

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA



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ADMINISTRATIVE LAW JUDGES JESSICA T. HECHT and MARCELO  
POIRIER, co-presiding

Order Instituting Investigation on ) EVIDENTIARY  
the Commission's Own Motion into the ) HEARING  
Operations and Practices of Southern )  
California Gas Company with Respect )  
to the Aliso Canyon Storage Facility )  
and the Release of Natural Gas, and )  
Order to Show Cause Why Southern )  
California Gas Company Should Not be )  
Sanctioned for Allowing the ) Investigation  
Uncontrolled Release of Natural Gas ) 19-06-016  
from its Aliso Canyon Storage )  
Facility. (U904G) )

REPORTERS' TRANSCRIPT  
Virtual Proceeding  
April 1, 2021  
Pages 1413 - 1496  
Volume 10

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VIRTUAL PROCEEDING

APRIL 1, 2021 - 10:01 A.M.

\* \* \* \* \*

ADMINISTRATIVE LAW JUDGE POIRIER:

We'll be on the record.

This is Administrative Law Judge Marcelo Poirier. As the operator just indicated, these are the evidentiary hearings in Investigation 19-06-016. I believe we're Day 10. At this point, we are starting this morning with a discussion on scheduling.

While we were off the record, Mr. Gruen from SED indicated that he wanted to make a statement. We'll get to that and then SoCalGas. We'll get some of this information on the record, and then we'll probably go off the record to have -- discuss more before returning. So with that --

MS. PATEL: Your Honor, may I ask a clarifying question. I apologize for interrupting. When you say "off the record," does that mean that this discussion will also not be published for those who are calling in unless they are here as active participants?

ALJ POIRIER: No. Everybody -- the phone call is live now. So people will be able to hear it. The reason why I think we're eventually going to have an

1 off-the-record discussion is because if we're  
2 going to talk logistics, it just makes it --  
3 more sense to try to talk, you know,  
4 logistics offline and then come online and  
5 summarize it.

6 MS. PATEL: I will -- I would just like  
7 to add that, you know, some of the reasons  
8 that we're having this discussion is, you  
9 know, due to sensitive personal information,  
10 and I would not want that to be on the  
11 record.

12 ALJ POIRIER: Okay.

13 MR. GRUEN: Your Honor, SED's opening  
14 statement doesn't -- we believe that this  
15 doesn't have to do -- well, first of all, we  
16 haven't received the sensitive personal  
17 information, I believe, that (inaudible) also  
18 can't reveal it. To the extent SoCalGas  
19 wants to discuss sensitive, personal  
20 information off the record, SED has no  
21 objection to that.

22 MS. PATEL: I think that SED's email on  
23 Monday demonstrates otherwise.

24 ALJ HECHT: I am going to ask when you  
25 say "off the record," are you asking that we  
26 close it to the public and just talk among  
27 the participants?

28 MS. PATEL: Yes, your Honor.

1           ALJ HECHT: Okay. Thank you. Just to  
2 be clear. I believe the operator can do  
3 that, but it is not something that we had  
4 planned to do. In fact, the last time I made  
5 a statement that I did not want the public to  
6 hear it was before we went live rather than  
7 after. So I think that Judge Poirier and I  
8 should consult about that and how to move  
9 forward.

10           MS. PATEL: I would add -- again, I  
11 apologize for interrupting. If you would  
12 like to have this discussion on the record or  
13 at least audible by people who have called in  
14 today, you know, I would just ask that  
15 everyone use their best discretion to not  
16 discuss the underlying bases for the  
17 scheduling changes.

18           ALJ HECHT: Fair enough. And I would  
19 prefer not to have very private information  
20 to be discussed in this way. So first I want  
21 to confirm with the operator if we wanted to  
22 go unlive and go back into the protected  
23 area, could we do that?

24           THE OPERATOR: Yes, very easily.

25           ALJ HECHT: Okay. So that's something  
26 that we could do. For that, I'm going to --  
27 I love calling a five-minute break when we've  
28 been on less than five minutes, but I'm going

1 to do that anyway and Judge Poirier and I can  
2 consult.

3 We'll be off the record.

4 (Off the record.)

5 ALJ HECHT: Let's go on the record.

6 While we were off the record, we had  
7 some discussions on how to move forward the  
8 discussion of some of the scheduling matters  
9 in that we are being -- we are likely to  
10 discuss confidential private information. We  
11 are going to go offline from the telephone  
12 lines, public at this point, and we'll go off  
13 the record, we'll have the discussion, and  
14 then we'll go back on the record at some  
15 point and provide a summary that does not  
16 include the confidential information.

17 So let's go off the record.

18 (Off the record.)

19 ALJ POIRIER: Let's go back on the  
20 record.

21 Good morning, this is ALJ Poirier.  
22 We're returning from an off-the-record,  
23 off-phone-line conversation which was taken  
24 because confidential medical personal  
25 information was discussed. During that  
26 discussion, we talked about the upcoming  
27 witness order as much as -- as well as other  
28 matters regarding the rest of the proceeding.

1 I think we've had -- we've clarified the  
2 picture of who is available and when. We  
3 agreed that we will be moving Mr. Healy to  
4 next week, which is the day Mr. Serra will be  
5 presenting, which is April 6. We're going to  
6 try to get those two witnesses done on that  
7 day. So that means we will not be having  
8 hearings on Friday, 4-2. Hopefully we'll get  
9 Mr. La Fevers done today.

10 We also will be hearing some  
11 procedural requests from SED regarding  
12 witness order and proceeding practice.

13 Mr. Gruen, why don't you go ahead  
14 and start.

15 MR. GRUEN: Thank you, your Honor. At  
16 SED -- regarding the procedural requests, SED  
17 and Cal Advocates and Traci -- Ms. Bone --  
18 excuse me -- can confirm if I've misstated  
19 anything for Cal Advocates, but I understand  
20 this is covering what Cal Advocates -- their  
21 request as well. So these are made jointly  
22 on behalf of SED and Cal Advocates' request  
23 that your Honors mandate the following  
24 procedures to ensure a fair and efficient  
25 proceeding moving forward.

26 No. 1, SoCalGas should be required  
27 to provide the order of its witnesses  
28 scheduled for May now, at this point in time,

1 that is to say today. Tomorrow would be  
2 acceptable as well to give them a chance to  
3 digest it but -- and should not be allowed to  
4 shuffle its witness order a second time.

5 No. 2, SoCalGas should not be  
6 allowed to split its witnesses between next  
7 week in May. That is to say an interruption  
8 of cross-examination where a witness would  
9 finish -- would be in the middle of cross on  
10 April 7th and then picking up again on May  
11 3rd. Our request would be, in that instance,  
12 to have the witness begin fresh in May -- for  
13 the May dates instead. So no witness  
14 splitting.

15 No. 3, we would request no further  
16 data requests of parties to the proceeding  
17 except for those related to SoCalGas'  
18 potential violation of its own attestations  
19 until the briefs related to this round of  
20 hearings are over.

21 No. 4, now that hearings have begun,  
22 we would request that SoCalGas not be allowed  
23 to supplement its data responses, that  
24 parties who are crossing SoCalGas' witnesses  
25 be allowed to rely on what SoCalGas has  
26 provided as complete. It would afford an  
27 unfair advantage to allow SoCalGas to  
28 supplement its responses now that its

1 performed its cross-examination.

2 No. 5, SED also requests to handle  
3 the cross-examination schedule updates from  
4 this point on. If -- and we could provide  
5 those -- if one of SoCalGas' witnesses cannot  
6 appear at the initially agreed time, SoCalGas  
7 should be required to give SED a minimum of  
8 three days' notice so that SED can address  
9 the schedule accordingly. The expectation  
10 should be that each witness is required to  
11 appear unless there is a medical-related need  
12 not to do so.

13 No. 6, assuming that these ground  
14 rules are approved by your Honors moving  
15 forward, SED would also request that parties  
16 be afforded a moratorium on written motions  
17 practice during the break between, frankly,  
18 now and the beginning of May hearings -- we  
19 had said off the record between the end of  
20 the April hearings and beginning of May, but  
21 I realize that the motions practice would be  
22 interfering with cross-examination from this  
23 point forward -- and that SED be allowed to  
24 prepare for them without distraction. I  
25 believe Cal Advocates as well, your Honors --  
26 I believe -- I don't think I'm misstating  
27 that to -- that request to apply to Cal  
28 Advocates as well.

1           In making these requests, SED is  
2 asking for the same courtesies that SoCalGas  
3 enjoyed throughout its cross and that those  
4 courtesies also be extended to SED and Cal  
5 Advocates when it does its own cross.

6           Thank you, your Honor.

7           ALJ POIRIER: Thank you, Mr. Gruen.  
8 You indicated that this is a joint request,  
9 but I want to just provide Ms. Bone an  
10 opportunity to confirm that.

11           MS. BONE: Yes. Yes. Traci Bone for  
12 Cal Advocates. Thank you, your Honor.

13           Cal Advocates fully supports the  
14 proposals that SED has made for going forward  
15 in these hearings. In addition -- I don't  
16 believe Mr. Gruen mentioned this -- but we  
17 propose that any changes in testimony for  
18 SoCalGas' witnesses be filed and served at  
19 least 48 hours before a witness is supposed  
20 to be cross-examined. We note that yesterday  
21 we were served changes in testimony after  
22 1:00 o'clock for witnesses that were supposed  
23 to come on today. That situation was mostly  
24 non-substantive. So it's not an issue for  
25 us, but it flags the point that we do need to  
26 see that changed testimony well in advance of  
27 cross-examining witnesses on the testimony.

28           ALJ POIRIER: Thank you, Ms. Bone.

1           SoCalGas.

2           MR. STODDARD: Yes, your Honor. Thank  
3 you. And I was taking notes, so I believe  
4 I've captured all of them, but if I miss any  
5 of these, Mr. Gruen or others can remind me.

6           On the first item, which relates to  
7 establishing a schedule for May for SoCalGas'  
8 witnesses going forward by today or tomorrow,  
9 I think, just to make sure we have time to  
10 coordinate and check, tomorrow would be the  
11 preference, but we don't object to that.

12           I would note that I don't believe,  
13 unless I'm mistaken, that we have a full set  
14 of dates for May yet to cover the number of  
15 days required. And so this may -- you know,  
16 depending on how that shakes out, there is  
17 some other requests from SED here that may  
18 conflict with some of that in terms of  
19 splitting witness or timing of how those  
20 witnesses appear. So I would just note that  
21 as well. But there's no -- there's no reason  
22 why we can't provide a May schedule for our  
23 witnesses this week.

24           I would like to respond, however,  
25 that there was a statement or a  
26 characterization inflicted in that request  
27 regarding shuffling of witnesses a second  
28 time. And as your Honor noted when we came

1 on the record, this was due to serious  
2 medical issues, which we discussed offline.  
3 There's no witness shuffling going on here.  
4 There's no game playing going on here. There  
5 was a conflict that required a change of the  
6 schedule at this point in time.

7 In terms of no splitting witnesses,  
8 which I believe was the second request, we  
9 don't have any objection to that. We're  
10 prepared to provide witnesses to the degree  
11 that -- you know, in a -- we're prepared to  
12 provide witnesses in any manner in which it  
13 suits the discretion of your Honors. So if  
14 the schedule works out such that there's no  
15 way to get a witness in, that's -- you know,  
16 again, that's a decision for your Honors, and  
17 we will make it work.

18 The next request was -- and again, I  
19 would just note on that that depending on the  
20 May dates, we can't speak to whether or not  
21 there will be a need to split witnesses, but  
22 we understand SED's request and we don't  
23 oppose it.

24 For the next request, which I  
25 believe was no further data requests of the  
26 parties, I would note that except for data  
27 requests related to the realtime reporting  
28 issue that we discussed last week, SoCalGas,

1 I think, requires further consideration on  
2 this one. Because we have a pending data  
3 request outstanding to Cal Advocates at this  
4 time related to communications with Blade,  
5 which we learned of during cross-examination  
6 last week, which we would expect, and I  
7 requested a response to. We also -- and so I  
8 think that's one important note that we  
9 would -- a detail that we would also expect  
10 to a get a response on. We would also note  
11 that SED sent a data request to Blade  
12 yesterday, which appeared to be follow-up on  
13 recross and was asking almost an identical  
14 question with more specificity, and we may  
15 object to that question as being  
16 inappropriate discovery in the middle of  
17 hearings. And so we may also want to include  
18 that, but this is an item where I think we  
19 would request follow-up perhaps next week to  
20 discuss whether or not further limitation on  
21 discovery is appropriate.

22 Next was cross-schedule updates --  
23 sorry -- no supplementation of data  
24 responses. So I don't believe that -- we  
25 don't object to that. We're okay with no  
26 supplementation of data responses at this  
27 time. Cross-examination schedule updates:  
28 SED requested that they be provided three

1 days in advance -- again, there's no schedule  
2 shuffling going on here. This is due to  
3 medical conflicts, and so we're happy to  
4 provide a schedule for May. To the degree  
5 that there is a medical conflict that arises,  
6 it may happen within three days, and that  
7 will not be within our control if it does.  
8 With that note, we don't object to that.

9 Moratorium on written motions  
10 practice, I would note that during the  
11 cross-examination of SED's witness at the  
12 beginning of these hearings, we made, I  
13 believe, three motions which were denied  
14 without prejudice pending hearing from Blade  
15 on at least one or two of them. We have now  
16 heard from Blade. And so I think we might  
17 want to renew of some of those motions. And  
18 consistent with the Commission's rules about  
19 Rule 11, motions can be brought at any time.  
20 So SoCalGas would oppose that request. ]

21 And finally in terms of corrections  
22 to testimony being provided 48 hours in  
23 advance, I would note that this was not a  
24 rule established in advance of hearings, and  
25 that the -- and, as Ms. Bone noted, the  
26 corrections were nonsubstantive provided the  
27 other day, but I don't believe we would  
28 oppose this request either with the

1 understanding that as long as its feasible,  
2 depending how the scheduling works out, we  
3 wouldn't oppose to corrections to testimony  
4 being served within 48 hours.

5 ALJ POIRIER: Okay. Thank you. I  
6 think --

7 Mr. Gruen, if you have a brief  
8 response.

9 MR. GRUEN: Yes, your Honor. With  
10 regards to the point about the response  
11 to the -- about the data request to Blade, I  
12 think SoCalGas' objection reserving the right  
13 to object to SED's data request to Blade is  
14 out of order. SoCalGas is not representing  
15 Blade here. SoCalGas is representing  
16 SoCalGas. It doesn't have standing to make  
17 an objection for whether or not a data  
18 request to Blade is issued. Blade does.  
19 Blade's counsel can provide objections. They  
20 are properly represented here. That's  
21 just -- that's just -- it's not -- it's not  
22 proper practice for SoCalGas to be objecting  
23 to those things.

24 You know, the time to object, if  
25 SoCalGas wants to do that, is if the  
26 information comes into the record, and we can  
27 discuss that. But to have a full and robust  
28 record, it's necessary to continue to do

1 discovery of Blade, your Honor.

2           The other thing that I'm not clear  
3 on exactly is with regards to SoCalGas'  
4 request to bring motions pending hearing from  
5 Blade on matters. It sounds to me as if on  
6 one hand SoCalGas wants to object with  
7 regards to questions that are asked of Blade,  
8 but then it wants to actually use information  
9 hearing from Blade to inform its motions.  
10 Your Honor, SoCalGas can't have it both ways.

11           I think -- it seems to me -- and  
12 perhaps we need clarity. Perhaps I didn't  
13 understand Mr. Stoddard's point. So at the  
14 minimum we'd ask for clarification.

15           ALJ POIRIER: Mr. Stoddard, very brief  
16 and then I want to move on.

17           MR. STODDARD: Yes, your Honor. Yes,  
18 SED misunderstood what I was saying there.  
19 What I was saying was that rulings denying  
20 without prejudice our motions were pending  
21 hearing from Blade during hearings, which  
22 occurred last week. We're now past that  
23 point, right. And that is why we can now  
24 renew those motions in our view. It didn't  
25 require waiting until the end of hearings.  
26 It required waiting until your Honors heard  
27 from Blade.

28           On the other issue regarding our

1 standing to object to third-party discovery,  
2 it's entirely appropriate to do so and it's  
3 not inconsistent with -- with SE --  
4 objections raised by SED during hearings or  
5 question back to Blade's witness. Again,  
6 this is SED conducting discovery in the  
7 middle of hearings that's not based on new  
8 information. This isn't new information that  
9 came to light that impact hearings.

10 This is discovery they could have  
11 conducted a long time ago and frankly is --  
12 in both the form and the substance is direct  
13 follow-up recross adding onto the time that  
14 they had with Mr. Krishnamurthy.

15 ALJ POIRIER: Okay. I think I've  
16 heard -- we've heard enough. I'm a little  
17 worried that we're going to be cutting into  
18 hearing time with Mr. La Fevers. We're going  
19 to take this under consideration. Most of  
20 these things are complicated. I think the  
21 one thing I can say is that we're not going  
22 to be splitting witnesses, so that's set.

23 We have reserved May 3rd through  
24 May 11th for those dates. Those are the  
25 dates we have reserved now. We may reserve  
26 more, so in your planning, try to use that.  
27 We understand we may need initial days,  
28 but -- and if SoCalGas can go at maybe at the

1 end of -- let's say close of business  
2 tomorrow come up with a schedule order, I  
3 think everything else we're going to come  
4 back to.

5 We'll probably have to come back to  
6 some things next week, but for now I -- thank  
7 you for everybody providing this information.  
8 We're going to consider it. I'm going to --  
9 we're going to take a 10-minute break --

10 Mr. Gruen, go ahead.

11 MR. GRUEN: This is just a logistic,  
12 your Honor. If I may, would it be acceptable  
13 to have Mr. Healy go first next Tuesday just  
14 because of other logistical concerns for SED  
15 and then followed by Mr. Sera?

16 ALJ POIRIER: Ms. Patel, is that  
17 something we could make happen?

18 MS. PATEL: Well, I think that's  
19 what -- I thought that was what your Honor  
20 contemplated when he requested that we swear  
21 in the witness today.

22 ALJ POIRIER: Okay, yeah. Good point.  
23 Thank you.

24 With that, ALJ Hecht, do you have  
25 anything to add before we go on a break?

26 ALJ HECHT: No, not at this time.

27 ALJ POIRIER: So we're going to take a  
28 break until actually 11:20. At that point

1 we'll commence with Mr. La Fevers.

2 Off the record.

3 (Off the record.)

4 ALJ HECHT: We'll be on the record. We  
5 are picking up partway through day -- I think  
6 it's 10 -- of hearings on I.19-06-016. We're  
7 going to be dealing with a witness,  
8 Mr. La Fevers, so I am going to turn this  
9 over to his attorney to do the direct and  
10 we'll go from there. Actually, I will swear  
11 him in first, do the attestations, and then I  
12 will turn him over to his attorney and go  
13 from there.

14 I believe your attorney has already  
15 given her attestations at the beginning; is  
16 that correct?

17 MS. MORTAZAVI: That is correct, your  
18 Honor.

19 ALJ HECHT: Great. Thank you. Then  
20 I'm going to ask the witness a number of  
21 questions, I'll go through them all, and you  
22 can state whether or not you agree.

23 First, do you solemnly affirm that  
24 the testimony you are about to give will be  
25 the truth, the whole truth, and nothing but  
26 the truth;

27 Do you attest to tell the truth  
28 based on your personal knowledge;

1           Do you attest that you will testify  
2 based on your own knowledge and memory free  
3 from external influences or pressures;

4           Do you attest that you will adhere  
5 to all formal requirements of testifying  
6 under oath, including the prohibition against  
7 being coached;

8           Do you attest that you will only  
9 refer to materials previously shared with all  
10 parties, including exhibits premarked and  
11 identified by the parties;

12           Do you attest that you will not make  
13 any recording of the proceeding;

14           And do you attest that you  
15 understand that any recording of the  
16 proceeding by Webex or teleconference,  
17 including screenshots or other visual  
18 copying, is prohibited;

19           And do you attest that you know that  
20 a violation of these prohibitions may result  
21 in sanctions, including removal from the  
22 evidentiary hearing, restricted entry to  
23 future hearings, denial of entry to future  
24 hearings, or any other sanctions deemed  
25 necessary by the Commission;

26           Do you agree, Mr. La Fevers?

27           THE WITNESS: Yes, I do, your Honor.

28           ALJ HECHT: Great. Thank you very

1 much. Then your attorney may begin.

2 MS. MORTAZAVI: Thank you, your Honor.  
3 Setareh Mortazavi for SoCalGas. I have some  
4 exhibits I'd like to mark first. The exhibit  
5 marked SoCalGas-30-2 is the Prepared  
6 Supplemental Rebuttal Testimony of Glenn  
7 La Fevers, dated October 26, 2020, Clean  
8 Version; the exhibit marked SoCalGas-30-R is  
9 the Prepared Supplemental Rebuttal Testimony  
10 of Glenn La Fevers, dated October 26, 2020,  
11 Redline Version; and the exhibit marked  
12 SoCalGas-31 are the Exhibits to the Prepared  
13 Supplemental Rebuttal Testimony of Glenn  
14 La Fevers, dated October 26, 2020.

15 GLENN LA FEVERS, called as a witness  
16 by Southern California Gas Company,  
17 having been sworn, testified as  
18 follows:

18 DIRECT EXAMINATION

19 BY MS. MORTAZAVI:

20 Q Mr. La Fevers, can you please state  
21 and spell your name for the record.

22 A Sure. Glenn La Fevers, G-l-e-n-n,  
23 last name L-a, capital F-e-v-e-r-s.

24 Q Thank you. Do you have the  
25 exhibits that we just marked as  
26 SoCalGas-30-2, SoCalGas-30-R, and  
27 SoCalGas-31, which are your supplemental  
28 rebuttal testimony and respective

1 attachments?

2 A Yes, I do.

3 Q Were these documents prepared by  
4 you or at your direction?

5 A Yes.

6 Q Do you adopt them as your testimony  
7 in this proceeding?

8 A Yes, I do.

9 Q The parties to this proceeding have  
10 attested that they will not record these  
11 proceedings, but that does not apply to third  
12 parties, so just in case there are any third  
13 parties out there who may seek to record  
14 these proceedings, I'm stating on the record  
15 that I do not consent to such recordings.

16 Do you consent to being recorded by  
17 any third party?

18 A No, I do not.

19 MS. MORTAZAVI: Your Honor, the witness  
20 is available for cross-examination.

21 ALJ HECHT: All right. I don't think  
22 we have any other housekeeping matters or  
23 anything so we will go to Mr. Gruen.  
24 Mr. Gruen, I believe, is on mute as I was not  
25 long ago.

26 MR. GRUEN: Thank you, your Honor. Can  
27 you hear me?

28 ALJ HECHT: Yes.

1 MR. GRUEN: Thank you.

2 CROSS-EXAMINATION

3 BY MR. GRUEN:

4 Q Good morning, Mr. La Fevers. My  
5 name is Darryl Gruen. I am an attorney  
6 acting on behalf of the Safety and  
7 Enforcement Division in this proceeding. I  
8 have a few just preliminary questions to add  
9 to what Ms. Mortazavi asked you, as well as  
10 perhaps just a few questions in an attempt to  
11 establish a common understanding of terms.

12 So just to start there and perhaps  
13 see if we can't get through that. First off,  
14 are you alone -- looks like you are in a room  
15 there. Are you alone in that room?

16 A Yes, I am.

17 Q Thank you. Are you able to  
18 communicate separately or privately with  
19 anyone while you communicate through the  
20 Webex connection you have to the hearings  
21 today?

22 A No.

23 Q Just to ask it more broadly than  
24 Ms. Mortazavi, do you consent to allow anyone  
25 to record or in any way transcribe the  
26 testimony -- your testimony in this  
27 proceeding other than the  
28 Commission-authorized court reporters today?

1           A    No, I do not.

2           Q    Just with regards to a couple of  
3 other items, if I press your memory today,  
4 please feel free to say that you don't  
5 recall. If you don't know, please let me  
6 know that and I'll work with that and I'll  
7 move on.

8                   Do you understand?

9           A    Yes.

10          Q    With regards to several terms  
11 today, can we agree that if I use the term or  
12 you use the term "Blade," that we are  
13 referring to Blade Energy Partners?

14          A    Yes, that's agreeable.

15          Q    Thank you. And if we talk about  
16 Aliso Canyon or Aliso, can we agree we are  
17 talking about SoCalGas, Aliso Canyon Natural  
18 Gas Storage Facility?

19          A    Yes.

20          Q    And with regards to the term "root  
21 cause analysis," or "RCA," would you agree  
22 that that will refer to Blade's root cause  
23 analysis and supplemental reports issued in  
24 May of 2019?

25          A    Yes.

26          Q    And regards to the term "SS-25,"  
27 would you agree that refers to Standard  
28 Sesnon 25, the well at Aliso Canyon Natural

1 Gas Storage Facility?

2 A Yes.

3 Q And with regards to the term  
4 "incident," would you agree that that refers  
5 to the release of gas from the SS-25 facility  
6 that was discovered beginning October 23,  
7 2015?

8 A Yes.

9 Q Okay. If turn to the supplemental  
10 testimony, and I believe that was referred  
11 to -- the clean version was referred to as  
12 Exhibit 30-2, but we're going to show you  
13 30-R. That is your Prepared Supplemental  
14 Rebuttal Testimony of Glenn La Fevers,  
15 Redline Version.

16 Do you recognize the title page of  
17 that document on the screen now?

18 A Yes, I do.

19 Q And SoCalGas served this corrected  
20 testimony at the end of the holiday  
21 yesterday; is that correct?

22 A Yes.

23 Q Okay. If we turn to page 7 of the  
24 corrected rebuttal, supplemental rebuttal  
25 testimony and go to line 8, do you see where  
26 your testimony states starting on line 8, on  
27 Friday, November 13, 2015, some of the brine  
28 solution did come back up and it created a

1 mist over the facility?

2 Can I safely assume that you're  
3 talking about SS-25 there when you talk about  
4 "the facility"?

5 A Yes. The mist that is being  
6 discussed here was emanating from the SS-25  
7 well site.

8 Q Understood, thank you. And  
9 continuing on, your testimony says starting  
10 on line 9, "Out of an abundance of caution,  
11 we assumed the mist could contain oily  
12 residues," and after the parentheses, "and  
13 could travel beyond the facility."

14 Do you see that?

15 A I do.

16 Q On line 21, your testimony  
17 continues, "SoCalGas sent samples to an  
18 outside laboratory for analysis, and its  
19 website update noted the analysis determined  
20 the liquid was nonhazardous."

21 Do you see that as well?

22 A Yes, I do.

23 Q And you continue there, "SoCalGas  
24 produced the laboratory reports to SED on  
25 November 17, 2015."

26 Have I read all that correctly?

27 A Yes, I believe you have.

28 Q The footnotes of those sentences,

1 if we scroll down slightly, Footnotes 31  
2 and 32, both reference Exhibit I-7.

3 Do you see that?

4 A I do.

5 Q So if we turn to I-7 of SoCalGas  
6 Exhibit 31, and we'll give Ms. Purchia just a  
7 moment to go there if she could. That's the  
8 cover page for I-7. If we could scroll to  
9 the Bates number at the bottom of page. To  
10 read it for the record, that's Bates No.  
11 SoCalGas-31.0034 of your Corrected  
12 Supplemental Rebuttal Testimony.

13 I just want to be sure you can see  
14 that page. Do you see that?

15 A You're referring to the Bates  
16 number at the bottom of the page?

17 Q Yes, and the page more generally.  
18 I want to be sure you can see it.

19 A Yes, I can see the bottom half of  
20 the page.

21 Q Okay. Let's scroll up so you can  
22 see all of it. So there toward the bottom,  
23 do you see Ms. Maria Solis asks Jeff Koskie,  
24 "Jeff, based on the statement highlighted  
25 below from your timeline, can you forward the  
26 results and conclusions of test results?  
27 Thank you, Maria."

28 Do you see that?



1 and liquid that was emitted into the air from  
2 Well SS-25 on November 13, 2015; is that  
3 correct?

4 A Yes, it is.

5 Q And you witnessed that release;  
6 correct?

7 A Yes. I was on site during that  
8 time. Yes.

9 Q Thank you.

10 And mud refers to the substance in  
11 that sentence that SoCalGas had pumped into  
12 Well SS-25 in an attempt to kill it from the  
13 top prior to the release; is that right?

14 A Yes. Potentially, yes.

15 Q And "liquid," with regards to that  
16 term, that includes oil that came out of Well  
17 SS-25 in the release; is that correct?

18 A Yes. Yes. The liquid did include  
19 any oil that would have come out of the well  
20 during the release, yes.

21 Q Thank you. Okay.

22 And if you turn to page 8 of 85 in  
23 Exhibit I-7, if we could go there. Just for  
24 the record the Bates stamp is SoCalGas  
25 31.0041. And if we scroll up, just so you  
26 can see that same page with that Bates  
27 number, this is the cover page of the test  
28 results and the conclusions to the test

1 results of the mud and liquid from the  
2 release on November 13, 2015, that was  
3 analyzed with results; is that accurate?

4 A Yes. I believe it is.

5 MR. GRUEN: Okay. So if we could  
6 introduce the next exhibit and ask that it be  
7 identified. We ask that it be marked Exhibit  
8 SED-225, and this is the SoCalGas Response to  
9 SED Data Request 124, I.19-06-016, ALJs Hecht  
10 and Poirier; date served, March 24th, 2021.

11 And if we scroll down to the next  
12 page, do you recognize this as SoCalGas  
13 Response to SED's Data Request 124?

14 A Yes.

15 Q Okay. And Question 1 on the page  
16 there, if we could go to Question 1, and just  
17 get to the Bates stamp. Bates stamped  
18 SED-225.2. And if we scroll up on that page,  
19 do you see that page? Do you see that page  
20 with the Bates number I just read?

21 A Yes. I can see it.

22 Q And you do see the question there  
23 referring to Exhibit I-7 of your testimony  
24 and asking whether SoCalGas is assuming that  
25 the analysis it provided in Exhibit I-7 is  
26 representative of the mist that was  
27 discharged into the atmosphere on November  
28 13, 2015. Did I read that correctly?

1           A    Yes, you did.

2           Q    Okay.  And if we look at the  
3 response to the question -- there's several  
4 objections, but if we go to the bottom there,  
5 it says, The characterization -- I'm sorry.

6                   Subject to and without waiving the  
7 foregoing objections, SoCalGas notes as  
8 follows.  About in the middle there, and it  
9 says:  SoCalGas notes a distinction between  
10 this question and SED's testimony regarding  
11 Violation 331, which alleges SoCalGas  
12 purposely extracted and vented oil into the  
13 atmosphere.  The characterization -- the  
14 testimony of a purposeful extraction is  
15 incorrect.

16                   This question asks about a mist  
17 that was discharged into the atmosphere, and  
18 this characterization better describes the  
19 occurrence.  Report 15-11-1098, which was  
20 provided in SoCalGas Supplemental Rebuttal  
21 Testimony, Chapter 1, LaFevers, Exhibit I-7  
22 includes a sample of the fluids released  
23 during the well-kill attempt on November 13,  
24 2015.  Do you see that?

25           A    Yes, I do.

26           Q    Does that answer the question about  
27 Exhibit I-7 being representative of the mist  
28 that was discharged into the atmosphere?

1           A    The answer refers back to the  
2 exhibit that includes the analytical results  
3 of the samples that were collected and  
4 analyzed from the site related to that  
5 release.

6           Q    Okay.  But the question asks  
7 specifically about the mist that was  
8 discharged into the atmosphere.  Can you show  
9 where the answer shows that the analysis,  
10 Exhibit I-7, is representative of the mist  
11 that was discharged into the atmosphere on  
12 November 13, 2015?

13          A    The answer in this response does  
14 not make that statement.

15          Q    Okay.  Mr. LaFevers --

16          A    Excuse me.  I need to turn the  
17 light back on.

18          Q    Okay.  Understood.

19          A    My apologies.  The light  
20 automatically turns off.  I need to move  
21 around more.

22          Q    Appreciate that.  Are you ready to  
23 continue?

24          A    Yes.  My apologies for the  
25 interruption.

26          Q    No concern from my end.  Thank you.  
27 I appreciate that.  So just with regards  
28 to -- we're talking about the answer to the

1 question not of this data response, not  
2 identifying, not answering whether the  
3 Exhibit I-7 was representative of the mist.

4 And so just with regards to the  
5 term, "fluids," it says that the Exhibit I-7  
6 includes a sample of the fluids released  
7 during the well-kill attempt on November 13,  
8 2015, at the end. Does the term "fluids" in  
9 the answer have the same meaning as "mist"?

10 A The -- well, "fluids" and "mist"  
11 are not the same words, but the conditions at  
12 the site with the flow of gas flowing out of  
13 the ground around the well and carrying  
14 fluids with it into the air and creating a  
15 mist is the condition that was occurring at  
16 the site during this well-kill attempt.

17 So the fluids referenced here are  
18 the same fluids that were aerosolized or  
19 pressurized into the atmosphere by the flow  
20 of gas during the well-kill attempt.

21 Q Okay. But let's -- if I could just  
22 parse that just to understand. Were they  
23 collected -- those fluids collected from the  
24 ground or the air?

25 A They were collected from the  
26 ground. They were not collected from the  
27 air. These were not air samples.

28 Q Okay. And could lab analysis of

1 matter released along the ground be different  
2 than lab analysis of matter that was  
3 aerosolized?

4 A I don't know that I want to  
5 speculate on that. Generally in this  
6 situation, the fluids that were present  
7 coming out of the well on the ground and  
8 associated with the well kill are the fluids  
9 that were sampled, and I believe the fluids  
10 that were carried up into the air.

11 Q Okay. And do you want to -- I see  
12 your light went off again. It seems it's  
13 back on.

14 A Somebody helped me out on that one.  
15 Please, proceed.

16 Q Okay. Understood.

17 Just to be clear, the lab sample  
18 was the fluid once -- after it had touched  
19 the ground; is that accurate?

20 A The fluids were collected from, if  
21 I recall correctly, from three different  
22 sources, but these fluids were -- were not  
23 collected from the air. So if that answers  
24 your question?

25 Q Mostly. I'm assuming that means  
26 they were collected from the ground.

27 A No. That's not completely  
28 accurate.

1 Q Okay. Can you elaborate?

2 A There were three samples collected  
3 that are represented in Exhibit 1-7 in terms  
4 of the results: One was a sample of material  
5 collected from a catch basin downstream of  
6 the flow of fluids from the well site;  
7 another sample was collected from the system  
8 that contained the liquids that flowed back  
9 out of the well and into the tank associated  
10 with the kill of the well; and the third  
11 sample was collected from a container that  
12 had vacuumed up liquids from the fluids  
13 flowing out of the ground onto the well site.

14 Q Understood. Thank you.

15 If we could go to Question 2, which  
16 is on the page with Bates number -- and look  
17 at the Bates number. It's SED-225.3, and  
18 scroll back up to the top of that page.

19 So this asks SoCalGas to confirm  
20 that it did not take samples of the mist  
21 asked about in, I think, that's Question  
22 11-B; do you see that?

23 A Yes, I do. ]

24 Q So this is referring to the  
25 Question 1 above that did not answer the  
26 question about mist -- the analysis of mist  
27 of aerosol; is that right?

28 A The response refers back to the

1 response in Question 1. That's correct.

2 Q Okay. And Mr. La Fevers, did you  
3 write these two data responses?

4 A I don't believe I did, no.

5 Q Did you see the data response  
6 before SoCalGas sent it to SED?

7 A I don't recall specifically, but I  
8 likely did, yes.

9 Q Okay. Do you recall when you first  
10 saw it, approximately?

11 A No, I don't recall.

12 Q Okay. Let's go to the next  
13 exhibit, if we can. If we could -- if we  
14 could go back to the supplemental -- the  
15 corrected supplemental testimony on pages 2  
16 and 3. And referring to page 2, lines 14 to  
17 15, you see there it says:

18 "The release was an avoidable  
19 byproduct of the well-kill attempt  
20 on November 13, 2015."

21 Do you see that?

22 A Yes, I do.

23 Q Okay. And if we turn further down  
24 in that section to the top of page 3, lines 1  
25 through 2, it states, starting in the middle  
26 of the line:

27 "Because Aliso Canyon is  
28 depleted -- a depleted oil

1 field -- excuse me -- there is  
2 some residuals in the fields."

3 Do you see that?

4 A Yes, I do.

5 Q And continuing on lines 3 through  
6 4, it begins in the middle of the sentence:

7 "The release of oil, which was  
8 entrained in the resurfaced  
9 liquids, was an ancillary and  
10 unavoidable byproduct of the  
11 well-kill attempt."

12 Do you see that?

13 A Yes, I see that.

14 Q Okay. So let's -- if we could go  
15 to the next exhibit for identification, which  
16 is Exhibit SED-226, and just for the record,  
17 to read it in:

18 "SoCalGas response to SED Data  
19 Request 119, I.19-06-016, ALJs  
20 Hecht, Poirier, date served, March  
21 24th, 2021."

22 And if we scroll to the next page after  
23 the cover, do you -- looking at this first  
24 page here after the cover, do you recognize  
25 this as SoCalGas' response to SED Data  
26 Request 119?

27 A Yes, I do.

28 Q And just for the record to get --

1 if we turn to Question 3 starting on pdf  
2 page 2. And that has the Bates  
3 No. SED-226.2. And if we look at Question C  
4 on that page, it asks:

5 "How many times from October 23,  
6 2015 through February 28, 2016 was  
7 there a release event at SS-25  
8 similar to the one that occurred  
9 on November 13, 2015?"

10 And it continues in a  
11 sub-question:

12 "If the answer is more than one,  
13 please list the dates of the  
14 additional events and identify by  
15 name or Bates numbers all  
16 documents that described those  
17 releases."

18 Do you see that?

19 A Yes, I do.

20 Q So if you see the answers, if we go  
21 to the following page, which is the Bates  
22 No. SED-226.3, we see that SoCalGas objects  
23 to this, and after their objections, on the  
24 next page, SED -- the Bates No. SED-226.4, we  
25 get to the answer, which says:

26 "Subject to and without waiving  
27 the forgoing objections, SoCalGas  
28 response as follows: From

1 November 13, 2015 through February  
2 11, 2016, pressure within the  
3 SS-25 well caused liquid to become  
4 aerosolized during kill events and  
5 on a periodic basis between kill  
6 attempts. See, for example, Boots  
7 & Coots' daily reports which were  
8 provided to SED with Bates  
9 range" --  
10 And it lists the --  
11 AC\_CPUC\_SED\_16\_0025631 through  
12 0025808. Is that right?

13 A I believe you read that correctly,  
14 yes.

15 Q Thank you. And Mr. La Fevers, did  
16 you help with the preparation of this  
17 response?

18 A Not that I recall, no.

19 Q Okay. Did you see the data  
20 response before SoCalGas sent it to SED?

21 A Again, I don't recall specifically  
22 this response. I may have.

23 Q Okay. So you don't recall when the  
24 first time you saw this response was?

25 A No, I don't.

26 Q So since this refers to -- this  
27 response to the Boots & Coots' daily reports  
28 and those Bates numbers, let's go to them as

1 the next exhibit, which is SED Exhibit  
2 SED-227. And the cover page says:

3 "Boots & Coots' daily reports,  
4 I.19-06-016, ALJs Hecht and  
5 Poirier, date served, March 24,  
6 2021."

7 Do you see that?

8 A Yes, I do.

9 Q And if we continue to them, we have  
10 blacked out the certain aspects of these --  
11 the reports through coordination with  
12 SoCalGas. But having -- we served these  
13 ahead of time. Do you recognize these  
14 documents as the Boots & Coots' daily reports  
15 related to the top-kill attempts from October  
16 26, 2015 through February 18, 2016?

17 A Yes, I do.

18 Q And they contain the Bates numbers  
19 that were referred to in the data response we  
20 were just talking about with -- the response  
21 of DR 119; is that right?

22 A Presumably, they would, yes.

23 Q Okay. And if counsel could  
24 stipulate, SED sent notice to your counsel  
25 last week that we would be asking the next  
26 question just for purposes of facilitating an  
27 efficient hearing time. So I'd ask counsel  
28 to stipulate that -- well, I'll ask the

1 question first. With regards to the  
2 question, can you indicate where these  
3 referenced daily reports show pressure within  
4 the SS-25 well that caused liquid to be  
5 become aerosolized during kill events as we  
6 asked in the data request?

7 MS. MORTAZAVI: Your Honor, I'm going  
8 to object here. This is outside the scope of  
9 Mr. La Fevers' testimony. His testimony is  
10 related to a single event on November 13,  
11 2015, and Mr. Gruen can ask him about the  
12 daily report for that date, but anything  
13 beyond that would be outside the scope of his  
14 testimony.

15 ALJ HECHT: Mr. Gruen, do you have a  
16 response?

17 MR. GRUEN: Your Honor, this goes to  
18 whether Mr. La Fevers or anyone can show us  
19 that SoCalGas actually answered our  
20 questions, both with regards to Mr. La  
21 Fevers' testimony or anyone else's. I would  
22 suggest if Mr. La Fevers is not the right  
23 person to answer this question that SoCalGas  
24 provide someone who is.

25 ALJ HECHT: I think that SoCalGas  
26 should either have this witness answer the  
27 question to the best of his ability or  
28 designate a witness who is appropriate for

1 the question.

2 MS. MORTAZAVI: Your Honor, Mr. Gruen  
3 can ask Mr. La Fevers whether there is  
4 another individual that could answer the  
5 question.

6 ALJ HECHT: All right. Go ahead.

7 MR. GRUEN: Understood. And your  
8 Honor, if I may, just -- I understood that we  
9 can also ask about November 13th, 2015. So I  
10 might proceed with that given counsel's  
11 stipulation of that point as well.

12 ALJ HECHT: Go ahead.

13 MR. GRUEN: Thank you.

14 Q So Mr. La Fevers, with regard to  
15 the -- if you could maybe point us to the  
16 November 13, 2015 daily report. You had a  
17 chance to review this; is that right?

18 A I have reviewed the November 13  
19 report, yes.

20 Q I think they may be in order.  
21 We've ordered them. So if we could go to the  
22 November 13th one. And perhaps while  
23 counsel -- while Ms. Purchia is doing that,  
24 I'll ask does the November 13, 2015 daily  
25 report show pressure within the SS-25 well  
26 that caused liquid to become aerosolized  
27 during kill events?

28 A Thank you for making it larger.

1 That's helpful.

2 Q And just to reflect what we're  
3 talking about, with your reference to making  
4 it larger, we now have the November 15 --  
5 excuse me -- November 13, 2015 Boots & Coots'  
6 daily report on the screen share. And if we  
7 go to the bottom of it, it's Bates  
8 No. AC\_CPUC\_DR\_16\_0025650.

9 So do you see that document on your  
10 screen in front of you, Mr. La Fevers?

11 A Yes, I do.

12 Q Okay. And does that document then  
13 show pressure within the SS-25 well that  
14 caused liquid to become aerosolized during  
15 kill events?

16 A I'll do my best to answer that  
17 question. You know, I will note that, you  
18 know, this is a detailed report from Boots &  
19 Coots on the activities specifically related  
20 to the well kill and other work on the site.  
21 That's not my area of expertise, and there  
22 are others who can answer specific questions  
23 on that.

24 The -- with regards to this report,  
25 the pressures that are shown and, again, the  
26 significance of them may be -- may need to be  
27 attested to by others with the expertise to  
28 interpret them, but if you'll note during the

1 middle of the -- in the middle of the page,  
2 time period 1115 to 1400, there are  
3 references to pump rates and pressures in  
4 that section.

5 Q Okay. But pump rates and pressures  
6 is not the same thing as pressure  
7 specifically within SS-25 well causing liquid  
8 to become aerosolized between kill events; is  
9 it?

10 A Um, again, I -- that's outside my  
11 area of expertise. So I don't think I can  
12 answer any further than I have on that  
13 question.

14 Q Okay. So Mr. La Fevers, then I'll  
15 follow counsel's advice. Where are you  
16 pointing to? Which witness?

17 MS. MORTAZAVI: And I just want to note  
18 that these reports are attached on Mr. Abel's  
19 testimony. I just wanted to add that.

20 BY MR. GRUEN:

21 Q Your Honor, without coaching the  
22 witness, which witness from SoCalGas are you  
23 deferring to?

24 A Mr. Bill Abel is the expert on  
25 this, on this specific topic.

26 Q I see. And do you know if Mr. Abel  
27 has attached these to his testimony?

28 A I don't believe I know that, no.

1 Q Okay. How do you know that Mr.  
2 Abel is the witness on this topic then?

3 A The -- as I noted in my testimony,  
4 I referred to both Mr. Schwecke and Mr.  
5 Abel's testimony with regards to their  
6 involvement in the well kill and well-kill  
7 expertise areas.

8 Q Okay. Do you know that Mr. Abel --  
9 do you know whether he reviewed Boots &  
10 Coots' daily reports?

11 MS. MORTAZAVI: Objection. Calls for  
12 speculation.

13 MR. GRUEN: Asked for his knowledge,  
14 your Honor.

15 THE WITNESS: I don't know. I'm sorry,  
16 your Honor.

17 ALJ HECHT: That's all right.

18 Go ahead, please.

19 MR. GRUEN: Okay. Your Honor, it turns  
20 out, given Mr. La Fevers deferring to Mr.  
21 Abel, that we may have some cross for Mr.  
22 Abel after all. That was unanticipated. I'm  
23 sorry. But if we could revisit this line of  
24 questions with him at some point, we would  
25 request to do that in light of what Mr. La  
26 Fevers has just told us.

27 ALJ HECHT: Do you still have more  
28 cross-examination for Mr. La Fevers?

1 MR. GRUEN: Yes, your Honor, we do.

2 ALJ HECHT: Please proceed with that,  
3 and we will take up the question of Mr.  
4 Abel's availability later.

5 MR. GRUEN: Understood. Thank you,  
6 your Honor.

7 ALJ HECHT: Thank you.

8 MR. GRUEN: If we could -- yes, your  
9 Honor. Excuse me.

10 Q If we could go back to your  
11 testimony, the corrected supplemental  
12 testimony SED -- excuse me. I believe it's  
13 SoCalGas 30-R to page 3 and right to the top  
14 of the page, please, lines 1 through 2, we  
15 have highlighted:

16 "Because Aliso is a depleted oil  
17 field, there is some residual oil  
18 within the field."

19 Do you see that?

20 A I do.

21 Q Okay. And returning to SED-226,  
22 Question 3, on the page with the Bates  
23 No. SED-226.3 that we identified before, that  
24 references this -- the statement we just read  
25 from your testimony.

26 Do you see that?

27 A I'm sorry. Could you again point  
28 me to the -- to what you're asking me to look

1 at.

2 Q Sure. Question 3(e) -- pardon me.  
3 I don't think I specified, and I am doing  
4 that now. I appreciate the question.

5 "Has SoCalGas experienced release  
6 of oil as a byproduct of a  
7 well-kill attempt before the  
8 occurrence at SS-25 on November  
9 13, 2015."

10 Do you see that?

11 A Yes, I do.

12 Q Okay. And Question 3(f) asks:

13 "If the question to Question 1(a)  
14 above is no -- excuse me -- is  
15 yes, then please list which wells  
16 on which dates, and for each such  
17 experience were mitigation  
18 measures recommended relating to  
19 the release of oil."

20 Do you see all that?

21 A Yes, I do.

22 Q So if we turn to the response to  
23 Question 3(e), after the objections, there's  
24 a note that SoCalGas responded to Question  
25 3(e), that it, quote, "is not aware of a  
26 similar release of oil as a byproduct of a  
27 well-kill attempt at SS-25 prior to November  
28 13, 2015."

1 Do you see that?

2 A Yes, I do.

3 Q Mr. La Fevers, did you help prepare  
4 this response?

5 A I don't recall. I don't believe  
6 so.

7 Q Okay. Did you see the data  
8 response before SoCalGas sent it to SED?

9 A Again, I may have. I don't recall  
10 specifically.

11 Q Do you recall when you first saw  
12 it?

13 A No. No, I don't.

14 Q Okay. So this is -- just to note,  
15 would you agree with me that this is only an  
16 answer about oil as a byproduct of a  
17 well-kill attempt at SS-25?

18 A Yes. This response is specific to  
19 SS-25.

20 Q Thank you. And not about oil as a  
21 byproduct of other well-kill attempts from  
22 other wells at Aliso; is that right?

23 A That's how I read it, yes.

24 Q Okay. And just to -- if we go to  
25 the Question 3(e) on the prior page, it asks  
26 about the release of oil as a byproduct of a  
27 well-kill attempt but is not -- but it's not  
28 limited to well-kill attempts on SS-25; is

1 that right?

2 MS. MORTAZAVI: Objection. Calls for  
3 speculation.

4 ALJ HECHT: The witness can answer  
5 based on his own knowledge. Please do not  
6 ask for or provide speculation.

7 THE WITNESS: Thank you. Mr. Gruen,  
8 could you re-ask your question, please.

9 BY MR. GRUEN:

10 Q Absolutely. Question 3(e) asks  
11 about the release of oil as a byproduct of a  
12 well-kill attempt, but it's not limited to  
13 well-kill attempts on SS-25. Is that  
14 correct?

15 MS. MORTAZAVI: Same objection.

16 THE WITNESS: All I can do is read --

17 ALJ HECHT: I'm going to sustain the  
18 okay. I think it's time to move on. The  
19 words say what they say.

20 BY MR. GRUEN:

21 Q Okay. So if we could turn to the  
22 next exhibit, if we go to the corrected  
23 supplemental rebuttal testimony, page 3,  
24 lines 3 to 4, and we have highlighted there  
25 on lines 3 through 4:

26 "The release of oil, which was  
27 entrained in the resurfaced  
28 fluids, was an ancillary and

1                   unavoidable byproduct of the  
2                   well-kill attempt."

3                   Do you see that?

4                   A    Yes, I do.

5                   Q    Turning then to exhibit -- the next  
6 exhibit.  And if we could call that SED-230,  
7 which is the cover page, says:

8                   "Letter to Angelo Bellomo to  
9                   Jimmie Cho re County of  
10                  Los Angeles, Department of Public  
11                  Health, letter regarding crude  
12                  oil, I.19-06-016, ALJs Hecht and  
13                  Poirier, date served, March 24th,  
14                  2021."

15                  And your Honor, I have -- this is  
16 probably another 10 or 15 minutes for this,  
17 and then we can wrap this up and we can keep  
18 going, if you'd like, after that or break for  
19 lunch, whichever you prefer.

20                  ALJ HECHT:  If you can finish this line  
21 in 10 to 15 minutes, I would like to do that  
22 and then take our break for lunch after that.

23                  MR. GRUEN:  Okay.  Understood.

24                  ALJ HECHT:  Thank you.

25                  MR. GRUEN:  Thank you, your Honor.  
26 Yeah.

27                  Q    Mr. La Fevers, do you recognize  
28 this is a letter from SoCalGas chief

1 operating officer, Jimmie Cho to the  
2 Los Angeles County Department of Public  
3 Health Deputy Director For Health Protection  
4 Angelo Bellomo?

5 A Yes, I do.

6 Q Okay. Thank you. So if we turn to  
7 page 1 and the last paragraph, and just to  
8 read the Bates number of the page that Mr. La  
9 Fevers just recognized, it's SED-230.1. And  
10 the last paragraph states:

11 "First, the fact the storage wells  
12 at Aliso Canyon produced some  
13 residual oil in the course of  
14 normal storage operations is  
15 public knowledge. SoCalGas  
16 reports all such production data  
17 to the Division of Oil Gas and  
18 Geothermal Resources, or DOGGR,  
19 which then publishes that  
20 information on its, quote, 'well  
21 search,' end quote, website.  
22 Monthly oil production volumes for  
23 SS-25 specifically are available  
24 on DOGGR's website as far back as  
25 1977. The facilities associated  
26 with the production and extraction  
27 process are properly permitted and  
28 inspected according to state and

1 local regulation, quote, 'crude  
2 oil,' end quote, is also  
3 prominently listed (with volumes  
4 disclosed) several times for  
5 multiple facility locations in  
6 Aliso Canyon's hazardous materials  
7 business plan filed every year  
8 with state and local authorities."

9 Do you see all of that, what I was  
10 reading?

11 A Yes, I do.

12 Q So given these statements, would  
13 you say that a release of oil from Well SS-25  
14 during the incident that began on October 23,  
15 2015 was foreseeable?

16 MS. MORTAZAVI: I'm going to object,  
17 your Honor, as this is outside the scope of  
18 Mr. La Fevers' testimony. I explained  
19 earlier his testimony is related to a single  
20 event on November 13th, 2015. This document  
21 also relates to a violation that has been  
22 withdrawn by SED, Violation 88. This was an  
23 exhibit in support of that violation. So I'm  
24 going to object to this line of questioning  
25 as it relates to those letters.

26 ALJ HECHT: Mr. Gruen.

27 MR. GRUEN: Well, your Honor, I can  
28 ask -- and specifically, again, if he wants

1 to defer to Mr. Abel, we can do that, but I  
2 can still ask him about November 13th. And  
3 to that extent, it relates to Violation 331,  
4 and it does relate to his testimony.

5 ALJ HECHT: Let's stick with November  
6 13th, and go ahead, please.

7 BY MR. GRUEN:

8 Q Okay. And just for the record, Mr.  
9 La Fevers, for the rest of the dates  
10 beginning October 23rd, 2015 except for  
11 November 13, 2015, are you deferring to Mr.  
12 Abel to answer this question?

13 MS. MORTAZAVI: Your Honor, I'm going  
14 to object here again. This is related to a  
15 violation that has been withdrawn by SED.

16 MR. GRUEN: I have the same response,  
17 your Honor. We're probing the merits of the  
18 witnesses' understanding and of Mr. Abel, it  
19 seems, related to Violation 331.

20 ALJ HECHT: I'm going to overrule the  
21 objection. I think there is some potential  
22 relevance here. The witness should answer to  
23 the best of his ability. As I said multiple  
24 times last week, "yes," "no" and "I don't  
25 know" are all acceptable answers, if they are  
26 true.

27 Please go ahead.

28

1 BY MR. GRUEN:

2 Q Would you like me to restate the  
3 question, Mr. La Fevers?

4 A If you would, please.

5 Q So are you -- for the statements  
6 that were in the letter that I just read,  
7 with regards to every -- all dates other than  
8 November 13th, 2015, are you deferring to Mr.  
9 Abel to answer the question about  
10 foreseeability of the release of oil from  
11 Well SS-25?

12 A Um, I don't believe I can answer  
13 that question, and I believe Mr. Abel may be  
14 able to. Yes.

15 Q Okay. So with regards specifically  
16 to November 13, 2015 then, would you say that  
17 a release of oil from Well SS-25 on that  
18 date, given what's in this letter, was  
19 foreseeable?

20 A Again, I don't know the answer to  
21 that. The -- I don't know. It's outside the  
22 area of my expertise. So I don't know.

23 Q Okay. But you have no reason to  
24 doubt the accuracy of the statements in his  
25 letter; isn't that right?

26 A Yes, that's correct.

27 MR. GRUEN: Okay. So if we could --  
28 your Honor, we would ask that we be allowed

1 to direct questions on this to Mr. Abel as  
2 well, and we can -- we're just flagging it  
3 now. I'm happy if your Honor would like to  
4 discuss at a later time Mr. Abel's  
5 availability for the witness cross.

6 ALJ HECHT: I will confer with my  
7 co-assigned judge over the lunch hour, and I  
8 expect we will revisit that question later.

9 MR. GRUEN: Okay. And, your Honor,  
10 with that, we have a natural break in the  
11 progression of lines of cross-examination,  
12 and we can break for lunch, if you'd like.

13 ALJ HECHT: Great. Okay. I think  
14 12:20 is a good time to take a break for  
15 lunch. We will take an hour break. Coming  
16 back at 1:20. Are there any housekeeping or  
17 other issues before we break?

18 (No response.)

19 ALJ HECHT: I am seeing none. So when  
20 we get back sometime this afternoon, we will  
21 discuss Mr. Abel. All right.

22 We'll be off the record.

23 (Whereupon, at the hour of 12:20  
24 p.m., a recess was taken until 1:22  
p.m.)

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AFTERNOON SESSION - 1:22 P.M.

\* \* \* \* \*

ALJ HECHT: We'll be back on the record. We just got back from lunch. Today is April 1st and we are going to continue with the cross-examination of witness La Fevers for SoCalGas.

Mr. Gruen, I think you were about to start a line of questioning.

MR. GRUEN: Yes, thank you, your Honor.

GLENN LA FEVERS,  
resumed the stand and testified further as follows:

CROSS-EXAMINATION RESUMED

BY MR. GRUEN:

Q If I could just briefly go back. Mr. La Fevers, this morning when we were going through cross-examination, do you recall me asking you the question can you indicate in the Boots & Coots Daily Reports where it shows pressure within the SS-25 well caused liquid to become aerosolized during kill events?

Do you recall being asked that

1 question?

2 A Yes, I do.

3 Q We had started to ask for counsel  
4 to stipulate, and we didn't get a response to  
5 that, but I'd like to ask counsel for two  
6 stipulations. First, will counsel, SoCalGas  
7 counsel, stipulate that on March 24, 2021,  
8 approximately eight days ago, SED e-mailed  
9 SoCalGas and let SoCalGas know that, quote:

10 SED may ask Mr. La Fevers to  
11 identify whether and where  
12 Boots & Coots' Daily Reports from  
13 October 23, 2015, through  
14 February 18, 2016, show that  
15 pressure within the SS-25  
16 well caused liquid to become  
17 aerosolized during kill events.  
18 SED requests that Mr. La Fevers  
19 familiarize himself with the  
20 Boots & Coots Daily Reports in  
21 this way so that we can promptly  
22 answer the question without  
23 postponing hearings, end quote.

24 And the other stipulation I'd  
25 request is that SoCalGas did not indicate  
26 until today through Mr. La Fevers' testimony  
27 in hearings that Mr. Abel and not  
28 Mr. La Fevers would be answering this

1 question. I'd ask for those two stipulations  
2 on the record, your Honor.

3 MS. PATEL: Your Honor, Avisha Patel  
4 for SoCalGas. That e-mail was addressed to  
5 me and I did receive that e-mail; however, I  
6 didn't think that it was appropriate to  
7 pre-question -- I don't know what that is --  
8 it was a pre-questioning of a witness before  
9 he's been sworn in, et cetera.

10 I also didn't understand the precise  
11 nature of the scope of the questioning. It  
12 seemed that if Mr. Gruen had questioning for  
13 the witness, he should do it during hearings  
14 on the record to the witness.

15 ALJ HECHT: Thank you, Ms. Patel.

16 Mr. Gruen, do you have a response to  
17 that?

18 MR. GRUEN: Only that this would have  
19 helped for purposes of preparing  
20 cross-examination and letting your Honors  
21 know about scheduling for Mr. Abel.

22 ALJ HECHT: All right. Thank you. I  
23 am a little bit at a loss that we're  
24 continuing to get questions and confusion  
25 about which witness is doing what. We're  
26 here now and I would like to continue with  
27 the cross-examination. I do not expect  
28 SoCalGas to stipulate to anything that

1 Mr. Gruen has suggested. I just want to  
2 continue.

3 I did see a hand from Ms. Mortazavi.

4 MS. MORTAZAVI: Thank you, your Honor.  
5 I just wanted to note that I believe SED's  
6 line of questioning before the break is  
7 addressed in Mr. Abel's testimony. That  
8 testimony was served in October 2020.  
9 Mr. La Fevers' testimony also references  
10 that, so SED has been aware of this for quite  
11 some time now. They never reserved any time  
12 for Mr. Abel. They could do so, and they  
13 waived cross, yesterday evening I believe.  
14 So I'm a little confused as to how this  
15 hasn't been raised previously.

16 ALJ HECHT: Mr. Gruen, did you want to  
17 respond to that?

18 MR. GRUEN: Just to correct an  
19 inaccuracy in that statement which is that  
20 SED hasn't reserved time for Mr. Abel. We  
21 didn't just waive cross with him, and we did  
22 coordination on this as we indicated. That's  
23 all I can say. I'm at a loss frankly for how  
24 SoCalGas can assert that its SED's  
25 responsibility when we reached out to them  
26 ahead of time and asked who -- and noted that  
27 we were going to ask the questions of  
28 Mr. La Fevers. But, your Honor, we're

1 prepared to move on with Mr. La Fevers,  
2 finish up, and to cross-examine Mr. Abel to  
3 move forward.

4 ALJ HECHT: Ms. Patel.

5 MS. PATEL: Your Honors, I may just  
6 point out that SED had waived  
7 cross-examination of Mr. Abel before  
8 submitting the questions.

9 ALJ HECHT: Okay. We'll be off the  
10 record.

11 (Off the record.)

12 ALJ HECHT: We'll be back on the  
13 record. While we were off the record, we  
14 discussed the availability of Mr. Abel and  
15 some of the past of whether cross-examination  
16 had been reserved with him by parties or not.  
17 We're going to revisit that later in the day.  
18 In the meantime, we're going to continue with  
19 Mr. La Fevers.

20 MR. GRUEN: Thank you, your Honor.  
21 Shall I proceed?

22 ALJ HECHT: Yes, please.

23 MR. GRUEN: Thank you.

24 Q Mr. La Fevers, good afternoon. If  
25 we could go back to your Corrected  
26 Supplemental Rebuttal Testimony and if we  
27 could share that on the screen for the  
28 moment.

1           If Ms. Purchia could turn to  
2 page 2. I believe it's -- excuse me, yeah,  
3 right here.

4           So if you see the highlighted, the  
5 highlight on page 2, Roman Numeral III, the  
6 subheading that says, "The release was an  
7 unavoidable byproduct of the well-kill  
8 attempt on November 13, 2015."

9           Do you see that?

10          A    Yes, I do.

11          Q    If you could clarify what did you  
12 mean there when you used the term  
13 "unavoidable" in that subheading?

14          A    Well, again, keep in mind that this  
15 testimony is in response to the allegation  
16 that somehow we purposefully and  
17 intentionally released fluids. The header  
18 here addresses that in that it connects the  
19 release of fluids to the event that was  
20 occurring at the site, which was the  
21 well-kill attempt.

22                So it's the well-kill-attempt  
23 activity that was the intentional act that  
24 was being performed on the well and, during  
25 that activity, fluids were released. That  
26 was unavoidable as a component of the  
27 well-kill operation.

28          Q    Let me ask it this way: If I'm

1 understanding your statement correctly, is  
2 that to say that the attempt to kill on  
3 November 13, 2015, caused the byproduct of  
4 the release? Would that be an accurate  
5 characterization?

6 A Again, I'm not sure that I would  
7 put it that way, but the well-kill activity,  
8 the act of pumping fluid down the well for  
9 the purpose of killing the well, resulted in  
10 those fluids coming back up to surface, being  
11 carried by the gas, and that was the fluid  
12 release event. So, again, the well-kill  
13 activity was the intentional action that was  
14 being performed on the well that day and the  
15 release of fluid was simply an outcome of  
16 that.

17 Q Okay. And the resulting -- if I  
18 understood your words, the resulting outcome  
19 of the well kill then, did SoCalGas -- well,  
20 let me ask this: SoCalGas knows that the  
21 reservoir underlying this well has oil in  
22 this; is that right?

23 A Yes, that's correct.

24 Q And is it also correct that well  
25 SS-25 oil had been in fact extracted from  
26 well SS-25 prior to October 23, 2015?

27 MS. MORTAZAVI: Objection, outside the  
28 scope of testimony.

1 MR. GRUEN: Your Honor, it relates to  
2 testimony to the extent he's saying it was an  
3 unavoidable byproduct. It goes to his state  
4 of knowledge as to exactly whether that well  
5 was releasing oil and in fact how he knows  
6 that the release of oil resulted from that  
7 well-kill operation. It's well within scope.

8 MS. MORTAZAVI: Your Honor,  
9 Mr. La Fevers' testimony is related to a  
10 single event on November 13th. The question,  
11 I believe, asked whether oil was extracted  
12 from SS-25 before that date -- very broad  
13 time period, very vague question -- which is  
14 outside the scope of Mr. La Fevers'  
15 testimony.

16 ALJ HECHT: Okay. Correct me if I'm  
17 wrong, but what we're talking about was  
18 something that used to be an oil well that  
19 was repurposed; is that correct?

20 MR. GRUEN: Is that directed -- I'm  
21 sorry, your Honor, is that directed to the  
22 witness?

23 ALJ HECHT: That is directed at the  
24 witness, yes.

25 MR. GRUEN: Okay.

26 THE WITNESS: Again, I mean that is  
27 outside of my expertise but, yes, that's my  
28 understanding that this SS-25 well was

1 originally an oil production well and it was  
2 converted to storage.

3 ALJ HECHT: Okay. Mr. Gruen should  
4 repeat his question. You should answer it to  
5 the best of your knowledge and ability. If  
6 it is outside the scope of what you know,  
7 that is what you can say.

8 MR. GRUEN: Thank you, your Honor.  
9 I'll do my best to repeat it. I may not have  
10 it precisely as it was worded. We could go  
11 to the court reporter and ask her to reread  
12 it, but I think I can capture the gist of it.

13 ALJ HECHT: Why don't you try that.

14 MR. GRUEN: Okay.

15 Q So, Mr. La Fevers, given that well  
16 SS-25 was converted from an oil well, was oil  
17 extracted from well SS-25 on a regular basis  
18 prior to November 13, 2015?

19 A It's my understanding that SS-25,  
20 you know, was used to withdraw gas from the  
21 reservoir prior to the date of the incident,  
22 and the reservoir does contain some residual  
23 oil. And so it's the -- so, yes, it is  
24 reasonable to assume that there was some  
25 amount of oil produced from SS-25 during its  
26 operations.

27 Q Thank you. Okay. If we could turn  
28 to -- back to SED-226, which is Data

1 Request 119, and if we could turn to Question  
2 3(g). If we could read the Bates number. If  
3 we could scroll down. Thank you,  
4 Ms. Purchia. Again, SED-226.3 and scrolling  
5 up on that page, 3(g) asks, "As the release  
6 of oil was allegedly unavoidable, did  
7 SoCalGas contemplate ways to mitigate its  
8 release?"

9 Do you see that?

10 A Yes, I do.

11 Q And we asked to provide documents  
12 supporting your answer.

13 Do you see that as well?

14 A Yes, I do.

15 Q If we turn to the answer to  
16 Question 3(g), and if we get past the  
17 objections, the fourth line down where it  
18 says SoCalGas responds as follows:

19 Although the incidental release of  
20 oil in conjunction with the  
21 November 13, 2015, well-kill  
22 attempt was unavoidable, it was  
23 not expected. As noted in  
24 SoCalGas' Supplemental Rebuttal  
25 Testimony, (Abel) such an event  
26 does not always occur in  
27 conjunction with a top kill.

28 Do you see that?

1           A    I do.

2           Q    Mr. La Fevers, did you prepare this  
3 response?

4           A    Not that I recall, no.

5           Q    And when was the first time that  
6 you saw this response?

7           A    I really don't remember. There's  
8 been a lot of data, a lot of data responses.

9           Q    Do you recall if it was before or  
10 after SoCalGas provided it to SED?

11          A    Yeah, I don't recall.

12          Q    With regards to this question, do  
13 you believe that the response here answers  
14 the question of whether SoCalGas contemplated  
15 ways to mitigate the release of oil from the  
16 November 13, 2015, release?

17          A    I don't think I can answer that  
18 question. I'd be speculating. Again, the  
19 response refers to testimony from Mr. Abel  
20 and it's referring to the well-kill attempt  
21 itself. I don't think I can answer that.

22          Q    Okay. I'm sorry to interrupt. Go  
23 ahead, Mr. La Fevers.

24          A    Without speculating.

25          Q    Thank you.

26                   Well, with that, it looks like we  
27 may have more questions for Mr. Abel, your  
28 Honor. But the good news is that concludes

1 our set of questions for Mr. La Fevers.

2 ALJ HECHT: All right. Thank you. I  
3 would like to ask if the Public Advocates  
4 Office has any cross-examination for this  
5 witness?

6 MS. BONE: Your Honor, Cal Advocates  
7 has no cross-examination for this witness.

8 ALJ HECHT: Okay. Then I am going to  
9 ask if SoCalGas would like a few minutes  
10 before redirect?

11 MS. MORTAZAVI: Yes. Thank you, your  
12 Honor.

13 ALJ HECHT: We are going to take a  
14 10-minute break. We will be back at 1:56,  
15 and then we will pick up with redirect for  
16 Mr. La Fevers. Thank you very much. We'll  
17 be off the record.

18 (Off the record.)

19 ALJ HECHT: We'll be back on the  
20 record. We took a short afternoon break and  
21 now we're going to pick up with redirect of  
22 Mr. La Fevers. I will call on Ms. Mortazavi  
23 for that.

24 MS. MORTAZAVI: Thank you, your Honor.

25 REDIRECT EXAMINATION

26 BY MS. MORTAZAVI:

27 Q Mr. La Fevers, do you recall  
28 Mr. Gruen asking you questions about leak

1 mitigation measures?

2 A Yes, I do.

3 Q Is there someone at SoCalGas that  
4 can address those questions?

5 A Yes, there is. Mr. Schwecke is the  
6 witness for those questions.

7 Q Thank you.

8 No further questions, your Honor.

9 ALJ HECHT: All right. That was quick.  
10 Are there any other questions for this  
11 witness? It appears that there are not, so I  
12 think that we should deal with the witness'  
13 exhibits, and then I am hopeful that this  
14 witness can be excused.

15 Shall we start with the exhibits,  
16 Ms. Mortazavi?

17 MS. MORTAZAVI: Yes, your Honor.  
18 SoCalGas moves to enter the following  
19 exhibits into the record: SoCalGas-30-2,  
20 Prepared Supplemental Rebuttal Testimony of  
21 Glenn La Fevers, dated October 26, 2020,  
22 Clean Version; SoCalGas-30-R, Prepared  
23 Supplemental Rebuttal Testimony of Glenn  
24 La Fevers, dated October 26, 2020, Redline  
25 Version; and SoCalGas-31, Exhibits of the  
26 Prepared Supplemental Rebuttal Testimony of  
27 Glenn La Fevers, dated October 26, 2020.

28 ALJ HECHT: All right. Thank you. I

1 have identified those. Thank you. Do you  
2 move to have them placed in the record?

3 MS. MORTAZAVI: Yes, your Honor.

4 ALJ HECHT: Are there any objections to  
5 placing Exhibits SoCalGas-30-2,  
6 SoCalGas-30-R, and SoCalGas-31 in the record?

7 MR. GRUEN: None from SED, your Honor.

8 ALJ HECHT: All right. The motion is  
9 granted. Those are placed in the record.

10 (Exhibit No. SoCalGas-30-2 was  
11 received into evidence.)

12 (Exhibit No. SoCalGas-30-R was  
13 received into evidence.)

14 (Exhibit No. SoCalGas-31 was  
15 received into evidence.)

16 ALJ HECHT: Do we have cross exhibits  
17 from SED?

18 MR. GRUEN: Yes, your Honor.

19 Ms. Purchia is prepared to address that.

20 MS. PURCHIA: Thank you, your Honor.  
21 The Safety and Enforcement Division moves to  
22 enter the following exhibits into the record:  
23 That would be SED-225, SoCalGas' Response to  
24 SED Data Request 124, November 20, 2020;  
25 SED-226, SoCalGas' Response to SED Data  
26 Request 119, that's November 8, 2020;  
27 SED-227, Boots & Coots' Daily Reports, Public  
28 Version; SED-228, SoCalGas' Response to SED  
Data Request 153, dated March 5, 2021; and

1 SED-230, letter to(sic) Angelo Bellomo to  
2 Jimmy Cho RE County of Los Angeles Department  
3 of Public Health letter regarding crude oil.]

4 ALJ HECHT: Thank you very much. I  
5 have identified Exhibits SED-225, 226, 227,  
6 228 and 230. Are there any questions about  
7 that or does SED move to have those entered  
8 into the record?

9 (No response.)

10 ALJ HECHT: Are there any objections to  
11 moving these into the record?

12 MS. PATEL: Yes, your Honor. SoCalGas  
13 objects to SED-230 as to no foundation and  
14 beyond the scope and relating to -- directly  
15 to a violation that has been withdrawn,  
16 Violation 88.

17 ALJ HECHT: Do we have an explanation  
18 from SED?

19 MR. GRUEN: Thank you, your Honor.

20 We disagree. It relates to  
21 Violation 331. We asked Mr. LaFevers about  
22 that exhibit, and we think it's appropriate  
23 for it to go into the record.

24 ALJ HECHT: Do I remember correctly  
25 that Mr. LaFevers was not able to answer  
26 questions about it?

27 MS. PATEL: Correct, your Honor.

28 ALJ HECHT: Thank you.

1 MR. GRUEN: Okay.

2 ALJ HECHT: I am going to hold off on  
3 that and take it under advisement. We will  
4 discuss it.

5 MR. GRUEN: Okay.

6 ALJ HECHT: We will see what happens  
7 with Witness Abel, and this will likely  
8 straighten itself out.

9 With that, I think that we have  
10 gotten to the point where I can say that SED  
11 Exhibits 225, 226, 227, and 228 are moved  
12 into the record, and we are holding off for  
13 now on 230 that we have a motion to move it  
14 in.

15 And with that, I think that Witness  
16 LaFevers is excused unless something bizarre  
17 happens, but thank you very, very much for  
18 your time and testimony.

19 THE WITNESS: Thank you, your Honor.  
20 It's appreciated.

21 (Exhibit No. SED-225 was received  
22 into evidence.)

23 (Exhibit No. SED-226 was received  
24 into evidence.)

25 (Exhibit No. SED-227 was received  
26 into evidence.)

27 (Exhibit No. SED-228 was received  
28 into evidence.)

ALJ HECHT: All right. With that, I  
want to have the discussion off the record

1 about scheduling. Before I do that, if there  
2 is not another witness today that I have  
3 somehow forgotten; is correct?

4 ALJ POIRIER: ALJ Hecht, this is ALJ  
5 Poirier. We were considering if we had time  
6 to maybe do direct on Healy to get stuff  
7 started, do the attestation?

8 ALJ HECHT: Is Healy ready for that?

9 MS. PATEL: He is, your Honor, but I  
10 think it might be helpful if we can resolve  
11 the Abel issue first, just in case it impacts  
12 who is going to appear first on Tuesday.

13 ALJ HECHT: Thank you. I would agree  
14 with that, and I think we should have this  
15 discussion off the record. So we will be off  
16 the record.

17 (Off the record.)

18 ALJ HECHT: We'll be back on the  
19 record. While we were off the record, we  
20 discussed the witness order. What we are  
21 planning to do is have the direct testimony,  
22 basically the attestations and identification  
23 of Witness Healy today. We would not begin  
24 the cross-examination of Mr. Healy today  
25 because we are trying not to break witness  
26 testimony over more than overnight.

27 And then on Tuesday, our next day of  
28 hearings, we would pick up with Mr. Healy,

1 followed by Mr. Sera, and we would have  
2 hearings Tuesday and Wednesday to get through  
3 Healy, Sera, and if time allows, also Witness  
4 Abel.

5 If there is some question as to  
6 whether we would be able to finish Witness  
7 Abel, the preference in my view would be not  
8 to start him and move him into May, and  
9 Mr. Abel's presence is conditioned on his  
10 availability for next week, which I recognize  
11 SoCalGas will be checking on.

12 Is that pretty much what everybody  
13 understands right now?

14 MS. PATEL: Yes, your Honor.

15 MR. GRUEN: Yes. Yes, your Honor.

16 ALJ HECHT: Great. Then with that, I'm  
17 going to give us a break of 15 minutes, and  
18 we will come back at 2:25 and we'll do the  
19 witness swearing in and attestations and get  
20 him identified, and then I'm hopeful that we  
21 will be able to leave for the day.

22 So 15 minutes. Back at 2:25. Thank  
23 you very much. We'll be off the record.

24 (Recess taken.)

25 ALJ HECHT: We'll be back on the  
26 record. We just took a short break for the  
27 witness to become prepared and settle in to  
28 be sworn in and to do the attestations. I'm

1 going to do those, and then his attorney can  
2 do the direct, and then we will, I hope, be  
3 done for today.

4 So, Mr. Healy, I am going to read  
5 for you our usual witness affirmation, along  
6 with several other affirmations that you may  
7 have heard already if you have been listening  
8 to these hearings. They relate to the fact  
9 that we're doing these hearings remotely, and  
10 so we can't all be in the same room with one  
11 another and see what each other are doing.

12 So I'll just read the whole list and  
13 then I'll ask you if you agree, and then we  
14 can move onto direct; okay?

15 THE WITNESS: Okay, your Honor.

16 ALJ HECHT: Great.

17 Do you solemnly affirm that the  
18 testimony you are about give will be the  
19 truth, the whole truth, and nothing but the  
20 truth;

21 Do you swear or attest to tell the  
22 truth based on your personal knowledge;

23 Do you attest you will testify based  
24 on your own knowledge and memory, free from  
25 external influences or pressure;

26 Do you attest to adhere to all  
27 formal requirements of testifying under oath,  
28 including the prohibition against being

1 coached;

2 Do you attest that you will only  
3 refer to materials previously shared with all  
4 parties, including exhibits premarked and  
5 identified by the parties;

6 Do you attest that you will not make  
7 any recording of the proceeding;

8 And will you attest that you  
9 understand that any recording of the  
10 proceedings held by Webex or teleconference,  
11 including screenshots or other visual copying  
12 of a hearing is absolutely prohibited;

13 And, finally, do you attest that you  
14 know that a violation of these provisions may  
15 result in sanctions including, removal from  
16 the evidentiary hearing, restricted entry to  
17 future hearings, denial of entry to future  
18 hearings or any other sanctions deemed  
19 necessary by the Commission;

20 Do you agree?

21 THE WITNESS: I do agree, your Honor.

22 ALJ HECHT: Great. Thank you very  
23 much. Is it Ms. Patel that is going to do  
24 the direct?

25 MS. PATEL: Yes, your Honor.

26 ALJ HECHT: You may go ahead.

27 MS. PATEL: Thank you.

28

1           GREGORY HEALY, called as a witness  
2           by Southern California Gas Company,  
3           having been sworn, testified as  
4           follows:

4                           DIRECT EXAMINATION

5           BY MS. PATEL:

6           Q     Will you please state your name for  
7           the record.

8           A     Gregory Healy, H-e-a-l-y.

9           Q     And just to get it out of way, do  
10          you consent to being recorded either today or  
11          in the future, when you are cross-examined  
12          most likely next week, by any means other  
13          than the CPUC court reporters who are  
14          preparing the official transcript for the  
15          proceedings?

16          A     I do not.

17          Q     Thank you.

18                    Can you, please, state your current  
19          position at SoCalGas?

20          A     My current position is Regulatory  
21          Business Manager in the Regulatory Affairs  
22          Department.

23          Q     And do you have the exhibits with  
24          you that have been premarked as SoCalGas-19,  
25          The Prepared Reply Testimony of Gregory  
26          Healy, dated March 20th, 2020, and  
27          SoCalGas-20, The Prepared Reply Testimony of  
28          Gregory Healy, also dated March 20, 2020?

1           A    I do.

2           Q    As to Exhibit SoCalGas-19, it is my  
3 understanding that only Section 5, which  
4 appears on page 6 and the top of page 7,  
5 pertains to the OII violation and the OSC  
6 that is scoped for purposes of these  
7 particular evidentiary hearings; is that your  
8 understanding as well?

9           A    That's correct. The remaining  
10 portions of my testimony addressed violations  
11 that have since been withdrawn and/or items  
12 that are not pertinent to this phase of the  
13 hearing.

14          Q    Thank you. Were these documents  
15 prepared by you or at your direction?

16          A    They were, yes.

17          Q    And do you adopt them as your  
18 testimony in this proceeding?

19          A    I do.

20          MS. PATEL: That's all I have, your  
21 Honor.

22          ALJ HECHT: Mr. Healy, we will pick up  
23 with the cross-examination on Tuesday morning  
24 and I believe that will be by Mr. Gruen.

25                Are there any other housekeeping  
26 questions or other questions?

27                Ms. Patel?

28          MS. PATEL: My apologies to raise it

1 again. Are we going to get that correction  
2 on the record regarding the cross-examination  
3 of Mr. Abel?

4 ALJ HECHT: Yes. Please, can get that  
5 on the record now.

6 Is that Ms. Bone to confirm it or  
7 can that be done another way?

8 MS. BONE: Sorry. I'm not on video.

9 ALJ HECHT: Okay.

10 MS. BONE: I'm on video. Yes, that's  
11 fine, but to the extent that SED is going to  
12 cross Mr. Abel, we reserve the ability to ask  
13 follow-up questions if appropriate.

14 MS. PATEL: I guess, I'm confused. So  
15 now you are waiving Mr. Abel?

16 MS. BONE: As I understand it, an issue  
17 has come up, and SED would like to  
18 cross-examine Mr. Abel, and as the judge  
19 observed, that it is often as you are  
20 listening to the cross that you decide that  
21 you do want to ask some questions, and so I'm  
22 just reserving that right.

23 MS. PATEL: I think previously it was  
24 stated on the record that Cal Advocates had  
25 not -- indicated that it did not have cross  
26 for Mr. Abel, and I pointed that Mr. Gruen's  
27 e-mail to the service list at about 9:00 last  
28 night stated that SED and Cal Advocates were

1 submitting a joint schedule, and that they  
2 had no cross-examination for either Mr. Abel  
3 or Mr. Carnahan, and I wanted to clarify on  
4 the record because Cal Advocates previously  
5 indicated that it did not so consent.

6 MS. BONE: So we're now changing our  
7 minds. Are we not allowed to do that?

8 ALJ HECHT: Let's stop. We'll be off  
9 the record.

10 (Off the record.)

11 ALJ HECHT: We'll be back on the  
12 record. While we were off the record, we  
13 clarified that the Public Advocates Office  
14 does have cross-examination questions for  
15 Witness Abel, and regardless of previous  
16 communications about it, that they do expect  
17 to ask questions. That is all that we needed  
18 to address, I think, for the Witness Abel  
19 issue, and we expect to get to Witness Abel  
20 next Wednesday unless your cross with  
21 Mr. Healy and Mr. Sera goes long or unless  
22 Mr. Abel turns out not to be available.

23 And I would appreciate it if  
24 SoCalGas could let us know, ideally, by close  
25 of business tomorrow whether Witness Abel is  
26 available next week.

27 MS. PATEL: We'll do our best, your  
28 Honor.

1           Just one quick question: Did you  
2 intend Tuesday, the first day scheduled for  
3 hearings next week or Wednesday?

4           ALJ HECHT: For Mr. Abel, I think that  
5 it would be Wednesday. It appears to me that  
6 Mr. Healy is short, but that Mr. Sera may be  
7 several hours, and if that's the case, I  
8 would not want to start a third witness on  
9 Tuesday.

10          MS. PATEL: Thank you.

11          ALJ HECHT: Thank you.

12                 I will also observe, people, please  
13 distribute your cross-examination exhibits in  
14 advance. Doing so early is not a problem.  
15 Doing so late is not ideal. So, everybody,  
16 keep trying to do that, and I don't think I  
17 have anything else.

18                 Judge Poirier, do you have anything  
19 to add?

20          ALJ POIRIER: Just briefly to parties:  
21 To the extent we've talked about this before,  
22 you can stipulate to the entry of certain  
23 exhibits. That, obviously, saves us time.  
24 So take that into consideration as we move  
25 forward. That's it for me. Thank you.

26          ALJ HECHT: Thank you.

27                 And I will reiterate something I  
28 said off the record, which is that I believe

1 everybody is here in good faith, and we are  
2 doing the best we can, and I would like us to  
3 continue to try to be constructive, and we're  
4 scheduling more hearings out for May, and we  
5 will find the time that we need for those  
6 hearings, and we will go from there.

7 Any housekeeping or other issues  
8 before we adjourn to pick up with Mr. Healy  
9 on Tuesday?

10 (No response.)

11 ALJ HECHT: Hearing none, we are  
12 adjourned. We'll be off the record. ]

13 (Whereupon, at the hour of 2:40  
14 p.m., this matter having been continued  
15 to Tuesday, April 6, 2021, at 10:00  
a.m., via virtual proceeding, the  
Commission then adjourned.)

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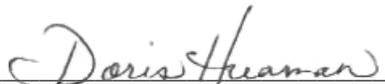
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