COMMONWEALTH OF KENTUCKY

PUBLIC SERVICE COMMISSION

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JUL 07 2017

PUBLIC SERVICE COMMISSION

CASE NO. 2017-167

the Matter of:)
)
CITY OF OLIVE HILL and)
CITY OF OLIVE HILL UTILITY DEPARTMENT)
)

ALLEGED FAILURE TO COMPLY WITH KRS 278.495 & 49 CFR §192

In.

SUPPLEMENTAL RESPONSE

COMES NOW the City of Olive Hill, by and through counsel, and hereby supplements its Response as follows:

- The City of Olive Hill appeared before the Public Service Commission on June 7, 2017 for Hearing on the alleged failure to comply with 49 CFR § 192.317.
- The Commission entered an Order on June 21, 2017 imposing a fine of Sixty Thousand Dollars (\$60,000.00).
- 3. All but Five Thousand Dollars (\$5,000.00) was conditionally discharged upon the condition the City remedy the violation and continue to updated the Commission of all efforts to remedy the violation and to provide notice within 5 days of completion.
- 4. The start date was June 20, 2017. Swartz Pipeline Contracting began work but was forced to cease work on June 23, 2017 due to the weather forecast.
- 5. The City experienced a severe flood on June 23, 2017 but work presumed and was completed on June 30, 2017.

6. A Public Service Commission representative was present at the site and had the opportunity to review the contractor's work.

WHEREFORE, the City respectfully requests this be taken as its Supplemental Response.

Respectfully submitted,

HON. DERRICK E. WILLIS Attorney for the City of Olive Hill 225 Roger Patton Drive Olive Hill, KY 41164

CERTIFICATE OF SERVICE: The foregoing was served by mailing or electronically-mailing a true and correct copy to the following on the 30th day of June, 2017:

Hon. Jennifer Fell

Robert Cicero

Michael Schmitt

Joel Grugin

John Park

Original to: Public Service Commission

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