

MICHAEL GARDEN 6/3/2010

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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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TRI-COUNTY ELECTRIC COOPERATIVE, INC.

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vs.

ILLINOIS POWER COMPANY, D/B/A AMEREN IP

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Cause No. 05-0767

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DISCOVERY DEPOSITION OF MICHAEL GARDEN

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TAKEN ON BEHALF OF THE COMPLAINANT

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JUNE 3, 2010

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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

TRI-COUNTY ELECTRIC	)	
COOPERATIVE, INC.,	)	
	)	
Complainant,	)	
	)	Case No. 05-0767
vs.	)	
	)	
ILLINOIS POWER COMPANY,	)	
D/B/A AMEREN IP,	)	
	)	
Respondent.	)	
	)	

DISCOVERY DEPOSITION OF MICHAEL GARDEN, produced, sworn and examined on June 3, 2010, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon of that day, at the offices of Tri-County Electric Cooperative, Inc., 3906 West Broadway, Mount Vernon, Illinois, 62864, before Jenna L. Higgins, a Certified Court Reporter (MO), Certified Shorthand Reporter (IL), and a Notary Public within and for the State of Illinois, in a certain cause now pending with the State of Illinois, Illinois Commerce Commission, between TRI-COUNTY ELECTRIC COOPERATIVE, INC., Complainant, vs. ILLINOIS POWER COMPANY, D/B/A AMEREN IP, Respondent; on behalf of the Complainant.

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A P P E A R A N C E S

Counsel for the Complainant:

GROSBOLL, BECKER, TICE, TIPPEY & BARR  
By: Jerry Tice  
101 East Douglas Street  
Petersburg, Illinois 62675  
(217) 632-2282  
ticetippeybarr.com

Counsel for the Respondent:

BAILEY & GLASSER, LLP  
By: Scott C. Helmholz  
One North Old State Capitol Plaza  
Suite 560  
Springfield, Illinois 62701  
(217) 528-1177  
shelmholz@baileyglasser.com

Also present: Marcia Scott, Bob Robert Dew, Jr.

Court Reporter:

Jenna L. Higgins, CSR, CCR  
Midwest Litigation Services  
711 North Eleventh Street  
St. Louis, Missouri 63101  
(314) 644-2191  
1-800-280-3376

1 IT IS HEREBY STIPULATED AND AGREED by and  
2 between counsel for the Complainant and counsel for  
3 the Respondent that this deposition may be taken in  
4 shorthand by Jenna L. Higgins, a Certified Court  
5 Reporter (MO), Certified Shorthand Reporter (IL), and  
6 Notary Public, and afterwards transcribed into  
7 typewriting; and the signature of the witness is  
8 expressly reserved.

9 \* \* \* \* \*

10 MICHAEL GARDEN,  
11 of lawful age, produced, sworn and examined on behalf  
12 of the Complainant, deposes and says:

13 EXAMINATION

14 QUESTIONS BY MR. TICE:

15 Q. Would you state your name, please?

16 A. Michael R. Garden.

17 Q. And where do you reside, Michael?

18 A. Uka, Illinois.

19 Q. I want to express our gratitude to you for  
20 taking us around in the field this morning, okay? I  
21 realize it's sort of an imposition for you, but it  
22 helps us understand visually what you are talking  
23 about in your testimony in this case. Is your  
24 education through high school?

25 A. Yes.

1 distribution system.

2 A. Ask me that again.

3 Q. I would like for you to state for me what  
4 your description of -- describe for me the Citation  
5 electric distribution system as it exists in the Salem  
6 Oil Field.

7 A. There are four main circuits that service  
8 the field.

9 Q. Do you know the size?

10 A. No.

11 Q. Do you know the voltage?

12 A. It's 12.5, I believe.

13 Q. Okay. 12.5 KV?

14 A. 12,500 volts.

15 Q. Okay. And there are four circuits and  
16 those -- can you tell me -- can you describe what the  
17 circuits serviced or used to service with electrical  
18 power? Looking at your Exhibit 10.2, maybe that will  
19 help you, the top being north, I think, and the bottom  
20 being south.

21 A. They are just divided up not evenly through  
22 the field. The Mag circuit which runs a majority of  
23 the north end of the field goes north, and we have the  
24 Texas circuit which it splits off and services part of  
25 the western part of the north end of the field and

1 part of the south -- the south end. And the field is  
2 divided in what we call two north and south. The  
3 creek divides the both places.

4 Q. Okay.

5 A. The plant circuit provides power around to  
6 the water injection plant and to the gas plant.

7 Q. Okay. Now, when you say the water  
8 injection plant, is that an area on Respondent's  
9 Exhibit 10.2 that has the little initials PTL in a  
10 square?

11 A. Yes.

12 Q. Okay. And where else then does that  
13 circuit go?

14 A. The gas plant. It picks up some wells on  
15 the way up there.

16 Q. And you call that circuit the what circuit?

17 A. Plant.

18 Q. Plant circuit?

19 A. Yes. And then we have the south circuit  
20 which services the majority of the south end of the  
21 field.

22 Q. Okay. So if I -- you have got the Mag,  
23 M-a-g, circuit? Is that what it is?

24 A. Yes.

25 Q. What does Mag stand for?

1 A. Magnolia.

2 Q. And the Magnolia circuit then is  
3 predominately to the north part of the oil field; is  
4 that correct?

5 A. Yes.

6 Q. And then you have the Texas circuit, and  
7 you said the Texas circuit splits and serves part of  
8 the north area of the Salem Oil Field and part of  
9 the --

10 A. The south.

11 Q. The south?

12 A. Yes.

13 Q. Or west?

14 A. The south and east part of it.

15 Q. South and east part?

16 A. Yes.

17 Q. Okay. And the plant circuit -- and the  
18 plant circuit you said serves the gas plant and the  
19 water plant which is identified as PTL. Now, on your  
20 Exhibit 10.2, I notice there is a red line that comes  
21 out of the Texas substation. Do you recognize where  
22 the Texas substation is of IP on that Exhibit 10.2?

23 A. The red line here you're talking about?

24 Q. Yeah.

25 A. The red line going this way?

1 Q. Can you -- you can see where you have the  
2 Texas substation, right?

3 A. Yes.

4 Q. Why don't you take a pencil here -- let's  
5 do this. Mark this in a yellow highlighter here.  
6 Just mark -- draw a circle around the Texas substation  
7 with that yellow highlighter.

8 A. What you're calling our Texas substation?

9 Q. Well, the IP's Texas sub where you connect  
10 on to IP.

11 A. (Witness indicates.)

12 Q. If you think that is where it is.

13 A. (Witness indicates.)

14 Q. Make it a little bigger than that. Just  
15 draw a circle around it.

16 A. (Witness indicates.)

17 Q. Very good. Okay. Now, starting where that  
18 yellow circle is on 10.2 and follow that red line that  
19 goes west out of the Texas substation, is that what  
20 you described as the plant circuit?

21 A. Yes.

22 Q. All right. And the plant circuit goes to  
23 the west and then sort of to an angle to the southeast  
24 to the water plant or PTL; is that correct?

25 A. Yes.

1 Q. All right.

2 MR. HELMHOLZ: You mean southwest?

3 MR. TICE: Southwest, you're right.

4 Q. (By Mr. Tice) And then the -- that same  
5 red line or plant circuit branches off and comes due  
6 south, does it not?

7 A. Yes.

8 Q. All right. Down to where the gas plant is,  
9 right?

10 A. Yes.

11 Q. All right. Take this highlighter and draw  
12 a circle around where the gas plant is.

13 A. (Witness indicates.)

14 Q. Now, are the gas plants and the water  
15 plant, PTL water plant, the only two items served by  
16 that plant circuit?

17 A. No. There is wells -- there is a few wells  
18 on that line.

19 Q. And where are they located?

20 A. Just right off the -- right off the primary  
21 line.

22 Q. I see a few little triangles on this  
23 Exhibit 10.2 map. Would those triangles -- those  
24 small triangles, do those represent wells?

25 A. I don't know what they represent.

1 Q. All right. Now, this morning you showed us  
2 what was called the south battery. That's right east  
3 of the gas plant?

4 A. Yes.

5 Q. Is that south battery served by the plant  
6 circuit?

7 A. No, sir.

8 Q. Okay. And what circuit serves it?

9 A. The south.

10 Q. Okay. And can you tell me generally what  
11 is served by the Texas circuit that goes north and  
12 south and east?

13 A. It serves the wells on the leases that it's  
14 on and it goes -- and it picks up the north battery.

15 Q. Okay. I want you to mark where the north  
16 battery is with this highlighter, if you can find it.

17 A. (Witness indicates.)

18 MR. HELMHOLZ: The other exhibit shows it  
19 pretty clearly if you want to use it to help you.

20 A. (Witness indicates.)

21 Q. (By Mr. Tice) Why don't you draw a line  
22 around or a circle around the PTL, the water plant,  
23 also?

24 A. (Witness indicates.)

25 Q. So the south circuit then you say serves

1 the south battery?

2 A. It services the south battery and the  
3 majority of the south end of the field.

4 Q. And then what receives electric power in  
5 the majority of the south end of the Salem Oil Field?  
6 Is that oil wells?

7 A. Yes.

8 Q. Okay. Now, can you tell me anything about  
9 the conductor size on this Citation distribution line  
10 either on the Magnolia circuit or the Texas circuit?

11 A. No, sir.

12 Q. Also, I need to -- what does the Magnolia  
13 circuit serve that's on the north end?

14 A. It services oil wells all the way through  
15 the north end of the field.

16 Q. Okay. And these oil wells that are served  
17 by these various circuits in the Salem Oil Field, are  
18 they typical in size in how they are operated, that is  
19 by electric power as the ones that we happened to see  
20 this morning?

21 A. Yes, sir.

22 Q. Okay. And can you tell me the relative  
23 size of the motors that -- electrical motors that  
24 operate those oil wells in the Salem Oil Field?

25 A. A majority of them is 25 horse. There is

1 part of them that is 15 and there is a few that is 40  
2 and 50.

3 Q. Okay. Now, we weren't able to see any of  
4 the 40 horsepower motors this morning, were we?

5 A. There is a -- very few of them.

6 Q. Do you have any idea as to how many oil  
7 wells have 40 -- you said 40, 50?

8 A. Yes. 40 to 50.

9 Q. Do you have any idea how many --

10 A. No.

11 Q. How many oil wells are in the field  
12 currently operating?

13 A. 310 as I know right now.

14 Q. Of those 310, what percentage of them can  
15 you tell me would be operated by either 25 or  
16 15 horsepower motors?

17 A. I couldn't -- I couldn't tell you.

18 Q. Would it be the majority?

19 A. I would say the majority of them is 25.

20 Q. Okay. Do you know the age of the  
21 distribution -- Citation distribution line, when it  
22 was first constructed?

23 A. No, sir.

24 Q. Okay. Do you know the last time any of it  
25 was updated, upgraded, you made any repair work or

1 Q. And then the gas that's gathered at that  
2 point in the separation system then is pumped to the  
3 gas plant that you said is 150 yards to the west?

4 A. Yes.

5 Q. Do you have any idea what size the  
6 electrical load is that's on that motor operating the  
7 gas collection system at the south battery?

8 A. All I know is it's a 7.5 horsepower motor.

9 Q. Is it tied into the electrical system or  
10 operated from the electrical system or electrical  
11 circuit that operates the gas plant, what you call the  
12 plant circuit?

13 A. No. It is tied into the south circuit.

14 Q. And the south circuit then is a separate  
15 circuit separate from the plant circuit; is that  
16 correct?

17 A. Yes.

18 Q. Okay. Now, do you occasionally have  
19 outages on this Citation electric distribution system?

20 A. Yes.

21 Q. How often do you have outages, electrical  
22 outages, on the system itself, I mean, within the  
23 confines of the Salem Oil Field?

24 A. The outages -- are you talking about  
25 long-time outages, the majority, or --

1 Q. Any kind of outage. I will get into what  
2 is short, long, whatever. I just want to know if you  
3 have outages.

4 A. Yes, we do. When it storms.

5 Q. Do you know how often in a period of time  
6 you have these outages? How frequent are they? Is it  
7 every time it storms?

8 A. Not every time. It is just when it has  
9 lightening.

10 Q. Okay. So if you have storms coming through  
11 which lightening is a part of the storm, are you  
12 pretty much assured you're going to have an outage on  
13 your Citation distribution system?

14 A. No, sir.

15 Q. How often -- can you tell me how often  
16 you'd have outages on the Citation electric  
17 distribution system in a year's time?

18 A. I have never counted them.

19 Q. Do you keep a record of those outages?

20 A. Yes, sir.

21 Q. Who keeps those records?

22 A. I keep them on the morning production.

23 Q. What do you mean you keep them on the  
24 morning production?

25 A. When we do the morning production, I have a

1 comment area. When we have an outage, I note that we  
2 have an outage and how long it is.

3 Q. So you -- and that is every day?

4 A. Yes.

5 Q. So every day you have what you call a  
6 morning production period. What is the morning  
7 production period? Tell me what that is.

8 A. Just where we -- we gage the tanks, take  
9 the readings of the oil sold and I report it every  
10 day.

11 Q. To Houston?

12 A. Yes.

13 Q. So this is a report that you generate?

14 A. Yes.

15 Q. In your position as senior production  
16 manager at the site, it's generated every day and on  
17 that report then you report to Houston whether or not  
18 you have had an electrical outage in the previous  
19 24 hours?

20 A. Yes, sir.

21 Q. Do you have copies of those reports?

22 A. Yes, sir.

23 Q. And do those reports indicate the location  
24 of the outage?

25 A. If it is line down, I will report where the

1 line is down, but most of the time it is just reported  
2 as bumps.

3 Q. Okay. Does it report which circuit it  
4 occurs on?

5 A. Yes.

6 Q. Okay. So it is reported by circuit, that  
7 is --

8 A. Yes. If I am there and done it and I am  
9 told that's where it has happened at, yes, I will  
10 report it.

11 Q. Do you report the length of the outage?

12 A. I try to, yes. The best I can.

13 Q. Do you report the cause of the outage to  
14 the best that you know?

15 A. Yes.

16 Q. And do you report the repair or action  
17 taken in response to the outage?

18 A. On that report?

19 Q. Yes.

20 A. No, sir.

21 Q. Do you keep any record of your response to  
22 the outage?

23 A. No, sir.

24 Q. How does anyone know in Houston what action  
25 was taken to correct the outage? Is that just

1 something that's in your mind that's kept in your  
2 mind, or is there some way for Houston to know what  
3 corrective action was taken with respect to the  
4 outage?

5 A. The lightening, you can't correct.

6 Q. I know. But do you report if you were able  
7 to take corrective action or if you weren't able to  
8 take corrective action?

9 A. If it is a line down, I report repair line.

10 Q. If it is a lightening strike, how do you  
11 report it?

12 A. Lightening strike, repaired line.

13 Q. Okay. Lightening strike --

14 A. Tree down, repair line.

15 Q. If it's wind knocks the branches down --

16 A. Uh-huh.

17 Q. -- knocks the line down, you report it that  
18 way?

19 A. Uh-huh.

20 Q. And if there is a squirrel in a  
21 transformer, do you report that, shorting out of a  
22 transformer?

23 A. If we can find physical evidence that it is  
24 a squirrel.

25 Q. Okay. You usually know if it's a

1 transformer that's caused the outage, don't you? If  
2 that is what happens, you can tell?

3 A. Not necessarily, but you can tell.

4 Q. All right. And do you report that outage  
5 as transformer malfunctioned or whatever?

6 A. Sometimes. But not all the time because I  
7 am not told until after the fact.

8 Q. After you make the report?

9 A. Uh-huh.

10 Q. Does it get added to the report at any time  
11 later?

12 A. No, sir.

13 Q. Does Citation have any system whereby if a  
14 circuit is out that it can get electric power to the  
15 wells and other mechanical devices operated from that  
16 circuit?

17 A. No, sir.

18 Q. What do you do when you have an outage on  
19 one circuit but you have electricity on the other  
20 circuits?

21 A. We usually keep them running.

22 Q. So you don't -- you can't get that other  
23 circuit operating until you make the repair; is that  
24 correct?

25 A. Yes.

1 Q. What's the longest outage you have had on  
2 any particular circuit since you have been there as --  
3 in the last eight years that you have been there as  
4 the senior production manager for Salem?

5 A. I would say 36 hours on one circuit.

6 Q. Now, when you have -- which circuit was it?  
7 Do you remember?

8 A. Texas.

9 Q. Which is the north and southeast; is that  
10 correct?

11 A. Yes.

12 Q. Do you ever have any outages on the plant  
13 circuit?

14 A. Very few.

15 Q. Have you had any?

16 A. Have we had any?

17 Q. Since -- let's say since the gas plant went  
18 on in 2000 -- when did the gas plant start? Do you  
19 remember?

20 A. I can --

21 Q. Let's say 2006. January 1, 2006. Would  
22 that be probably close to when it started operating?  
23 I know you don't know --

24 A. I don't want to say because I -- I want to  
25 be truthful and accurate. I can't say.

1 system?

2 A. Yes, sir.

3 Q. And the city gas sale, is that just an  
4 interest to the city gas line then?

5 A. Yes.

6 Q. Who furnishes the gas -- do you sell gas to  
7 the city of Salem --

8 A. Yes.

9 Q. -- I mean Citation --

10 A. Yes.

11 Q. -- generated off the oil field?

12 A. Yes.

13 Q. Does that gas come from the gas plant?

14 A. Yes.

15 Q. Now, with respect to these eight compressor  
16 sites that are shown on 11.4 -- and I realize that  
17 includes No. 5 that's been moved to a location clear  
18 up to the north end of the oil field, right?

19 A. Yes.

20 Q. Are those compressor sites -- all those  
21 compressor sites located on the same circuit?

22 A. No.

23 Q. How many circuits of the Citation  
24 electrical service -- electrical -- the Citation  
25 electrical distribution line are used to service those

1 eight compressor sites?

2 A. To the best of my knowledge, all four.

3 Q. Can you tell me how many of the compressor  
4 sites are on each particular circuit, the Texas plant,  
5 south, and Magnolia circuits, and which ones might be  
6 on which circuit by number?

7 A. The sales is off the Mag circuit.

8 Q. So that's the old No. 5 that's been moved  
9 up to the No. 1 at the north end of the Salem oil  
10 field on Exhibit 11.4, right?

11 A. Yes.

12 Q. That is on the Mag circuit?

13 A. Yes.

14 Q. All right.

15 A. No. One is on the Mag circuit.

16 Q. The actual No. 1 is a gas compressor site,  
17 so it's on one -- or Magnolia, sorry. Okay.

18 A. No. 2 and No. 3 are on the Texas circuit.

19 Q. All right.

20 A. No. 4 is on the south circuit.

21 Q. All right.

22 A. No. 6 is on the south circuit.

23 Q. All right.

24 A. No. 7 and No. 8 are on the south circuit.

25 Q. All right. I am still missing one.

1 A. Which one is that?

2 Q. Oh, I see. No. 1 -- you have two No. 1s  
3 now. No. 5 became a No. 1 up there?

4 A. Or you can call it No. 5. We just call it  
5 the sales site.

6 Q. The sales site?

7 A. Yes. City sales compressor.

8 Q. Does Citation maintain any method for  
9 shutting down gas compressor sites on different  
10 circuits in case -- or transferring electric usage  
11 from one circuit to another circuit in the event that  
12 a circuit goes down and you lose power to some  
13 compressor site?

14 A. No.

15 Q. If one of the circuits go down, then you  
16 have to shut down all the compressors; is that  
17 correct?

18 A. Okay. I didn't understand. You're talking  
19 about -- give me the first --

20 Q. Does Citation maintain any protocol or  
21 methodology for shutting down circuits or shutting  
22 down compressors in the event a circuit goes down and  
23 they lose power to one, two, or three of these  
24 compressors on the circuit that went down?

25 A. If -- these are all set up on pods.

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CERTIFICATE OF REPORTER

I, JENNA L. HIGGINS, a Certified Shorthand Reporter (IL), and a Notary Public within and for the State of Illinois, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

*Jenna L. Higgins*

Notary Public within and for  
the State of Illinois  
IL CSR #084-004398

