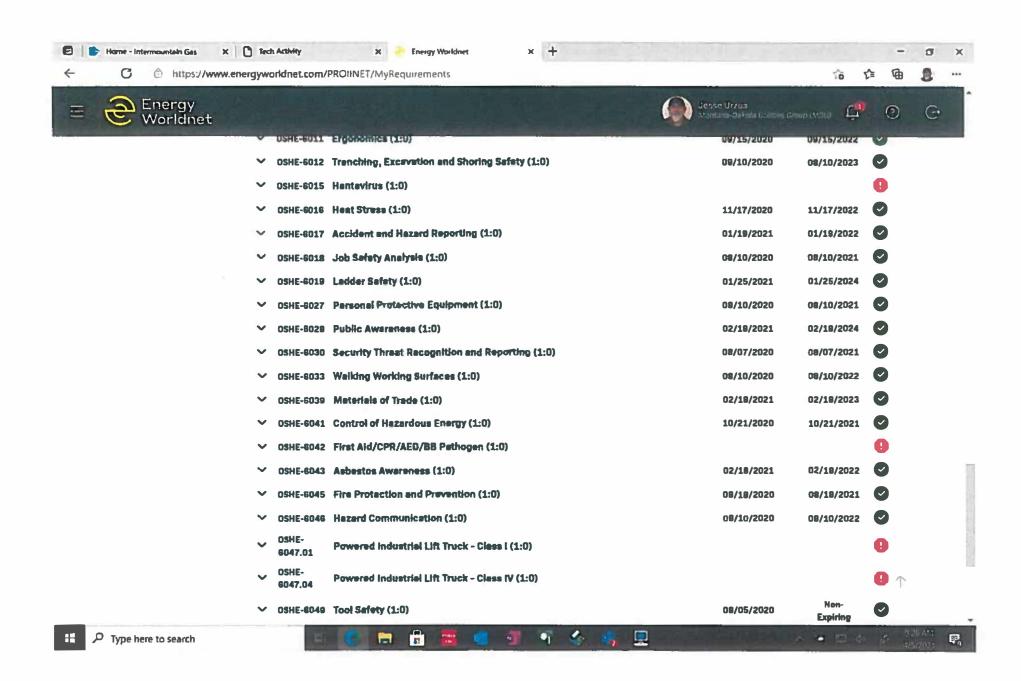


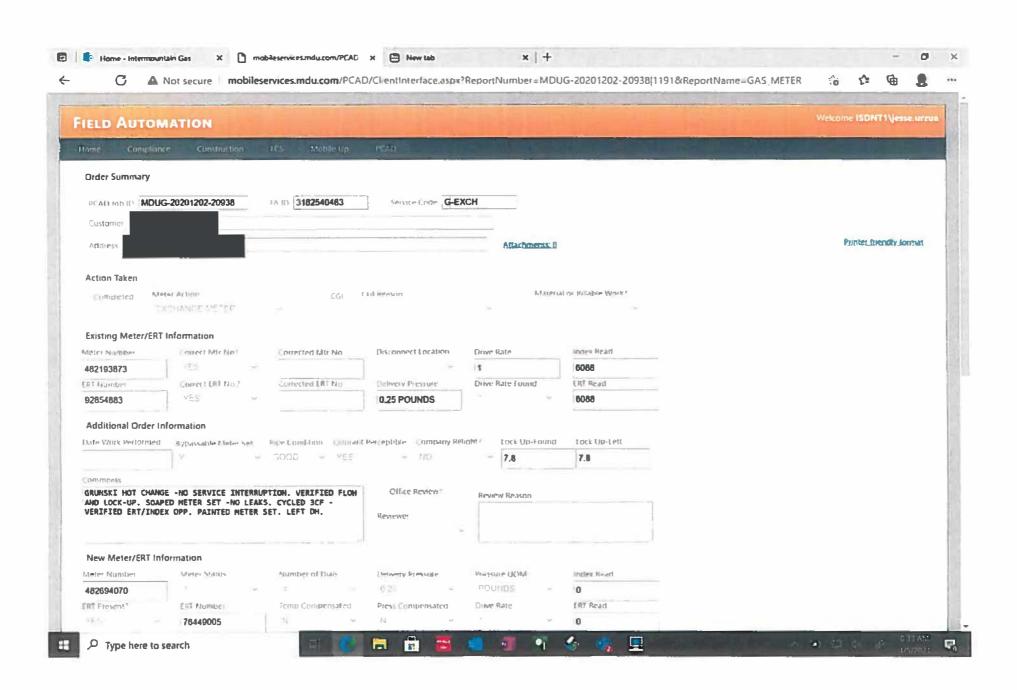


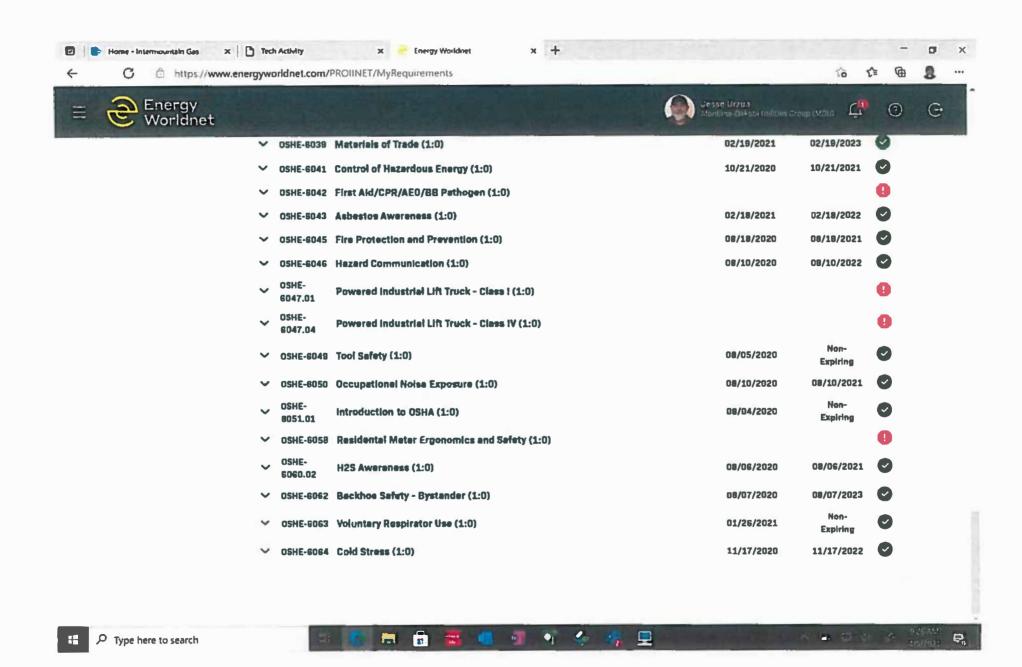












# INTERMOUNTAIN GAS COMPANY 555 SOUTH COLE ROAD• P.O. BOX 7608 • BOISE, IDAHO 83707 (208) 377-6000 • FAX: 377-6097

May 28, 2021

Ms. Maria Barratt-Riley, Executive Director Idaho Public Utility Commission PO Box 83720 Boise, ID 83720-0074

Subject: Response to Complaint to Commission of an Unqualified Operator Performing Meter Exchanges

Dear Ms. Barratt-Riley:

This letter is intended to address a complaint received by the Idaho Public Utilities Commission ("IPUC") on April 23, 2021 that an unqualified technician of Intermountain Gas Company ("IGC") performed live residential meter exchanges in Pocatello between November 2020 to mid-April 2021. Specifically, we are addressing the qualifications of the technician to perform live meter exchanges and each meter exchange that was performed by this technician during the aforementioned timeframe.

IGC has reviewed IGC's apprentice training and qualification program. IGC reviewed training records and work completion records for technician Jesse Urzua. IGC has determined that, while Mr. Urzua completed training, it is possible he was not fully qualified and/or operating with another qualified individual under span of control during ninety-seven meter exchanges. A list of these meter exchange addresses has been included with this letter.

IGC is committed to ensuring the safe operation of its natural gas system and has implemented a plan to remedy any potential issues stemming from Mr. Urzua's allegations. The company will visit each location where Mr. Urzua performed worked to verify his work was complete and the associated equipment is operating in a safe condition. This is considered a high priority and is expected to be completed no later than July 2, 2021.

Additionally, IGC will review Operator Qualification records of all apprentices that have had the potential to complete covered tasks without fully completed qualifications or the assistance of another qualified individual since August 1, 2020. If it is determined that work was completed by apprentice employees without proper qualifications or without assistance of another qualified individual operating under span of control, the company will visit these locations to verify work was complete and the associated equipment is operating in a safe condition.

Lastly, IGC Managers and Supervisors who supervise Service Technicians will receive supplemental training related to OPS 800 – Operator Qualification Plan. This training will highlight the importance of reviewing employee records and ensuring that initial qualifications are recorded prior to an employee being assigned any covered tasks.

IGC takes these allegations seriously and is committed to operating a safe and reliable natural gas system. Please feel free to contact Josh Sanders at (701) 222-7773 with your questions or comments.

Respectfully Submitted,

Hauss

Pat Darras

Vice President, Engineering & Operations Services Intermountain

Gas Company

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From: Maria Barratt-Riley

Sent: Monday, August 2, 2021 9:56 AM

To: Darras, Patrick < Patrick. Darras@mdu.com>

Cc: Lori Blattner (Lori.Blattner@intgas.com) < Lori.Blattner@intgas.com>; Darrin Ulmer < Darrin.Ulmer@puc.idaho.gov>; John Hammond < John.Hammond@puc.idaho.gov>

Subject: RE: Request for additional information

From: Maria Barratt-Riley

Sent: Monday, August 2, 2021 9:54 AM

To: Darras, Patrick < Patrick. Darras@mdu.com>

Cc: Lori Blattner (Lori.Blattner@intgas.com) < Lori.Blattner@intgas.com>; Darrin Ulmer < Darrin.Ulmer@puc.idaho.gov>; John Hammond < John.Hammond@puc.idaho.gov>

Subject: Request for additional information

Mr. Darras,

Please see the attached memo requesting additional information on IGC's response on May 28, 2021 to the Commission's unqualified operator complaint. Please let me know if you have any questions or concerns about any of the additional information requested. We are asking for a written response within 21 days of this correspondence.

Thank you,

Maria Barratt-Riley Executive Director Idaho Public Utilities Commission 208 334-0337



#### **Idaho Public Utilities Commission**

PO Box 83720, Bolse, ID 83720-0074

Brad Little, Governor

Paul Kjellander, Commissioner Kristine Raper, Commissioner Eric Anderson, Commissioner

July 29, 2021

Pat Darras Intermountain Gas Company 400 N 4<sup>th</sup> St. Bismarck, ND 58501

Dear Mr. Darras:

Thank you for your response letter regarding the unqualified operator ("Operator") complaint. Based on your response, I am requesting additional details on the following:

- 1. Copies of the initial work orders, including who signed off on the review of work performed.
- 2. Copies of IGC follow up inspections of all meter exchanges and any other work performed by Mr. Urzua, any findings, and status of those inspections. You indicated 100% completion by July 2, 2021, has this been completed?
- 3. How or why did you select the time of August 1, 2020 as the starting date for review of Operator Qualification records? What were the results of this review? If anything was found, who signed off on those work orders? Status of any potential findings.
- 4. Please provide a copy of, or access to the supplemental training provided to managers and supervisors who supervise Service Technicians. Have all managers/supervisors completed this training? Has this training resulted in any new findings of not fully qualified technicians performing any work independently? If so, please provide a complete list of addresses and any followup inspection reports IGC has completed since the finding.

I want to stress the Commission takes this situation very seriously. The lack of training and internal oversight for new employees is a major failing of IGC to promote public safety. Whereas, the former employee tried to bring the situation to light with his supervisors and then up the chain of command to no avail, we are quite concerned that IGC put in place a mechanism for future new employees claims are taken seriously. I welcome any additional comments you may have regarding any process changes IGC has put in place to help with this situation.

Please provide the requested information within twenty-one (21) day of the date of this correspondence. This response can be sent either by U.S. Mail to:

Maria Barratt-Riley Idaho Public Utiliteis Commission PO Box 83720 Boise, ID 83720-0074

or by email to: maria.barratt-riley@puc.idaho.gov.

If you have any questions please feel free to contact me at 208-334-0337.

Sincerely,

Maria Barratt-Riley Executive Director

Idaho Public Utilities Commission

cc: John Hammond, Deputy Attorney General Darrin Ulmer, Pipeline Program Manager

From:

Watkins, Greg < GREG.WATKINS@mdu.com>

Sent:

Tuesday, August 31, 2021 4:43 PM

To:

Maria Barratt-Riley

Cc:

Darras, Patrick; Sanders, Josh; Schoepp, Michael; Blattner, Lori

**Subject:** 

IGC Response to Request for Additional Information dated 7/29/2021

**Attachments:** 

CONFIDENTIAL Attachement 1 - Apprentice Service Technician PCAD Order Review.xlsx; CONFIDENTIAL

Attachment 2 - Urzua Meter Exchange Review.xlsx; Confidentiality Letter re Informal Complaint.pdf;

2021-07-29 IPUC Concern of Complaint - IGC Follow-Up Response.pdf

Follow Up Flag: Flag Status:

Follow up Flagged

Maria,

Attached is the Intermountain Gas Company response to Request for Additional Details RE: Complaint to Commission of an Unqualified Operator Performing Meter Exchanges. We truly appreciate you meeting this afternoon to discuss the response and the path going forward.

Also attached are the requested and referenced documents that are marked confidential due to customer addresses and employee names.

Respectfully,

#### **Greg Watkins**

Manager, Policy and Procedure 555 South Cole Road Boise, ID 83709

Email: greg.watkins@mdu.com

Direct: 208-377-6032 Cell: 208-890-2300



## VENS PURSLEY LLP

601 W. Bannock Street PO Box 2720 Boke. (D 8370) Telephone: 208-388-1200 Facsimile: 208-388-1300

www.givenspursley.com

Preston N. Carter prestancarter@givenspursley,cpm 208-388-1222

Gary G. Allen Chorle 5. Baser Christopher J. Beeson Michael P. Lawrence Jason J. Blakley Cint R. Bolinder Jeff W. Bower Preston N. Carter Jeremy C. Chou Michael C. Creamer Amber N. Dina Brodley J. Dixon Thomas E. Dvorak Debora Kristensen Grasham Judson B. Mantgomery Donald 2. Gray Deborah E. Nelson Brian J. Holleran Kersti H. Kennedy

Elizabeth A. Koeckerltz Neal A. Koskella Franklin G. Lee David R. Lombardi Lars E. Lundberg Kimberly D. Maloney Kenneth R. McClure
Alex P. McLoughlin Melodie A. McQuade Christopher H. Meyer
L. Edward Miller W. Hugh O'Rlandan, LL.M. Samuel F. Parry

Randall A. Peterman Blake W. Ringer Michael O. Roe Cameron D. Warr Robert B. White Michael V. Woodhouse

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015) James A. McClure (1924-2011) Raymond D. Givens (1917-2008)

August 31, 2021

Via hand delivery and email

Ms. Maria Barratt-Riley Idaho Public Utilities Commission P.O. Box 83720 Boise, ID 83720-0074

Re: Intermountain Gas Company

**Informal Complaint** 

Dear Ms. Barratt-Riley:

Accompanying this letter is Intermountain Gas Company's response to the Commission Staff's requests regarding the informal complaint filed by Mr. Urzua. The attachments to the response contain information such as customer names and addresses. This information is confidential, as indicated by entitling the files "CONFIDENTIAL."

Pursuant to Idaho PUC Rules of Procedure, IDAPA31.01.01.067, 31.01.01.233, and 31.02.01.005.07, the enclosed information is confidential, proprietary and trade secret information of Internountain and is protected by law from public inspection, examination or copying, pursuant to Idaho Code Sections 74-106, 107, and 48-801 et seq. Intermountain therefore requests that the enclosed information be protected from inspection, examination or copying by any person other than the Commissioners and PUC Staff. In accordance with IPUC Rule 67.02.a, the enclosed information is marked "Confidential - Trade Secrets" and submitted on yellow paper. Electronically conveyed data is identified as confidential by the use of CONFIDENTIAL in the file name.

Thank you for your cooperation. If you should have comments or questions regarding this request, please contact Lori A. Blattner (208-377-6015) or me (208-388-1222).

Sincerely,

Preston N. Carter Givens Pursley LLP

Attorney for Intermountain Gas Company

9 - at

#### **EXECUTIVE OFFICES**

#### INTERMOUNTAIN GAS COMPANY

555 SOUTH COLE ROAD P.O. BOX 7608 • BOISE, IDAHO 83707 • (208) 377-6000 • FAX: 377-6097

August 31, 2021

Idaho Public Utility Commission Attn: Maria Barratt-Riley, Executive Director PO Box 83720 Boise, ID 83720-0074

Subject: Response to Request for Additional Details RE: Complaint to Commission of an Unqualified Operator Performing Meter Exchanges

Dear Ms. Barratt-Riley:

On behalf of Intermountain Gas Company (IGC), this letter is intended to provide additional information relating to the complaint received by the Idaho Public Utilities Commission (IPUC) on April 23, 2021, that an unqualified technician had been performing live residential meter exchanges in Pocatello from November 2020 to mid-April 2021. Specifically, IGC is responding to the IPUC request for additional details dated July 29, 2021.

Jesse Urzua completed 912 work orders while employed for IGC as an Apprentice Service Technician, as shown in Attachment 1.1 Mr. Urzua was not operator qualified for covered tasks required to complete 124 of these work orders. As a matter of course, IGC does not review completed work orders for non-emergency tasks completed by Service Technicians.

As stated in IGC's previous response letter, operator qualified Service Technicians reviewed the 97 meter exchanges completed by Mr. Urzua while not under span-of-control. This review was completed by June 21, 2021, as shown in Attachment 2. Below is a list of items identified and mitigated during the review. Please note, the identified items did not jeopardize public safety and, as such, would not have required immediate action.

- A non-hazardous leak on a meter set fitting was found at two locations.
- Two regulators were found with lock-up pressure as found above the 8.25 inches water column (w.c.) Company standard. One found at 11.2 inches w.c., and the other found at 10.3 inches w.c.
- One regulator was found with delivery pressure found at 6.5 inches w.c., which is below the 6.75 inches w.c. minimum.
- One meter set was identified as in a bind.
- A non-hazardous leak on the service stop was found at one location.

Because Mr. Urzua was hired on August 1, 2020, that date was selected as the starting date of the Apprentice Service Technician Operator Qualification review. From August 3, 2020 through June 23, 2021, 15,940 work orders were completed by Apprentice Service Technicians, as shown in Attachment 1. In addition to the meter exchanges completed by Mr. Urzua, the Apprentice Service Technicians were not operator qualified for covered tasks required for 1,847 of the work orders. The Safety Management Systems (SMS) and Quality Assurance (QA) department is in the process of reviewing these 1,847 work orders to determine required follow up actions based on the type of work completed and risk. The SMS/QA department is also reviewing the operator qualification process for Apprentice Service Technicians for gaps and improvement opportunities. This review will be completed by September 24, 2021.

<sup>&</sup>lt;sup>1</sup> All attachments contain customer addresses and are filed confidentially under Commission Rules.

## Exhibit 7

(Attachment 1 to Exhibit 7 is CONFIDENTIAL)

## Exhibit 7

(Attachment 2 to Exhibit 7 is CONFIDENTIAL)

#### INTERMOUNTAIN GAS COMPANY

555 SOUTH COLE ROAD+ P.O. BOX 7608 • BOISE, IDAHO 83707 • (208) 377-6000 • FAX: 377-6097

October 21, 2021

Idaho Public Utility Commission Attn: Maria Barratt-Riley, Executive Director PO Box 83720 Boise, ID 83720-0074

Subject: Follow-up Response to the August 31, 2021 Response to Request for Additional Details RE: Complaint to Commission of an Unqualified Operator Performing Meter Exchanges

Dear Ms. Barratt-Riley:

In the August 31, 2021 letter titled Response to Request for Additional Details RE: Complaint to Commission of an Unqualified Operator Performing Meter Exchanges, Intermountain Gas Company (IGC) stated, "the Policy & Procedure Department has created a supplemental OPS 800 training for directors and managers. The training is being reviewed and will be revised based on the SMS/QA findings at which time the training and will be implemented before October 22, 2021."

The ACE Review Recommendations, provided via email on October 11, 2021, includes several recommendations that require IGC to delay the implementation of the *OPS* 800 – *Operator Qualification Plan* training for directors and managers. (See Attachment A).

To allow the incorporation of the ACE recommendations, the revised deadline to conduct training with supervisors of personnel who perform covered tasks is June 30, 2022. As previously stated to the IPUC, the Vice President of Field Operations, Director of Safety & Technical Training, and Director of Ops Policy & Procedures met with Field Operations Directors and Managers on August 3, 2021 to review OPS 800 - Operator Qualification Plan and to ensure management is verifying employee Operator Qualification statuses as complete in Energy WorldNet prior to performing Covered Tasks. Since then, IGC has adhered to the requirements set forth in that meeting and by OPS 800.

Implementing the ACE recommendations and improving our operator qualification program is a high priority. As such, IGC will assign deadlines for each recommendation. The progress and due dates of the recommendations will be tracked by the Safety Management Systems and Quality Assurance department.

Please contact Josh Sanders at (701) 222-7773 with any additional questions or comments.

Respectfully Submitted,

Pat Darras

Vice President, Engineering & Operations Services

Intermountain Gas Company

### Exhibit 8

(Attachment to Exhibit 8 is CONFIDENTIAL)