

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TEAM FISHEL ENGINEERING OF VIRGINIA LLC)	
)	
_____)	CASE NO.
)	2021-00471
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

OPENING ORDER

Team Fishel Engineering of Virginia LLC (Team Fishel Engineering) has been named as a party to an investigation before the Kentucky Public Service Commission (Commission) for allegedly violating the Kentucky Underground Facility Damage Prevention Act (Act).¹

Pursuant to KRS 278.495(2), the Commission has jurisdiction to regulate the safety of natural gas facilities in Kentucky and to enforce minimum federal pipeline safety standards. Under the Act, the Commission has authority to investigate and assess civil penalties for any violation of the Act that results in excavation damage to an underground facility used to transport natural gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. § 60101, *et seq.* Any person who violates any provision of the Act is subject to assessment of a civil penalty in the amount of \$250 for the first offense, no more than \$1,000 for the second offense within one year, and no more than \$3,000 for the third and any subsequent offense. Additionally, any person whose violation of the Act

¹ KRS 367.4901 through KRS 367.4917.

results in damage to an underground facility containing any flammable, toxic, corrosive, or hazardous material or results in the release of any flammable, toxic, corrosive, or hazardous material is subject to an additional penalty of up to \$1,000.

Following receipt of a report of excavation damage to its underground gas pipeline from an operator, Commission Staff (Staff) conducted an investigation and prepared an Incident Report, a copy of which is attached to this Order as an Appendix. In its Incident Report, Staff cites Team Fishel Engineering for violation of the following provision of the Act:

KRS 367.4911(10) – When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds *prima facie* evidence that Team Fishel Engineering violated the Underground Facility Damage Prevention Act. The Commission further finds that a formal investigation into the excavation damage incident should be conducted.

IT IS THEREFORE ORDERED that:

1. Team Fishel Engineering shall submit to the Commission, via email sent to PSCED@ky.gov with the case number of this proceeding in the subject line of the message, a written response to the allegations contained in the Staff Incident Report within 20 days of receipt of this Order.

2. **Any partnership, corporation, or business entity (including a limited liability company) must be represented by an attorney licensed to practice law in Kentucky, and such representation includes the filing of papers with and appearances at hearings before the Commission.**

3. An individual may submit a response to the allegations contained in the Staff Incident Report without the representation of an attorney.

4. The Staff Incident Report 42970 in the Appendix to this Order is made a part of the record in this case.

5. **Please note that notice of a hearing to be held in this matter will be mailed to Team Fishel Engineering once proof of service is received by the Commission. Parties who fail to appear after service will be subject to entry of a default judgment against them.**

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission

ENTERED
FEB 18 2022 ^{rcs}
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2021-00471

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00471 DATED FEB 18 2022

TWENTY-EIGHT PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 42970 **Investigation** 7780
Incident Date 8/20/2020 11:50:00 AM **Report Submitted** 9/14/2020

Operator Information

Operator Columbia Gas of Kentucky, Inc. **Reported By** Ryan Twait
Phone (859) 533-4022 **Email** rmtwait@nisource.com

Incident Location N Broadway St
 Lexington KY 40508 **Locate Ticket Number** 2008200133 and 2008050534
County Fayette

Excavator Information

Excavator John Wells **Organization ID** 1066961
 Team Fishel Engineering of Virgin LLC
Phone 859-771-9061 **Email** jcwells@teamfishel.com
Address 1064 Manchester St **Locate Ticket Number** 2008200133 and 2008050534
 Lexington KY 40508

Damage Report (DR) Summary

Excavation Within 18" (Approximate Location)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
Backfilling	Yes	Yes	Mechanized/Not specified	\$0.00	\$0.00

The Operator reports that the Excavator damaged a two-inch gas main backfilling with mechanized equipment within the approximate location/"tolerance zone" of 18 inches.

The DR is include as Attachment 1.

Locate Ticket (LT) Summary

Ticket #	Valid	Initial Date	ExpirationDate (21 calendar days from Initial date)	Incident Date	# of Days Expired	Within Scope of Excavation
2008050534	Yes	08/05/20	08/26/20	08/20/20	0	Yes
2008200133	No 2 day wait	08/20/20	09/10/20			

A review of the above LTs revealed that:

- LT...0534: Valid at the time of the incident.
- LT...0133: Invalid, no two day wait before excavation.

INVESTIGATION

PIPELINE DAMAGE INVESTIGATION REPORT

On 07/20/21 an attempt to contact the excavator at 859-771-9061 resulted in a message stating this is Division Manager John Wells of Team Fishel wherein a message was left.

On 07/21/21 Mr. Wells stated that he was on vacation and would return 07/28/21.

On 07/29/21 Mr. Wells stated that Team Fishel would not dispute Columbia Gas's account of this incident. Mr. Wells was receptive to attending the Damage Prevention Course and paying the reduced penalty of \$250.00.

VIOLATIONS

KRS 367.4911(10) When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

of Offences

(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1st Offence Date (Last Offence Date +365 Days)
1 st	N/A	N/A	N/A

Attachment 1

Gas Excavation Damage Report

Columbia Gas of Kentucky, Inc.

Submitted 9/14/2020 Incident ID: 42970

[Set back to Edit](#)[Staff Edit](#)[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=42970\)](#)

Reported By:

Name: Ryan Twait
Phone: (859) 533-4022
Email: rmtwait@nisource.com

Gas Line Incident Occured:

Date: 8/20/2020
Time: 11:50 AM

Details:

Reported Date: 9/8/2020 2:35 PM

Incident Location Address:

Location:

Address: N Broadway St
City: Lexington
State: KY
County: Fayette
Zip: 40508

Confirm Code:

Number of Customers out: 0

Was gas or hazardous liquids contained in the underground facility?

Was gas or hazardous liquids released into the atmosphere? *

3/2020

Locate Request Ticket No.: 2008200133 and 2008050534

Excavator: Contractor

Excavator Address:

First Name: John
Last Name: Wells
Organization ID:
Company: Team Fishel
Phone: 859-771-9061
Email: jcwells@teamfishel.com

Address: 1064 Manchester St
City: Lexington
State: KY
Zip: 40508
Confirm Code: Y
Excavation Damage: Other insufficient excavation practices

Description of Incident Team Fishel hit a plastic two inch natural gas service main with mechanized equipment.

Summary Information

9/14/2020

Full details such as the cause Team Fishel was excavating in an area with a locate ticket. Team Fishel was backfilling with mechanized equipment within the tolerance zone of a properly marked service line. While backfilling, Team Fishel struck and damaged a plastic two inch natural gas service main.

Extent of the damage A plastic two inch natural gas service main was damaged, and the main line was repaired.

Cost of the damage \$0.00

Steps taken to prevent re-occurrence CKY's damage prevention specialist had a tailgate onsite, advising Team Fishel of the KY 811 Dig Law, and to always use caution within the tolerance zone of an exposed facility.

Amount billed to excavator \$0.00

Attachment 2

NORMAL NOTICE REMARK

Ticket : 2008050534 Date: 08/05/2020 Time: 09:10 Oper: CRYSTAL.WHITEHOU Chan:000
Old Tkt: 2007230147 Date: 07/23/2020 Time: 06:59 Oper: CRYSTAL.WHITEHOU Rev: 00A

State: KY Cnty: FAYETTE City: LEXINGTON
Subdivision:

Address :

Street : N BROADWAY

Cross 1 : W 5TH ST

Location: LOCATE THE ENTIRE INTERSECTION 50 FEET IN ALL DIRECTIONS

:

Boundary: n 38.055529 s 38.054431 w -84.491974 e -84.490586

Work type : INSTALLING GAS MAIN AND SERVICES

Done for : COLUMBIA GAS

Start date: 08/07/2020 Time: 09:30 Hours notice: 48/48 Priority: NORM

Ug/Oh/Both: U Blasting: NO Emergency: N

Duration : N/A Depth: 15 FEET

Company : FISHEL COMPANY Type: CONT

Co addr : 4508 BISHOP LANE

City : LOUISVILLE State: KY Zip: 40218

Caller : CRYSTAL WHITEHOUSE Phone: (502)456-2900

Contact : AARON NICKELL Phone:

Mobile : (859)397-2485

Email : CLWHITEHOUSE@TEAMFISHEL.COM

Remarks : 11190019

:

Submitted date: 08/05/2020 Time: 09:10

Members: 0200 0237 0326 0370 2621

* Responses are current as of 07/20/2021 10:09 AM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
LEXINGTON URBAN COUNTY GOVERNMENT 0200	SEWER		
INSIGHT COMMUNICATIONS 0237	CABLE TV	INSIGHT COMMUNICATIONS CUSTOMER SERVICE (502) 357-4400	No Conflict
KENTUCKY UTILITIES (ONLY ADD IF IN THIS COUNTY) 0326	ELECTRIC	KENTUCKY UTILITIES CUSTOMER SERVICE (800) 981-0600	Does conflict, underground facilities have been marked.
KENTUCKY AMERICAN WATER COMPANY 0370	WATER		The excavator has performed the ex cavation prior to the locator's arriva l.
COLUMBIA GAS 2621	PIPELINE	COLUMBIA GAS CUSTOMER SERVICE (800) 432-9345	Does conflict, underground facilities have been marked.

NORMAL NOTICE REMARK

Ticket : 2008200133 Date: 08/20/2020 Time: 07:10 Oper: CRYSTAL.WHITEHOU Chan:000
Old Tkt: 2008050534 Date: 08/05/2020 Time: 09:10 Oper: CRYSTAL.WHITEHOU Rev: 00A

State: KY Cnty: FAYETTE City: LEXINGTON
Subdivision:

Address :

Street : N BROADWAY

Cross 1 : W 5TH ST

Location: LOCATE THE ENTIRE INTERSECTION 50 FEET IN ALL DIRECTIONS

:

Boundary: n 38.055529 s 38.054431 w -84.491974 e -84.490586

Work type : INSTALLING GAS MAIN AND SERVICES

Done for : COLUMBIA GAS

Start date: 08/24/2020 Time: 07:30 Hours notice: 96/48 Priority: NORM

Ug/Oh/Both: U Blasting: NO Emergency: N

Duration : N/A Depth: 15 FEET

Company : FISHEL COMPANY Type: CONT

Co addr : 4508 BISHOP LANE

City : LOUISVILLE State: KY Zip: 40218

Caller : CRYSTAL WHITEHOUSE Phone: (502)456-2900

Contact : AARON NICKELL Phone:

Mobile : (859)397-2485

Email : CLWHITEHOUSE@TEAMFISHEL.COM

Remarks : 11190019

:

Submitted date: 08/20/2020 Time: 07:10

Members: 0200 0237 0326 0370 2621

* Responses are current as of 07/20/2021 10:07 AM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
LEXINGTON URBAN COUNTY GOVERNMENT 0200	SEWER		
INSIGHT COMMUNICATIONS 0237	CABLE TV	INSIGHT COMMUNICATIONS CUSTOMER SERVICE (502) 357-4400	No Conflict
KENTUCKY UTILITIES (ONLY ADD IF IN THIS COUNTY) 0326	ELECTRIC	KENTUCKY UTILITIES CUSTOMER SERVICE (800) 981-0600	Does conflict, underground facilities have been marked.
KENTUCKY AMERICAN WATER COMPANY 0370	WATER		Does conflict, underground facilities have been marked.
COLUMBIA GAS 2621	PIPELINE	COLUMBIA GAS CUSTOMER SERVICE (800) 432-9345	Does conflict, underground facilities have been marked.

SUPPLEMENTAL PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 42970 **Investigation** 7780
Incident Date 8/20/2020 11:50:00 AM **Report Submitted** 9/14/2020

Operator Information

Operator Columbia Gas of Kentucky, Inc. **Reported By** Ryan Twait
Phone (859) 533-4022 **Email** rmtwait@nisource.com

Incident Location N Broadway St **Locate Ticket Number** 2008200133 and 2008050534
Lexington KY 40508

County Fayette

Excavator Information

Excavator John Wells **Organization ID** 1066961
Team Fishel Engineering of Virgin LLC

Phone 859-771-9061 **Email** jcwells@teamfishel.com
Address 1064 Manchester St **Locate Ticket Number** 2008200133 and 2008050534
Lexington KY 40508

SUPPLEMENTAL INVESTIGATION

On 08/03/21 a Demand Letter was sent to the Excavator.

Demand Letter is included as Attachment 3.

On 09/07/21 a Past Due Penalty Payment & No Remedial Measure/Training Letter was sent to the Excavator.

Past Due Penalty Payment & No Remedial Measure/Training Letter is included as Attachment 4.

On 09/21/21, via telephone, contact was made with John Wells (859-771-9061) and he stated that no payment or class setup has occurred and it would be completed by 09/23/21.

On 09/24/21 Administrative Assistant Ashly Rhodes Spoke with John Wells of Team Fishel regarding paying the penalty. Mr. Wells was informed it must be mailed.

On 11/01/21 the Excavator attended the Damage Prevention Course.

On 11/02/21 Ms. Rhodes sent a reminder email to the Excavator regarding the outstanding penalty payment.

The reminder email is included as Attachment 5.

On 01/31/22 James Rice of Columbia Gas stated that no photographs of the damage are available and Columbia did not bill the Excavator for repairs. Mr. Rice provided Columbia's damage report which has been outlined in Attachment 1 and the DR Summary.

Columbia's report is included as Attachment 6.

Attachment 3



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Kent A. Chandler
Vice Chairman

Talina R. Mathews
Commissioner

August 3, 2021

John Wells, Division Manager
Team Fishel Engineering
1064 Manchester St
Lexington, KY 40508

Re: Violation of Kentucky Underground Facility Damage Prevention Act
Incident Number: **42970**

DEMAND FOR PENALTY ASSESSMENT AND REMEDIAL MEASURES

Dear Mr. Wells:

The Kentucky Public Service Commission (Commission) received a report on September 14, 2020, regarding damage to a natural gas or hazardous liquid facility owned and/or operated by the Columbia Gas of Kentucky. Under the Kentucky Underground Facility Damage Prevention Act (Act), KRS 367.4901 through KRS 367.4917, the Commission has jurisdiction to investigate and assess civil penalties for any violation of the Act that results in excavation damage to underground facilities used to transport gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. secs. 60101 et seq. The Commission regulates the safety of jurisdictional natural gas pipelines in the Commonwealth pursuant to KRS 278.495 and 49 CFR Parts 190, 191, 192 and 195.

Following receipt of the damage notification, Commission Staff (Staff) performed an investigation of the incident and prepared the attached incident report. Based on its investigation of the incident, Staff has determined that Team Fishel Engineering committed the following violation(s) of the Act:

KRS 367.4911(10) When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

CIVIL PENALTY

Based on its investigation of this matter, Staff has determined that Team Fishel Engineering **should be assessed a penalty in the total amount of \$1,250, first offense, but that \$1,000 of the penalty should be suspended contingent upon Team Fishel Engineering's completion of Damage Prevention training:**

REMEDIAL MEASURE/TRAINING

- A representative of Team Fishel Engineering shall participate in a Damage Prevention training course. The Kentucky Public Service Commission will hold these classes online. Class dates have a limited capacity available on a first come-first served basis. To sign up for the class, go to <https://psc.ky.gov/classSignUp>. You will need your incident number: **42970** and assigned key: **7780** to sign-up for one of the available training dates. **Please understand that this training will be required as a contingency for the reduced penalty amount.**

Team Fishel Engineering should mail or deliver a cashier's check or money order in the amount of \$250, made payable to the "Kentucky State Treasurer", within 30 days of the date of this letter, to:

**Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602**

Please include the Incident Number 42970 on the cashier's check or money order submitted for payment.

KRS 367.4917 provides that a person who commits a violation of the Act shall be subject to a civil penalty not to exceed \$250 for the first violation, \$1,000 for the second violation within one year, and \$3,000 for the third and any subsequent violation. If the violation results in damage to an underground pipeline used to transport gas or hazardous liquid, the violator is subject to an additional civil penalty not to exceed \$1,000 per violation.

Payment of the proposed civil penalty and completion of the remedial measure will satisfy and resolve any and all claims against Team Fishel Engineering for any violation of the Act arising out of the August 20, 2020 incident. Team Fishel Engineering's payment of the proposed civil penalty will not be considered an admission by Team Fishel Engineering that it willfully violated any provision of the Act.

If Team Fishel Engineering does not pay the proposed civil penalty within 30 days of the date of this letter, the Commission will institute an administrative proceeding against Team Fishel Engineering and hold a formal hearing during which Team Fishel Engineering will have an opportunity to present evidence.

If you have any questions regarding this demand for remedial measures and penalty assessment, please contact Ashley Rhodes, Division of Inspections at 502-782-2578.

Sincerely,

Nancy J. Vinsel

Nancy J. Vinsel
General Counsel

Attachment

Attachment 4



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Kent A. Chandler
Vice Chairman

Marianne Butler
Commissioner

September 7, 2021

John Wells, Division Manager
Team Fishel Engineering
1064 Manchester St
Lexington, KY 40508

Re: Violation of Kentucky Underground Facility Damage Prevention Act
Incident Number: 42970

Past Due Penalty Payment & No Remedial Measure/Training

Dear Mr. Wells:

Your account is past due in the amount of \$250.00. Attached is the demand letter and investigation report for the above Incident, which we show to be unpaid. Our records also indicate that a reduced penalty has been offered and no representative has attended the Remedial Measure/Training. To receive this reduced penalty attendance of the training is required.

REMEDIAL MEASURE/TRAINING

A representative of Team Fishel Engineering shall participate in a Damage Prevention training course. The Kentucky Public Service Commission will hold these classes online. Class dates have a limited capacity available on a first come-first served basis. To sign up for the class, go to <https://psc.ky.gov/classSignUp>. You will need your incident number: 42970 and assigned key: 7780 to sign-up for one of the available training dates. **Please understand that this training will be required as a contingency for the reduced penalty amount.**

If we do not hear from you or receive payment within 10 days from the date of this letter, this matter will be referred to the Commission for an Administrative Hearing to be held at the Commission's offices.

Once a referral to the Commission is made, any partnership, corporation, or business entity (including a limited liability company) must be represented by an attorney licensed to practice law in Kentucky. Thank you for your prompt attention to this matter.

If you have any questions regarding this notice or if you find that these requirements have been met, please contact Ashley Rhodes, Division of Inspections at 502-782-2578.

Sincerely,

Nancy J. Vinsel
Acting General Counsel

Attachment
KentuckyUnbridledSpirit.com



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- Return Receipt (hardcopy) \$ 5.05
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

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Total Postage and Fees

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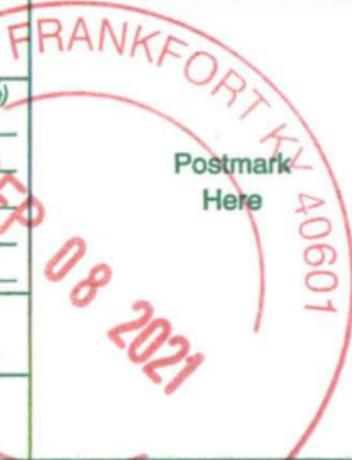
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Sent To

\$

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John Wells, Division Manager
Team Fishel Engineering
1064 Manchester St
Lexington, KY 40508



Postmark
Here

Inc 42970

CCLE L3TFO FNNN NARC N2N1

Certified Mail service provides the following benefits:

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- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

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- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

USPS TRACKING#



9590 9402 6901 1104 3991 82

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

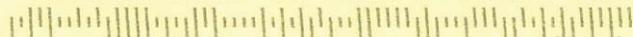
• Sender: Please print your name, address, and ZIP+4® in this box•

PUBLIC SERVICE COMMISSION
211 SOWER BLVD

402 AA 1 N C0009/15/21
UNABLE TO FORWARD/FOR REVIEW
R013

FWD

BC: 40601829411 DU *2970-01489-15-19



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. *Inc 42970*
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

John Wells, Division Manager
Team Fishel Engineering
1064 Manchester St
Lexington, KY 40508



9590 9402 6901 1104 3991 82

2. Article Number (Transfer from service label)

7020 3160 0001 8129 5955

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

Agent
 Addressee

B. Received by (Printed Name)

[Signature]

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Mail Restricted Delivery
(0)

Attachment 5

Re: Attendance Code for November 1 Class

John Wells <jcwells@teamfishel.com>

Tue 11/2/2021 10:14 AM

To: Rhodes, Ashley B (PSC) <AshleyB.Rhodes@ky.gov>

I will check on the status

On Tue, Nov 2, 2021 at 9:37 AM Rhodes, Ashley B (PSC) <AshleyB.Rhodes@ky.gov> wrote:

Mr. Wells,

Your class completion has been documented. Just a reminder that we have not received the \$250.00 reduced penalty that is required in addition to the training. The incident cannot be closed until the penalty payment has been received.

Thank You,

Ashley Rhodes

Administrative Assistant III

Kentucky Public Service Commission

Frankfort, Kentucky 40601

(502) 782-2578

NOTICE OF CONFIDENTIALITY

This e-mail, including any attachments, is intended only for the use of the individual or entity to which it is addressed and may contain confidential information that is legally privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any review, use, disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply e-mail and destroy all copies of the original message.

From: John Wells <jcwells@teamfishel.com>
Sent: Monday, November 1, 2021 10:25 AM
To: Rhodes, Ashley B (PSC) <AshleyB.Rhodes@ky.gov>
Subject: Attendance Code for November 1 Class

11022021

--

John Wells · Division Manager Lexington Kentucky

t: 502-276-2877 **m:** 859-771-9061

www.teamfishel.com



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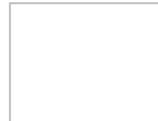
The Fishel Company d/b/a Team Fishel

--

John Wells · Division Manager Lexington Kentucky

t: 502-276-2877 **m:** 859-771-9061

www.teamfishel.com



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The Fishel Company d/b/a Team Fishel

Attachment 6

Tout, Eric V (PSC)

From: JamesRice@nisource.com
Sent: Monday, January 31, 2022 2:34 PM
To: Tout, Eric V (PSC)
Subject: Re: 42970, 8/20/2020, N Broadway St, Lexington, Team Fishel
Attachments: N Broadway St - Lexington - Other insufficient excavation practices.pdf

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi Eric,

I was unable to locate any pictures from the damage and it appears our damage prevention group did not pursue the cost of damages.

See attached.

Thanks,

James Rice
Compliance Specialist
Columbia Gas of Kentucky
Cell: 859-537-2123
Office: 859-288-6328
Email: JamesRice@NiSource.com

From: "Tout, Eric V (PSC)" <ericv.tout@ky.gov>
To: "JamesRice@nisource.com" <JamesRice@nisource.com>
Date: 01/27/2022 10:49 AM
Subject: 42970, 8/20/2020, N Broadway St, Lexington, Team Fishel

USE CAUTION: This email was sent from an external source. Think before you click links or open attachments. If suspicious, please forward to security@nisource.com for review.

Hello James,

Please send repots, photos, invoices and payment info (copy of check) if paid.

*Thanks,
Eric V. Tout
Kentucky Public Services Commission
Division of Inspections / Damage Prevention
211 Sower Blvd., Frankfort, KY 40601
Office: 502-782-2622
Fax: 502-564-1582*



PSC Gas Excavation Damage Report

Excavation Damage Occurred

Date: 08/20/2020

Time: 11:50 AM

JO #: 20-8413982-00

Incident Location

Address: N Broadway St

City: Lexington

County: Fayette

Zip: 40508

Cust. Lost: 0

Was gas released into the atmosphere? Y

Locate Request Ticket Number: 2008200133 and 2008050534

Excavator Information

Excavator Type: Contractor

First Name: John

Last Name: Wells

Company: Team Fishel

Phone: 859-771-9061

Email: jcwells@teamfishel.com

Address: 1064 Manchester St

City: Lexington

State: KY

Zip: 40508



Incident Details

KY PSC - Cause of Damage: Other insufficient excavation practices

Columbia DIMP Root Cause: Failure to respect tolerance zone

Description of Incident: Team Fishel hit a plastic two inch natural gas service main with mechanized equipment.

Full details such as the cause: Team Fishel was excavating in an area with a locate ticket. Team Fishel was backfilling with mechanized equipment within the tolerance zone of a properly marked service line. While backfilling, Team Fishel struck and damaged a plastic two inch natural gas service main.

Extent of the damage: A plastic two inch natural gas service main was damaged, and the main line was repaired.

Cost of the damage: \$0.00

Steps taken to prevent re-occurrence: CKY's damage prevention specialist had a tailgate onsite, advising Team Fishel of the KY 811 Dig Law, and to always use caution within the tolerance zone of an exposed facility.

Amount billed to excavator: \$0.00

Team Fishel Engineering of Virginia LLC
1366 Dublin Road
Columbus, OHIO 43215

CT Corporation System Register Agent
306 W Main Street, Suite 512
Frankfort, KENTUCKY 40601

*Team Fishel Engineering of Virginia LLC
1064 Manchester Street
Lexington, KENTUCKY 40508