

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DAMOINE LEE)	
)	
_____)	CASE NO.
)	2019-00409
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

ORDER

On December 11, 2019, the Commission ordered Damoine Lee (Mr. Lee) to submit, within 20 days of receipt of the Commission's Order, a written response to the allegations contained in the Staff Incident Report for Incident 31467, which was attached as an Appendix to the Commission's Order. On January 13, 2020, the Commission further ordered Mr. Lee to appear at a hearing to be held in this matter on February 28, 2020, at 9 a.m. Eastern Standard Time, in the Richard Raff Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

On January 21, 2020, the Commission received a check in the amount of \$100 for payment of Incident 31467. Further, on February 3, 2020, Mr. Lee attended damage prevention training at the Commission's offices. A copy of the receipt for payment and a copy of the attendance sign-in sheet for the training are attached to this Order as an Appendix.

The Commission finds that Mr. Lee has addressed to its satisfaction the probable violation cited by Staff in the Incident Report. The Commission further finds the

Commission's investigation of this incident should be closed, and the February 28, 2020 hearing should be canceled.

IT IS THEREFORE ORDERED that:

1. Mr. Lee's payment of Staff's proposed penalty and attendance at damage prevention training is accepted and resolves the alleged violation that was the subject of the Incident Report.

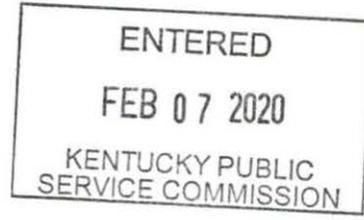
2. Mr. Lee's payment of Staff's proposed penalty and attendance at training is not an admission by Mr. Lee that he willfully violated any provision of KRS Chapter 367 or any administrative regulation promulgated pursuant thereto.

3. The Commission's investigation of this incident is closed, and the February 28, 2020 hearing is canceled.

4. This case is closed and removed from the Commission's docket.

By the Commission

Commissioner Talina Mathews did not participate in this case.



ATTEST:

A handwritten signature in blue ink, appearing to be "H. C. E.", written over a horizontal line.

Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00409 DATED **FEB 07 2020**

FOUR PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

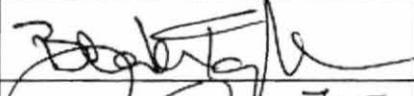
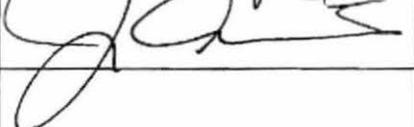
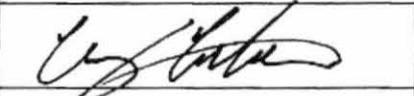
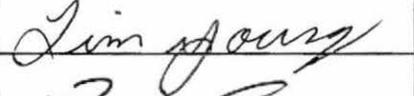
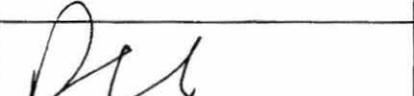
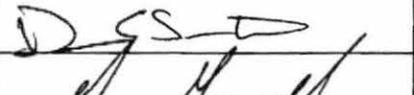
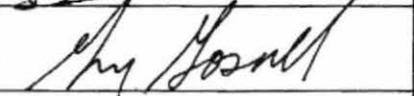
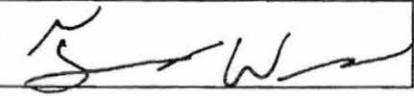
RECEIPT OF PAYMENT

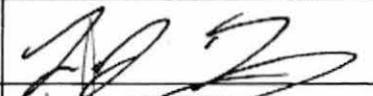
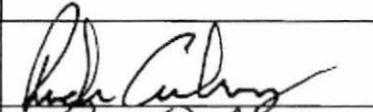
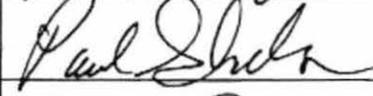
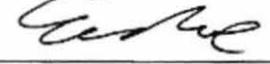
This is to acknowledge receipt of check 250 for \$100.00 payable to Kentucky State Treasurer on January 21, 2020 from Demoine Lee. The check represents payment of penalty as set out in the Demand Letter of August 22, 2019 - Incident #31467.



Gwen R. Pinson
Executive Director
Dated January 21, 2020

ATTENDEES FOR February 3rd, 2020 TRAINING

Party	Incident #	Print Name	Signature
<u>A & E Contracting L.L.C.</u>	31634	Blake Taylor	
<u>ABM LLC</u>	31607	Jeremy Huis	
<u>Akins Excavating Company, Inc.</u>	31589		
<u>Allterrain Paving and Construction LLC</u>	31695	Casey Cullen	
<u>ATS CONSTRUCTION</u>	31706	Tim young	
<u>Bruce Cope Builders, Inc.</u>	31530	Bruce Cope	
<u>C & R Asphalt, LLC</u>	31620	Rex Conway	
<u>CLEARY CONSTRUCTION, INC.</u>	31650		
<u>Earth Works, LLC</u>	31608	Dennis Bell	
<u>Flagship Communities, LLC</u>	31691	Benjamin Winkler	
<u>Goodman Networks Incorporated</u>	31610	David Smets	
<u>Guy Gosnell</u>	31538	Guy Gosnell	
<u>Kenneth Gibson</u>	31571		
<u>Koller & Warner Construction LLC</u>	31656	Tommy Warner	

<u>Lee Brooks</u>	31685		Lee Brooks
<u>Mark Stamper</u>	31595		MARK STAMPER
<u>Mulberry Builders, L.L.C.</u>	31658		Brad Gibbs
<u>Nobis Technology LLC</u>	31564		
<u>Oscar W. Larson Co.</u>	31600		
<u>Paul Shoulders Builders, Inc.</u>	31664		
<u>Peace Plumbing L.L.C.</u>	31591	CHRIS PEACE	
<u>Peace Plumbing L.L.C.</u>	31591		
<u>Penrod Fence Builders, Inc.</u>	31717	Matthew Penrod	Matthew Penrod
<u>Road Builders, LLC</u>	31525	David Johnson	
<u>ROE'S OUTDOOR SERVICES, INC.</u>	31579	Evan C. Roe	
<u>Vasil Leskiv</u>	31687		
<u>Damoine Lee</u>	31467	Damoine Lee	

Damoine Lee
335 S. Shawnee Ter.
Louisville, KENTUCKY 40212