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Mary Pat Regan
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July 28, 2023

PARTIES OF RECORD

Re: Case No. CASE NO. 2022-00238

Notice is given to all parties that the attached document has been filed into the record of this proceeding.

If you have any comments you would like to make regarding the contents of the document, please do so within five days of receipt of this letter. If you have any questions, please contact Nancy Vinsel, at Nancy.Vinsel@ky.gov.

Sincerely,

A handwritten signature in blue ink that reads "Linda C. Bridwell".

Linda C. Bridwell, PE
Executive Director

Attachment: Document

1	3
COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION	1 2 APPEARANCES 3 4 ON THE BEHALF OF EAST KENTUCKY MIDSTREAM: 5 6 KATHRYN A. ECKERT, ESQ. 7 McBrayer PLLC 8 201 East Main Street, Suite 900 9 Lexington, Kentucky 40507 10 11 JASON R. BENTLEY, ESQ. 12 McBrayer PLLC 13 201 East Main Street, Suite 900 14 Lexington, Kentucky 40507 15 16 17 ON THE BEHALF OF KENTUCKY FRONTIER: 18 19 L. ALLYSON HONAKER, ESQ. 20 Honaker Law Office, PLLC 21 1795 Alysheba Way, Suite 6202 22 Lexington, Kentucky 40509 23 24 ALSO PRESENT: 25 DEBORAH GREATHOUSE, Video Specialist
VIDEO DEPOSITION OF JOHN WHITE	
On the 22nd day of June, 2023, beginning at approximately 11:56 a.m., at the Carter County Courthouse, 100 West Main Street, Grayson, Kentucky, before me, Jo Ann Betler, Registered Diplomat Reporter and Notary Public, appeared JOHN WHITE, Witness, who being by me first duly sworn, gave his oral deposition in the causes pursuant to notice of counsel and for the respective parties as hereinafter set forth.	
2	4
1 2 APPEARANCES 3 4 ON THE BEHALF OF THE PUBLIC SERVICE COMMISSION: 5 6 JESSICA NORRIS CANFIELD, ESQ. 7 Office of the Attorney General 8 Office of Rate 9 700 Capitol Avenue, Suite 20 10 Frankfort, Kentucky 40601-8204 11 12 13 TINA C. FREDERICK, ESQ. 14 Office of the Attorney General 15 Office of Rate 16 700 Capitol Avenue, Suite 20 17 Frankfort, Kentucky 40601-8204 18 19 ALSO PRESENT: 20 21 MIKE NANCE 22 CHRIS BAILEY 23 24 25	1 2 INDEX 3 4 PAGE 5 APPEARANCES 2 6 INDEX 4 7 EXHIBITS 5 8 VIDEO INTRODUCTION 6 9 EXAMINATION BY MS. CANFIELD 7 10 EXAMINATION BY MS. HONAKER 23 11 12 COURT REPORTER'S CERTIFICATE 25 13 14 15 16 17 18 19 20 21 22 23 24 25

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7	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
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<p style="text-align: right;">9</p> <p>1 Correct? 2 A. Yes. Yes. I know exactly where 3 the J line starts and where the J line ends. 4 Now, as far as I know, I don't know 5 of anything really being tapped off of the J 6 line for sure. You know, just like I said, I 7 only know what I'm dealing with when I get 8 there, you know. So I've never really seen -- I 9 don't know. I don't work for their company so 10 -- I mean, I see a lot, but I just don't know 11 for sure. 12 Q. You said that you're familiar with 13 sales points. Is there a sales point that comes 14 off of the J line? 15 A. There is as far as I know. We 16 actually take gas where the J line starts. 17 Q. Okay. 18 A. We have a place where we purchase 19 gas, where the J line starts. And then there's 20 a place where the J line actually sells gas to, 21 I guess, TC Energy. So those -- the A-3 line 22 and the J line are running together in a certain 23 section. 24 Q. Okay. 25 A. So and where that -- we purchase</p>	<p style="text-align: right;">11</p> <p>1 sell into EKM? 2 A. Yes. Sorry. 3 Q. Just wanted to clarify that. 4 So you're referencing what is owned 5 by other individuals that sell into EKM? 6 A. It's a gathering system for the 7 Primrose, Cumberland Valley, and then it dumps 8 into the EKM. 9 Q. So the wells that are being 10 gathered off of are not owned by EKM, they're 11 owned by Primrose? 12 A. Yes. Yes. This is just one -- and 13 they compress it in there, so I think. They do 14 have a compressor there. 15 Q. Okay. Are you aware of any systems 16 that extend beyond Louisa, beyond that -- 17 A. The only thing that I know of past 18 Louisa would be on your way to Fallsburg. We 19 have three customers out there. It's probably 20 about 5 miles. 21 Q. Okay. And so those three customers 22 are served by Frontier meters? 23 A. Yes. 24 Q. Are they farm tap customers? 25 A. Yes.</p>
<p style="text-align: right;">10</p> <p>1 the gas is right, I mean, where the J line 2 starts. 3 Q. Okay. 4 A. So they're right together. I mean, 5 we're talking inches at that point. 6 Q. And you purchase gas from? 7 A. EKM. 8 Q. Okay. At that point? 9 A. Yes. 10 Q. Okay. Are you familiar with any 11 gathering that's occurring on those lines? 12 A. Yeah. Yeah. There is on the A-3 13 line. 14 Q. Okay. 15 A. So if you're going from Royalton to 16 Louisa, there is -- I'm not sure if it's 17 Cumberland Valley. It used to be. It might be 18 Primrose now. It is a gas company that switched 19 hands. I believe Slone Energy owns it now. Or 20 Chris Slone. 21 That is actually in the -- off of 22 114. It's called Trojan Powder Road is how you 23 get to the site where they actually sell into 24 Jefferson there. And then -- 25 Q. They sell into Jefferson? You mean</p>	<p style="text-align: right;">12</p> <p>1 Q. And do you own the pipeline? 2 A. No. 3 Q. You just own the meter? 4 A. Just own the meter. 5 Q. Thank you. 6 Can you tell me anything you know 7 about line A-2 that runs from Royalton to Hazel 8 Green? 9 A. You know, there are multiple sites 10 there that -- I know there's one that Tackett 11 and Sons, they sell to it. There's another 12 company that sells to that line in Cannel City, 13 it's kindly a little bit squirrely because they 14 actually sell gas back into the same company or 15 it puts gas back into the same company in that 16 Cannel City system to actually furnish gas for 17 the customers. So it's -- it's a little bit 18 weird because a lot of their stuff is -- they 19 can pull gas out during the summer, but for the 20 customer base of our farm taps and also their 21 farm taps, they don't have the gas with local 22 production to actually be able to supply them 23 during the wintertime. So Cannel City is 24 actually one of those places they have to do 25 that. They don't have enough gas supply so</p>

<p style="text-align: right;">13</p> <p>1 they're having to pull from wherever, you know, 2 like they're purchasing, I guess, from Means and 3 pull that gas back into that particular line. 4 So they're having to do it everywhere, you know. 5 Q. Okay. 6 A. And there's -- I mean there's 7 probably, I'd say, 30 -- just Cannel City, I 8 would say there's probably 30 customers. And 9 then you've got stuff that goes into the 10 outskirts of, you know, like Buskirk and Nickel 11 Branch. It's just -- there's customers all 12 along everywhere that they've got stuff. 13 Q. And these customers, are they all 14 off of the main line? 15 A. So the way they usually do it, like 16 there are certain sections that would have a 17 tap. So there's, say, a tap and then a valve 18 and a medium pressure regulator, and then it 19 would run to multiple different customers. So 20 it's not always just a tap and then a medium 21 pressure regulator and then just going to one 22 customer. Although they do that also. But it's 23 running multiple people too. It's multiple 24 different meters. And you don't really know it 25 until you actually are called for a problem.</p>	<p style="text-align: right;">15</p> <p>1 single one of their meters are always set at the 2 house. 3 MS. FREDERICK: When you're talking 4 about their meters, who is they? 5 THE WITNESS: Well, EKM -- EKM's 6 meters that are farm taps for us that we've 7 taken over. All of their meters are at their 8 house. So that's not where their line is. You 9 know, their line is -- it could be a hundred 10 foot away, 200 foot away, 500 foot away. I 11 mean, I've seen them 2,000 foot away. I mean, 12 you know, you see these lines and they're just 13 -- you don't know where exactly they're going. 14 You just see the taps. 15 You know, like I've got a certain 16 section, like, where the guys were -- they're 17 complaining to me about having to fix lines 18 because they're getting busted because they're 19 doing construction in this certain area. It's 20 called Buckhannon Fork, okay? 21 Well, it runs -- I think we have 22 four customers. At one time there was probably 23 about six. But there's about 2,000 foot of line 24 that comes off the side of the hill, and that's 25 where the tap is. But, it's like, the guys</p>
<p style="text-align: right;">14</p> <p>1 Like if there's a freeze off or if there's, you 2 know, anything that's gone wrong or whatever, if 3 they're having problems with their gas, you're 4 trying to make sure, you know, that regulators 5 and things aren't freezing off, things like 6 that. You really find out more about it usually 7 during the wintertime or when there's something 8 happens, you know. We don't really know where 9 the taps are for these particular customers 10 because they're -- they're never -- I mean, 11 they're hundreds of feet away from the customer, 12 and like -- let's just say they've got a gas 13 line running along the creek and they have got a 14 tap there and they've got a valve and a medium 15 pressure regulator, well, that medium pressure 16 regulator would run 150 foot, 200 foot to the 17 house, and we don't know where it's at. So if 18 there's a busted line, we're trying to either 19 dig a bell hole and squeeze it off, do whatever 20 we have to do to get the gas shut off, but their 21 guys, a lot of them, they can just go out there 22 and shut the valves off and we don't even know 23 they're there. We don't know exactly where that 24 stuff's tapped at. And it -- I mean, all of 25 their meters -- I mean, very rarely, every</p>	<p style="text-align: right;">16</p> <p>1 don't actually know that. They're just having 2 to go out there and deal with the issue at the 3 time to try to fix those things, you know. 4 BY MS. CANFIELD: 5 Q. And who is the owner of that line? 6 A. It's not us. We don't -- we only 7 own meters. In every farm tap situation that we 8 are in, we only own meters. So the way that 9 everything works for us is -- is the customer 10 purchases everything except for that meter. 11 That's regulator, risers. If they want drips, 12 they do everything. And we just own the meter. 13 Now, we can work on those things and 14 take care of those things, but we charge for 15 those things. But the only thing that's really 16 ours is that meter. 17 So if there's something wrong and 18 there's nothing going through that meter and 19 that meter's locked up, well, that's on us. We 20 take care of that meter. But if it's a 21 regulator, it's a customer's regulator. 22 Q. The line that you're talking about 23 that the tap comes off of, in that scenario, 24 that line is owned by? 25 A. That line is owned by EKM.</p>

17

1 MR. BENTLEY: Objection. That's
2 conclusion.
3 BY MS. CANFIELD:
4 Q. The line that comes off of that, is
5 that on the inlet or outlet side of the meter?
6 A. That is on the inlet side of the
7 meter.
8 Q. And that's the one that's being
9 damaged?
10 A. Yes.
11 Q. And this is all at Buckhorn.
12 Correct?
13 A. Buckhannon, yeah.
14 Q. Buckhannon, sorry. Thank you.
15 A. I mean, that was just one
16 particular situation. It's always that way.
17 It's always the inlet. It's not the customer
18 side. It's the inlet to the riser, you know.
19 Like they will call us, it's their
20 gas blowing. You know, it's like we don't own
21 the lines. We don't own --
22 Q. Who calls?
23 A. Well, like Jack Banks or somebody
24 from EKM or, you know, in the past it's been
25 Jefferson. They'll say, you know -- they will

18

1 call us and say, We've got a line blowing out
2 here. We'll call Jack Banks, because he's the
3 main guy and we'll say whatever. And he's like,
4 Well, you need to go out there and squeeze it
5 off or get it fixed or whatever. It's just like
6 this is not -- this is not our responsibility,
7 you know, but we're having to take care of these
8 things because in our line of work, I mean we're
9 always trying to make things safe, you know,
10 because we're going to get there. You know, if
11 there's something blowing, we're going to get
12 there and we're going to try to make things
13 safe. But it's never any of our stuff because
14 we only own the meter.
15 Q. Okay. So --
16 A. And you know what? I don't really
17 know how exactly that works out, especially if
18 it's like a medium pressure regulator and
19 they've got five different customers off of one
20 tap with that medium pressure regulator. Who
21 actually falls responsible for that? You know
22 what I'm saying? I mean, we eventually end up
23 having to try to fix it just to keep the
24 customers in gas, but you know what I mean?
25 It's kind of ridiculous, really.

19

1 We don't have any -- very rarely do
2 we have the kind of issues with that much line.
3 Nobody just -- it's just they say it's yours.
4 Every farm tap we have got are only just meters.
5 Q. And the agreement that you're aware
6 of between -- that involve Frontier --
7 A. Um-hum.
8 Q. -- you do not own any line
9 regarding these farm taps, you only own the
10 meter.
11 Correct?
12 A. Only own the meter.
13 Q. So let's move on to the KZ line.
14 A. Um-hum.
15 Q. Could you just talk to me about
16 what you know about the KZ line and the
17 difference in the KZ East and versus the KZ
18 West?
19 A. Okay. As far as I know, you know,
20 I went -- because when they were -- when EKM
21 first took it over, I went with Jack Banks and
22 Darrell Parks to investigate and look at things
23 that we were possibly going to be leasing and
24 taking care of. And as far as I know, like, the
25 KZ West is just customers. And they have a

20

1 meter that serves those customers for that
2 KZ West line. The KZ East line is the line that
3 is actually feeding Frenchburg, feeding West
4 Liberty, and then feeding the state prison. And
5 then it's also coming down to the C line to
6 where they're pulling it and then they're
7 compressing it to wherever they have to do it or
8 however they're doing everything. So it's --
9 the main purchase line of gas where they're
10 pulling off of TC Energy to try to supply their
11 customers on that particular line. And there's
12 farm taps on both all along the way.
13 Q. Okay. Do you know where the KZ
14 West line terminates in Clark County?
15 A. I've never been there.
16 Q. So you were discussing the Means,
17 the purchase point from TC Energy. Is the sole
18 purpose of that purchase point to purchase
19 energy from TC Energy?
20 A. Yes. Yeah. I mean, that's all
21 it's there -- I mean, just to supply gas.
22 Q. To supply gas to Frenchburg, you're
23 saying?
24 A. It supplies gas to Frenchburg and
25 West Liberty and the state prison and, I mean,

<p style="text-align: right;">21</p> <p>1 probably us also. 2 Q. And when they're purchasing this 3 gas, they resell it to Kentucky Frontier? 4 A. Yes. 5 Q. Okay. Are you aware if they're 6 reselling it to Delta at Frenchburg? 7 A. Yeah. Yeah, that's -- I don't 8 think they -- I think it's a pass-through for 9 some reason. It's kind of weird, but I think 10 Delta actually has -- I think the way it was 11 explained was it was just a pass-through, and 12 that that gas was actually purchased off of TC. 13 Q. And who explained that? 14 A. I'm pretty sure Darrell and Jack 15 did. 16 Q. Darrell Parks and Jack Banks? 17 A. Yes. 18 Q. And this is when you were serving 19 the KZ line. 20 Correct? 21 A. Yes. 22 Q. Are you aware of any lines from 23 that instance that come off the KZ line that 24 their primary function appears to be 25 distribution other than the Frenchburg/Delta</p>	<p style="text-align: right;">23</p> <p>1 (A recess was taken, after which the 2 proceedings were resumed as follows.) 3 VIDEO SPECIALIST: Okay. 4 We are back on the record at 12:26 5 p.m. 6 7 * * * 8 EXAMINATION 9 BY MS. ECKERT: 10 Q. Kathryn Eckert for East Kentucky 11 Midstream. 12 You testified earlier that the EKM 13 customers were all -- the farm tap customers 14 were all off of the main line? 15 A. As far as I know. The taps are off 16 -- off of the main line, yes. 17 Q. And so that's just your personal 18 experience. 19 Is that correct? 20 A. Yeah. 21 Q. So you can't -- you're not 22 testifying that that's true the entirety of the 23 system. 24 Is that correct? 25 A. The entirety of --</p>
<p style="text-align: right;">22</p> <p>1 connection? 2 A. I'm not really sure of anything, 3 you know, right off, because that was a whole 4 new area and it's probably been about two and a 5 half years ago when I actually was looking at 6 those particular lines because I really have no 7 business in those areas. You know, I don't 8 really go to West Liberty or anything. So as 9 far as I know them -- the KZ line is really 10 there for Frenchburg and then West Liberty and 11 the prison. And then, you know, right there at 12 the prison there's an actual place where -- I 13 think it's a Monte Hayes line. Actually at one 14 time, I think it was shut off at that point. 15 But it's an 8-inch line that actually puts into 16 that KZ line. So it was, I believe, a purchase 17 meter for EKM or Jefferson to purchase off of -- 18 I think it was Monte Hayes. It was a line that 19 went down through Elliott County. 20 MS. CANFIELD: No further 21 questions. 22 MR. BENTLEY: Take a break for a 23 second. 24 VIDEO SPECIALIST: Okay. We are 25 off the record at 12:19 p.m.</p>	<p style="text-align: right;">24</p> <p>1 Q. The EKM system. 2 A. Yeah, they're probably -- the KZ 3 East and the KZ West, they're more of a 4 traditional type of farm taps. Most of them 5 that I've seen are really just, you know, 6 they're tapped right off the main. The meter's 7 right there, the regulator's all right there. 8 It's more of like -- you're seeing more of like 9 off of the A-1 or the A-3 lines or the -- some 10 of the C, but not a lot. There are some, 11 though, that are tapped and then run to the 12 house, and then the meter's at the house. 13 But then there are some on the C line where the 14 actual meter is actually tapped right there and 15 the regulator and everything is straight off the 16 main. 17 MS. ECKERT: Thank you. That's the 18 clarification I was looking for. 19 Anything further? 20 MS. HONAKER: I don't have any 21 redirect. 22 VIDEO SPECIALIST: Okay. If there 23 are no objections, we are off the record at 24 12:28 p.m. 25 * * *</p>

<p style="text-align: right;">25</p> <p>1 CERTIFICATION OF COURT REPORTER AND NOTARY 2 PUBLIC 3 4 I, Jo Ann Betler, Registered 5 Diplomate Reporter and Notary Public within and 6 for the Commonwealth of Kentucky, duly 7 commissioned and qualified, do hereby certify 8 that the foregoing deposition was duly taken by 9 me and before me at the time and place and for 10 the purpose specified in the caption hereof, the 11 said witness having been by me first duly sworn. 12 13 I do further specify that the said 14 deposition was correctly taken by me in 15 Stenotype and that the same was reduced to 16 computer print by me or under my direct 17 supervision. 18 19 I further certify that I am neither 20 attorney or counsel for, nor related to or 21 employed by, any of the parties to the action in 22 which this deposition is taken, and further that 23 I am not a relative or employee of any attorney 24 or counsel employed by the parties hereto, or 25 financially interested in the action.</p>	
<p style="text-align: right;">26</p> <p>1 2 Before completion of the deposition, 3 review of the transcript [] was [X] was not 4 requested. If requested, any changes made by 5 the deponent (and provided to the reporter) 6 during the period allowed are appended hereto. 7 8 Given under my hand this 24th day of 9 June, 2023. 10 11 My Commission expires January 8, 12 2025. 13 14 15 _____ 16 Jo Ann Betler 17 Commission No.: KYNP21279 18 19 20 21 22 23 24 25</p>	

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