

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|----------------------------------|---|------------|
| RICHARD SHELTON BACKHOE SERVICE |) | |
| |) | |
| _____ |) | CASE NO. |
| |) | 2022-00093 |
| ALLEGED VIOLATION OF UNDERGROUND |) | |
| FACILITY DAMAGE PREVENTION ACT |) | |

OPENING ORDER

Richard Shelton Backhoe Service (Richard Shelton Backhoe) 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 results in damage to an underground facility containing any flammable, toxic, corrosive,

¹ KRS 367.4901 through KRS 367.4917.

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 Richard Shelton Backhoe for violations of the following provisions of the Act:

KRS 367.4911(1)(a) – Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

KRS 367.4911(4) – If more than one (1) excavator will operate at the same site, each excavator shall notify the protection notification centers individually. Notification by an excavator will serve as notification for any of that excavator's employees. Failure by an excavator to notify the protection notification center does not relieve individual employees of responsibility.

KRS 367.4911(9)(b) – If the underground facility damage causes concern for public or workplace safety, the excavator shall notify appropriate public safety agencies of the location and nature of the safety concern.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Richard Shelton Backhoe 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. Richard Shelton Backhoe 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.

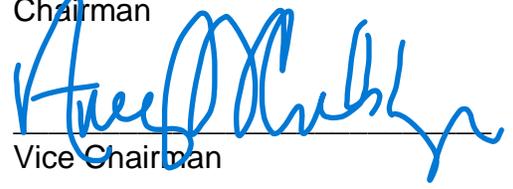
4. The Staff Incident Report 43218 in the Appendix to this Order is made a part of the record in this case.

5. Please note that notice of a hearing to be held in this matter will be mailed to Richard Shelton Backhoe 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.

PUBLIC SERVICE COMMISSION

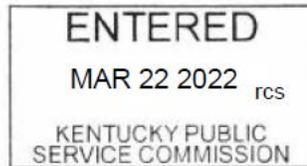


Chairman



Vice Chairman

Commissioner



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00093 DATED MAR 22 2022

THIRTY-SEVEN PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 43218 **Investigation** 8229
Incident Date 11/21/2020 2:00:00 PM **Report Submitted** 12/9/2020

Operator Information

Operator Atmos Energy Corporation **Reported By** Jonathon Bledsoe
Phone (270) 925-6312 **Email** jonathon.bledsoe@atmosenergy.com

Incident Location 2059 Shakertown Rd **Locate Ticket Number** n/a
 Harrodsburg KY 40330
 2059 SHAKERTOWN RD ,
 HARRODSBURG/ Danville
County Mercer

Excavator Information

Excavator Richard Shelton **Organization ID**
 Richard Shelton Backhoe
 Service
Phone 859-516-4413 **Email**
Address 956 Tick Ridge Rd **Locate Ticket Number** n/a
 Waynesburg KY 40489

Damage Report (DR) Summary

| Excavation Within18" (Approximate Location) | Gas Or Hazardous Liquids | | Type Of Equipment Used | Cost of Damage | Amount Billed |
|--|--------------------------|----------|------------------------|----------------|---------------|
| | Contained | Released | | | |
| No call to 811 | Yes | Yes | Mechanized/Backhoe | \$1,012.00 | \$1,012.00 |

The Operator reports that the Excavator damaged a one-inch gas service with a backhoe to install an electric line and failed to contact the KY Contact Center (811). The Homeowner Robert Suedkamp (859-221-0885) informed the Operator that the Excavator left the incident location and failed to notify 911 of the blowing gas. The Operator indicates that the Excavator, Richard Shelton, would return later and speak with the Atmos crew.

The DR is included as Attachment 1.

Locate Ticket (LT) Summary

| Ticket # | Valid | Initial Date | Expiration Date (21 calendar days from Initial date) | Incident Date | # of Days Expired | Within Scope of Excavation |
|------------|-------|--------------|---|---------------|-------------------|----------------------------|
| 2011230126 | No | 11/23/20 | N/A/ 2 days after damage | 11/21/20 | N/A | Yes |

The Locate Ticket(s) is/are included as Attachment 2.

INVESTIGATION

On 12/03/21:

- The Excavator, Richard Shelton Backhoe Service's Richard Shelton, stated that a call to 811 was made, but he was unable to provide a LT number. Mr. Shelton stated that the area was marked (gas main), but the incident location (gas service) had no markings.
- 811, Jill Gast, conducted a search from 10/01/21 thru 11/20/21 and provided LT... 0126 revealing the Excavator obtained it for the incident location approximately two days after the damage occurred indicating the Excavator held no valid LT at the time of the damage (See Attachment 1 & LT Summary).

PIPELINE DAMAGE INVESTIGATION REPORT

On 12/06/21, via email, the Operator, Atmos's Jonathon Bledsoe, stated that the Excavator did not hold a valid LT on the incident date, 11/21/20 and LT...0126 was obtained on 11/23/20 after the incident date. Mr. Bledsoe provided the following documents:

- Invoice & Third Party Damage Claims Recovery letter: Billing the Excavator \$1,012.12 for the damage.
- Gas Excavation Damage Report: Which has been outlined above, see Attachment 1 & DR Summary.
- Damage Report: Outlined above (See Attachment 1 & DR Summary).
- Leak Found Report: Outlined above (See Attachment 1 & DR Summary).
- Third Party Damage Form: Outlined above (See Attachment 1 & DR Summary).
- Photographs: Depicting the damage with no markings on the ground.

Atmos's documents are included as Attachment 3.

On 12/09/21 Mr. Shelton stated that the homeowner obtained the LT and that another excavator was excavating to build a garage. Staff explained to Mr. Shelton that it is prohibited for more than one excavator to excavate on the same LT and a search of 811 revealed no other LT's. Mr. Shelton stated that, therefore I am in violation either way and requested that he be set up to attend the Damage Prevention Course and pay the reduced penalty of \$250.00.

VIOLATIONS

KRS 367.4911(1)(a) Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

(4) If more than one (1) excavator will operate at the same site, each excavator shall notify the protection notification centers individually. Notification by an excavator will serve as notification for any of that excavator's employees. Failure by an excavator to notify the protection notification center does not relieve individual employees of responsibility.

(9)(b) If the underground facility damage causes concern for public or workplace safety, the excavator shall notify appropriate public safety agencies of the location and nature of the safety concern.

of Offences (Including this incident)

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

Attachment 1

Gas Excavation Damage Report

Atmos Energy Corporation

Submitted 12/9/2020 Incident ID: 43218

[Set back to Edit](#)
[Staff Edit](#)
[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=43218\)](#)

Reported By:

Name: Jonathon Bledsoe
Phone: (270) 925-6312
Email: jonathon.bledsoe@atmosenergy.com

Gas Line Incident Occured:

Date: 11/21/2020
Time: 2:00 PM

Details:

Reported Date: 11/21/2020 6:51 PM

Incident Location Address:

Location: 2059 SHAKERTOWN RD , HARRODSBURG/ Danville
Address: 2059 Shakertown Rd
City: Harrodsburg
State: KY
County: Mercer
Zip: 40330
Confirm Code: Y

Number of Customers out: 2

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.: n/a

Excavator: Contractor

Excavator Address:

First Name: Richard
Last Name: Shelton
Organization ID:
Company: Richard Shelton Backhoe Service
Phone: 859-516-4413
Email:

Address: 956 Tick Ridge Rd
City: Waynesburg
State: KY
Zip: 40489
Confirm Code: Y
Excavation Damage: No notification made to the One Call Center

Description of Incident Richard Shelton Backhoe Service damaged a 1" PE service with a backhoe. No notification was made to 811. No injuries.

Summary Information

12/9/2020

Full details such as the cause Richard Shelton Backhoe Service damaged a 1" PE service with a backhoe while digging an electric line. No notification was made to 811. When the Atmos Tech arrived he was advised by the homeowner that Richard Shelton loaded his equipment and left with the line still blowing. Richard Shelton would return later and speak with the Atmos Crew. Homeowner: Robert Suedkamp (859) 221-0885

Extent of the damage 1" PE service repaired.

Cost of the damage \$1,012.00

Steps taken to prevent re-occurrence Richard Shelton educated on calling 811 before any excavation. Richard Shelton Backhoe Service was billed for the damage.

Amount billed to excavator \$1,012.00

Attachment 2

Tout, Eric V (PSC)

From: Jill Gast <jgast@usa811.org>
Sent: Monday, December 6, 2021 9:31 AM
To: Tout, Eric V (PSC)
Subject: Re: 43218

10/1/2020 - 11/30/2020

Thanks!

Jill Gast, *Business Analyst*

Office [502-493-3543](tel:502-493-3543)

Know what's below. 811 before you dig.

[Indiana811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

[Kentucky811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

On Mon, Dec 6, 2021 at 6:12 AM Tout, Eric V (PSC) <ericv.tout@ky.gov> wrote:

Hello Jill,

What was the date range used to conduct this search, LT 2011230126.

Thanks,

Eric

From: Jill Gast <jgast@usa811.org>
Sent: Friday, December 3, 2021 12:33 PM
To: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Cc: PSCrequest@kentucky811.org
Subject: Re: 43218

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

Good afternoon,

The ticket is attached.

Thank you!

Jill Gast, *Business Analyst*

Office [502-493-3543](tel:502-493-3543)

Know what's below. 811 before you dig.

[Indiana811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

On Fri, Dec 3, 2021 at 10:17 AM Tout, Eric V (PSC) <ericv.tout@ky.gov> wrote:

Please provide locate ticket for:

Incident Date: 11/21/2020

Operator: Atmos Energy Corporation

Incident Location: 2059 Shakertown Rd., Harrodsburg

County: Mercer

Excavator: Richard Shelton Backhoe Service

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

Tout, Eric V (PSC)

From: Jill Gast <jgast@usa811.org>
Sent: Friday, December 3, 2021 12:33 PM
To: Tout, Eric V (PSC)
Cc: PSCrequest@kentucky811.org
Subject: Re: 43218
Attachments: 2011230126.pdf

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

Good afternoon,
The ticket is attached.
Thank you!

Jill Gast, Business Analyst

Office [502-493-3543](tel:502-493-3543)

Know what's below. 811 before you dig.

[Indiana811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

[Kentucky811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

On Fri, Dec 3, 2021 at 10:17 AM Tout, Eric V (PSC) <ericv.tout@ky.gov> wrote:

| Please provide locate ticket for:

Incident Date: 11/21/2020
Operator: Atmos Energy Corporation
Incident Location: 2059 Shakertown Rd., Harrodsburg
County: Mercer
Excavator: Richard Shelton Backhoe Service

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

NORMAL NOTICE

Ticket : 2011230126 Date: 11/23/2020 Time: 07:15 Oper: LWILLIAMS Chan:000

State: KY Cnty: MERCER City: BURGIN
Subdivision:

Address : 2059

Street : SHAKERTOWN RD

Cross 1 : HANDY PIKE

Location: KY RT 33 IS ALSO KNOWN AS SHAKERTOWN RD --DIG SITE IS NORTH OF HANDY
PIKE AND SOUTH OF HOGUE LN ON THE EAST SIDE OF THE ROAD

:
Boundary: n 37.781555 s 37.774018 w -84.756798 e -84.754326

Work type : INSTALL WATER LINE

Done for : CLAYTON MOBILE HOMES

Start date: 11/25/2020 Time: 07:30 Hours notice: 48/48 Priority: NORM

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

Duration : N/A Depth: 3 FEET

Company : RICHARD SHELTON Type: OTHR

Co addr : 956 TICK RIDGE RD

City : WAYNESBURG State: KY Zip: 40489

Caller : RICHARD SHELTON Phone: (859)516-4413

Contact : RICHARD SHELTON-CELL Phone:

Mobile : (859)516-4413

Email : RICHARDSHELTON55@YAHOO.COM

Remarks : *** GEOCODED PLACE IS HARRODSBURG

:

Submitted date: 11/23/2020 Time: 07:15

Members: 0023 0139 0144 0326 0529

Attachment 3

Tout, Eric V (PSC)

From: Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>
Sent: Monday, December 6, 2021 12:06 PM
To: Tout, Eric V (PSC)
Subject: RE: [EXT] 43218, 11/21/2020, 2059 Shakertown Rd., Harrodsburg. Richard Shelton Backhoe Service

Eric,

Richard Shelton Backhoe service did not have a locate request at the time of the damage on Saturday 11/21/2020. On Monday 11/23/2020 I see ticket 2011230126 that Richard Shelton Backhoe Service called in a locate request.

Thank you,

Jonathon Bledsoe

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Monday, December 6, 2021 10:46 AM
To: Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>
Subject: [EXT] 43218, 11/21/2020, 2059 Shakertown Rd., Harrodsburg. Richard Shelton Backhoe Service

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Jonathan,

The Excavator indicated the main was marked but the service was not. Do you have evidence/photos indication otherwise?

*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*



INVOICE

RICHARD SHELTON BACKHOE SERVICES
1426 TICK RIDGE RD.
WAYNESBURG KY 40489

Page: 1
Claim Number 000200047983
Invoice No: 301676
Invoice Date: 09-DEC-20
Customer No: 162812
Sales Rep: Jimmy D.Smith
Payment Terms: NET10
Due date: 19-DEC-20

For billing questions, please call: (859) 583-5357 Total Amount Due 1,012.12 USD

| LINE | DESCRIPTION | QUANTITY | UNIT | UNIT AMT | NET AMT |
|------|---------------------|----------|------|----------|---------|
| 1 | Material | 1 | Job | 21.92 | 21.92 |
| 2 | Tools and Equipment | 1 | Job | 165.00 | 165.00 |
| 3 | Labor | 1 | Job | 617.93 | 617.93 |
| 4 | Gas Loss | 53 | mcf | 3.9108 | 207.27 |

PAGE TOTAL 1,012.12

Please include Remittance Slip to ensure timely application of your Payment

CHECK REMITTANCE TO:

ATMOS ENERGY CORP
P. O. BOX 841425
Dallas TX 75284-1425

ELECTRONIC REMITTANCE TO:

ATMOS ENERGY CORP
Bank of America
ACH Routing# 111000012
Bank Wire Routing# 026009593
Acct# 3756617812
Ref: 301676



BILL TO:

Customer No: 162812
Invoice No: 301676
Total Amount Due: 1,012.12 USD

RICHARD SHELTON BACKHOE SERVICES
1426 TICK RIDGE RD.
WAYNESBURG KY 40489



Third Party Damage Claims Recovery

RICHARD SHELTON BACKHOE SERVICES
1426 TICK RIDGE RD.
WAYNESBURG KY 40489

| | | | |
|-------------------------------|--|-----------------|--------|
| Date of Loss: | 21-NOV-20 | Invoice# | 301676 |
| Damages: | \$1,012.12 | | |
| Location of Damage: | 2059 Shakertown Rd Harrodsburg Ky | | |
| Description of Damage: | Contractor Hit 1" Service With Backhoe Working On Electric. Did Not Call 811 Before Digging. | | |
| Claim #: | 000200047983 | | |

Dear Sir/ Madam

The enclosed invoice is for reimbursement of damages to Atmos Energy company property. Our investigation indicates that you are responsible for the damages resulting from the incident referenced above. Payment in full of the enclosed invoice is due upon receipt. **Do not send this Payment with your gas bill.**

You may contact me as shown below if you have any questions. Also, if you are covered by liability insurance, please ask your carrier to contact me so that any further correspondence may be handled with the adjuster. **Any disputes must be submitted in writing within 10 days of the invoice date to the email or mailing address noted below.**

Sincerely,

Jimmy D.Smith
Phone :(859) 583-5357
Fax :N/A
Jimmy.Smith@atmosenergy.com
Para informacion en espanol, por favor llamar al (859) 583-5357

449 Whirlaway Dr
Danville KY 40422



PRINT BATCH CONTROL

Control Count: : 1
Control Amount : \$1,012.12

Whitney, Lisa S

From: Bledsoe, Jonathon T
Sent: Wednesday, December 9, 2020 3:50 PM
To: KY Third Party Damage Notification List; Benningfield, Ronnie; Smith, Jimmy Dale D
Subject: Submitted 2059 Shakertown Rd Harrodsburg/Danville: Gas Incident - Excavation Damage Notification

This has been submitted.

Thank you,

Jonathon Bledsoe

From: Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>
Sent: Wednesday, December 9, 2020 3:50 PM
To: Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>
Subject: Submitted 2059 Shakertown Rd Harrodsburg/Danville: Gas Incident - Excavation Damage Notification

[NEW Excavation Damage](#) [List Excavation Damage Reports](#) [Atmos Energy Corporation](#)

[View Incidents](#) [View Peak Reports](#)

Gas Excavation Damage Report

Atmos Energy Corporation

Submitted 12/9/2020 Incident ID: 43218

Reported By:

Name:

Jonathon Bledsoe

Phone:

(270) 925-6312

Email:

Gas Line Incident Occured:

Date:

11/21/2020

Time:

2:00 PM

Details:

Reported Date: 11/21/2020 6:51 PM

Incident Location Address:

Location:

2059 SHAKERTOWN RD , HARRODSBURG/ Danville

Address:

2059 Shakertown Rd

City:

Harrodsburg

State:

KY

County:

Mercer

Zip:

40330

Confirm Code:

Y

| | | |
|---------|------|-------|
| Address | City | State |
|---------|------|-------|

| | | |
|---------|--------|-------|
| ZipCode | County | State |
|---------|--------|-------|

Number of Customers out: 2

Was gas or hazardous liquids contained in the underground facility? [X]

Was gas or hazardous liquids released into the atmosphere? [X]

* 3/2020

Locate Request Ticket No.: n/a

Excavator: Contractor

Enter Company Name (minimum of 4 characters required) below

Richard Shelton Backhoe Service

Please note: Searches may be performed by keying the entire company name or a portion of the company name.

[Continue]

No Matching Companies were Found

Select the appropriate check box. Click on the Excavator Details link to get the Excavation Address. Enter the address details in the below Location fields.

| | | | |
|-----------------|---------|--------|--------------|
| Organization ID | Company | Status | Company Type |
|-----------------|---------|--------|--------------|

Excavator Address:

First Name:

Richard

Last Name:

Shelton

Organization ID:

Company:

Richard Shelton Backhoe Service

Phone:

859-516-4413

Email:

Address:

956 Tick Ridge Rd

City:

Waynesburg

State:

KY

Zip:

40489

Confirm Code:

Y

| | | |
|---------|------|-------|
| Address | City | State |
|---------|------|-------|

| | | |
|---------|--------|-------|
| ZipCode | County | State |
|---------|--------|-------|

Excavation Damage: No notification made to the One Call Center

Description of Incident

Richard Shelton Backhoe Service damaged a 1" PE service with a backhoe. No notification was made to 811. No injuries.

Summary Information 12/9/2020

Full details such as the cause

Richard Shelton Backhoe Service damaged a 1" PE service with a backhoe while digging an electric line. No notification was made to 811. When the Atmos Tech arrived he was advised by the homeowner that Richard Shelton loaded his equipment and left with the line still blowing. Richard Shelton would return later and speak with the Atmos Crew. Homeowner: Robert Suedkamp (859) 221-0885

Extent of the damage

1" PE service repaired.

Cost of the damage

\$1,012.00

Steps taken to prevent re-occurrence

Richard Shelton educated on calling 811 before any excavation. Richard Shelton Backhoe Service was billed for the damage.

Amount billed to excavator

\$1,012.00

Whitney, Lisa S

From: Bledsoe, Jonathon T
Sent: Wednesday, December 9, 2020 3:52 PM
To: Whitney, Lisa S
Cc: Stallins, Anthony A
Subject: FW: [EXT] Report Submitted Gas Excavation Damage at 11/21/2020 2:00:00 PM involving Atmos Energy Corporation REFERENCE 43218

Thank you,

Jonathon Bledsoe

From: KY Public Service Commission <pscfillings@ky.gov>
Sent: Wednesday, December 9, 2020 3:48 PM
To: Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>
Subject: [EXT] Report Submitted Gas Excavation Damage at 11/21/2020 2:00:00 PM involving Atmos Energy Corporation REFERENCE 43218

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The completed report has been submitted. A gas digIn incident has occurred at approximately: 11/21/2020 2:00:00 PM
Involving Utility: Atmos Energy Corporation
at Location: 2059 SHAKERTOWN RD , HARRODSBURG/ Danville
Description: Richard Shelton Backhoe Service damaged a 1" PE service with a backhoe. No notification was made to 811. No injuries.
Customers Affected: 2
Person completing this report: Jonathon Bledsoe
Contact filer at: (270) 925-6312 jonathon.bledsoe@atmosenergy.com

see more: <https://psc.ky.gov/ORS/GasIncident.aspx?!G=43218>

12/9/2020 4:47:58 PM jonathon.bledsoe@atmosenergy.com

Utility filers receipt. This email is automatically generated please do not reply to this email address.

| DIRT ID | Company/Organization | Orig. Event Source | Event Type | Spec. Version |
|---------|--------------------------|--------------------|--------------------|---------------|
| 5690070 | ATMOS Energy Corporation | Natural Gas | Underground Damage | 2018.0 |

Part B: Type, Date and Location of the event

| *Date of event: | Date Submitted | State | County | City | Street Address: |
|-----------------------|-------------------------|----------|---|-------------|---------------------|
| 2020-11-21 | 2021-02-18 12:57 MST | Kentucky | KY-Mercer | Harrodsburg | 2059 Shakertown Rd. |
| Nearest intersection: | lat: | lon: | *Right of way where the event occurred: | | |
| Handy | 37.8007 | -84.7446 | Pipeline | | |

Part C: Affected Facility Information

| *What type of facility operation was affected? | Did this event involve a Cross Bore? | Measured Depth from Grade: | *What type of facility was affected? | Was this facility part of a joint trench? | Was the facility owner a member of one-call? | If no, was the facility owner exempt? |
|--|--------------------------------------|-----------------------------------|--------------------------------------|---|--|---------------------------------------|
| Natural Gas | | 18" to < 36" (46 to < 92cm) | Distribution | false | true | |

Part D: Excavation Information

| *Type of Excavator: | *Type of Excavation Equipment: | *Type of Work Performed: |
|---------------------|--------------------------------|--------------------------|
| Contractor | Backhoe/Trackhoe | Electric |

Part E: Notification and Locating

| *Was the one-call center notified? | Was work area white-lined? | If No, is excavation activity and/or excavator type exempt from notification? |
|------------------------------------|----------------------------|---|
| | | |

false

false

false

Part G: Excavator Downtime

Did the excavator incur downtime? **If yes, how much time?** **Estimated cost of downtime?**

true 2 to < 3 hours Unknown

Part H: Interruption and Restoration

| *Did the damage cause an interruption in service? | *If yes, duration of the interruption: | Approximately how many customers were affected? | Estimated cost of repair/restoration: |
|--|---|--|--|
| Y | >1 sec, < 1 hour | 2 - 10 | \$1,001 - \$5,000 |

Part I: Description of the Root Cause

No notification made to One-Call Center / 811

Part J: Additional Comments

Contractor hit 1" service with backhoe working on electric. Did not call 811 before digging.

Part Z cont. (non-CGA) Images and Attachments

| Thumbnail | File Name | Size | Last Modified | Action |
|------------------|------------------|-------------|----------------------|---------------|
| <i>(none)</i> | | | | |



THIRD PARTY DAMAGE FORM

eAM WO#: [] [] [] [] [] [] [] [] [] []

Construction Order Number: C [] [] [] [] [] [] [] [] [] []

Leak Asset #: 7099111

Project Number: [] [] [] [] [] [] [] [] [] []

Rate Division: [] [] [] []

INCIDENT DETAILS

Date of Damage: 11/21/2020 Time of Damage: 07:00 AM PM

Was the Regulatory Commission called? Yes No Incident Number: _____

Address/Location: 2059 Shakertown Rd Cross Street: Handy

City: Harrodsburg County/Parish: Mercer State: Kentucky

- ROW: Public-City Street, Public-State Hwy, Public-County Road, Public-Interstate Hwy, Public-Other, Private Business, Private-Land Owner, Private-Easement, Pipeline, Power/Transmission Line, Dedicated Public Utility Easement, Federal Land, Railroad, Unknown/Other

EXCAVATOR DETAILS

Company Name: Richard Shelton Backhoe Services

Address: 956 Tichridge Rd (1436 Tiek Ridge Rd)

City: Waynesburg State: Kentucky Zip: 40489

Contact Name: Richard Shelton Phone: (859) 515-4413

Excavator Type: Contractor County Farmer Municipality Occupant Railroad State Utility Developer Home Owner Unknown/Other

Pipeline Damage With:

- Auger, Backhoe/Trackhoe, Boring, Drilling, Directional Drilling, Explosives, Grader/Scraper, Hand Tools, Vacuum Equipment, Probing Device, Trencher, Farm Equipment, Milling Equipment, Unknown/Other

Work Performed:

- Agriculture, Bldg Construction, Bldg Demolition, Cable TV, Curb/Sidewalk, Drainage, Driveway, Electric, Engineering/Survey, Fencing, Irrigation, Landscaping, Grading, Pole, Public Transit Authority, Railroad Maintenance, Road Work, Sewer (Sanitary/Storm), Site Development, Steam, Storm Drain/Culvert, Street Light, Telecommunications, Traffic Signal, Traffic Sign, Water, Water Improvement, Liquid Pipeline, Milling, Unknown/Other

Excavator Incur Downtime: Yes No Unknown How much Downtime? 3 Downtime Cost Incurred?

AFFECTED FACILITY DETAILS

Was any Facility Damaged? Yes No Release of Product? Yes No Unknown Location: Above Ground Below Ground

Did Excavator Notify Atmos Energy through the OneCall Notification Center? Yes No Unknown

Center Name: _____ Locate Ticket Number: _____

Did Excavator Notify Atmos Energy Directly? Yes No Unknown

Excavator Notified 911? Yes No Unknown Name: _____

Facility Type: Distribution Gathering Service/Stub Transmission Unknown/Other

Pipeline Material: Bare Steel Coated Steel Cast Iron PE PVC Other

Facility Damaged On: Body of Pipe Coating Housing Other Protective Device

Type of Pipeline Damaged: Intrastate Interstate Unknown

Pipeline Status: Active Idle New Pipe (no product) Abandoned (no product)

Damaged Pipe Diameter: 1 inches Depth of Facility: 2 feet inches

Joint Trench: Yes No Unknown

DAMAGE & IMPACT DETAILS

Damaged by: Third Party Operator Operator's Contractor

Caused Service Interruption: Yes No

Requires Regulatory Notification: Yes No

Customer Affected: 2

Death/Hospitalization

Number of Injuries: _____

Property Damage > \$50,000

Type of Injuries: _____

Estimated gas loss >= 3 million cubic feet

Number of Fatalities: _____

Outage Hours: 1

Restoration Cost: _____

DAMAGE & IMPACT DETAILS CONT'D

Root Cause of Damage: No notification made to the OneCall Center
 Notification to OneCall Center made, but not sufficient
 Wrong information provided to OneCall Center
 Facility could not be found or located
 Facility marking or location not sufficient
 Facility was not located or marked
 Incorrect facility maps
 Failure to maintain marks
 Failure to support exposed facilities
 Failure to use hand tools where required
 Failure to test-hole (pot hole)
 Improper backfilling practices
 Failure to maintain clearance
 Other insufficient excavation practices
 OneCall Center error
 Abandoned facility
 Deteriorated facility
 Previous damage
 Data not collected
 Other

Impact: Fire/Ignition occur Any evacuation (Number of people: _____) Any media coverage Any explosions
 Any street blocked Any other impact Comments: _____

NOTIFYING, LOCATING, MARKING DETAILS

Locate Request to OneCall Center Prior to Excavation: Yes No
 Center Name: _____ OneCall Ticket Number: _____
 Date of Notification: [][] / [][] / [][][][]
 Original Locator: Pipeline Operator Utility Owner Data Not Collected Unknown/Other
 Contract Locator Locator Name: _____
 Marked by White Lining: Yes No Unknown
 Atmos Energy Rep Onsite: Yes No Unknown
 Any Special Instructions: Yes No Unknown
 Locator met with Excavator: Yes No Unknown
 Facility Gave Positive Response: Yes No Unknown
 Marked using Maps: Yes No Unknown
 Excavator Gave Proper Notice: Yes No Unknown
 Locate Procedures Followed: Yes No Unknown
 Date of Positive: [][] / [][] / [][][][] Time of Positive: [][] : [][] AM PM

Excavator made 2nd call to OneCall: Yes No Unknown
 Reason: No positive response to first call Positive response is unclear or incorrect All clear appears questionable Other
 2nd Notice Ticket Number: _____ Date of 2nd Notice: [][] / [][] / [][][][]
 Facility gave positive response to 2nd notice: Yes No Unknown
 Date of Positive: [][] / [][] / [][][][] Time of Positive: [][] : [][] AM PM

Facility Marks Visible: Yes No Unknown
 Marked by Paint: Yes No Unknown Marked by Flags: Yes No Unknown
 Method used to Locate: Conductive Inductive Unknown Other: _____
 Another type of Marking Use: Yes No Unknown: _____
 Facility Marked Correctly: Yes No Unknown/Other: _____
 Reason Not Marked: Pipeline was not marked Portion of pipeline was not marked Pipeline was not marked accurately
 Improper type of marking Other: _____
 Distance of Inaccurate Marks from Pipeline: _____ feet _____ inches

OTHER INFORMATION

Line Pressure: 50 psig Pipe Damage: (Length) 1 inches (Width) 1 inches
 Leak Duration: 50 minutes Locate Priority: _____ FERC Account: _____
 Insurance Company: _____ Agent Name: _____ Phone #: _____
 Locate Mark within State Law: Yes No Police Report Number: _____
 Pre-Damage Photos: Yes No Post-Damage Photos: Yes No Billing Required: Yes No

LABOR

| Name | Title | Reg Time | Overtime | Drive Time |
|---------------|-----------------|----------|----------|------------|
| Jacob Dorn | Meter Reader #2 | | 2 | 30 |
| Brad Berchelt | Crew Lead | | 3 | 30 |
| | | | | |
| | | | | |

EQUIPMENT

| | Quantity | Time | | Quantity | Time |
|---------------|----------|------|----------------|----------|------|
| 1/2 Ton Truck | 1 | 3 | Trencher | | |
| 1 Ton Truck | | | Backhoe | | |
| 2 Ton Truck | 1 | 2 | Compressor | | |
| Dump Truck | | | Boring Machine | | |
| Welder | 1 | 2 | Other | | |

Comments: _____

Completed By: Jacob Dorn Date: 11-21-20

ATMOS ENERGY CORPORATION
 KENTUCKY / MID-STATES DIVISION
 KENTUCKY OPERATIONS
3RD PARTY DAMAGE BILLING

NAME:
 BILLING ADDRESS:
 CITY, STATE, & ZIP CODE:
 PHONE #:
 EMAIL ADDRESS:
 INSURANCE PROVIDER:
 INSURANCE POLICY #:
 ATMOS WORK CENTER:
 DATE OF DAMAGE:
 DAMAGE LOCATION:
 ASSET #:
 eAM #:
 SAP INVOICE #:

Richard Shelton Backhoe Services
 956 Tick Ridge Rd.
 Waynesburg, KY 40489
 Richard Shelton (859) 516-4413
 additional address: 1426 Tick Ridge Rd., Waynesburg, KY 40489
 2737 - Danville
 November 21, 2020
 2059 Shakertown Rd., Harrodsburg, KY 40330
 709911

| LINE NO. | CHARGE TYPE: | | | |
|----------|--------------------------------|--------------------------|--------------|-------------|
| 1 | LABOR | | | \$ 617.93 |
| 2 | MATERIALS | | | \$ 21.92 |
| 3 | EQUIPMENT | | | \$ 165.00 |
| 4 | GAS LOSS COSTS | Enter PGA Rate (per MCF) | Volume (MCF) | \$ 207.27 |
| | | \$ 3.9108 | 53 | |
| 5 | OUTSIDE SERVICES | | | \$ - |
| 6 | MISCELLANEOUS COSTS | | | \$ - |
| 7 | TOTAL 3RD PARTY DAMAGE BILLING | | | \$ 1,012.12 |

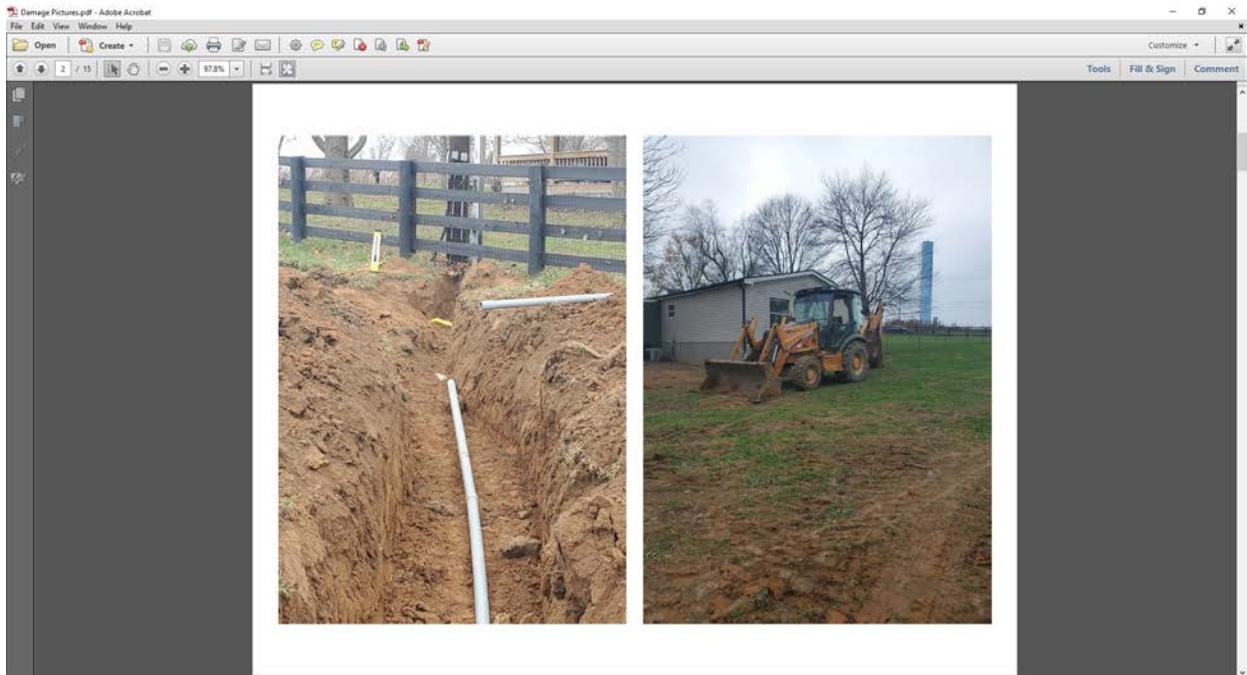
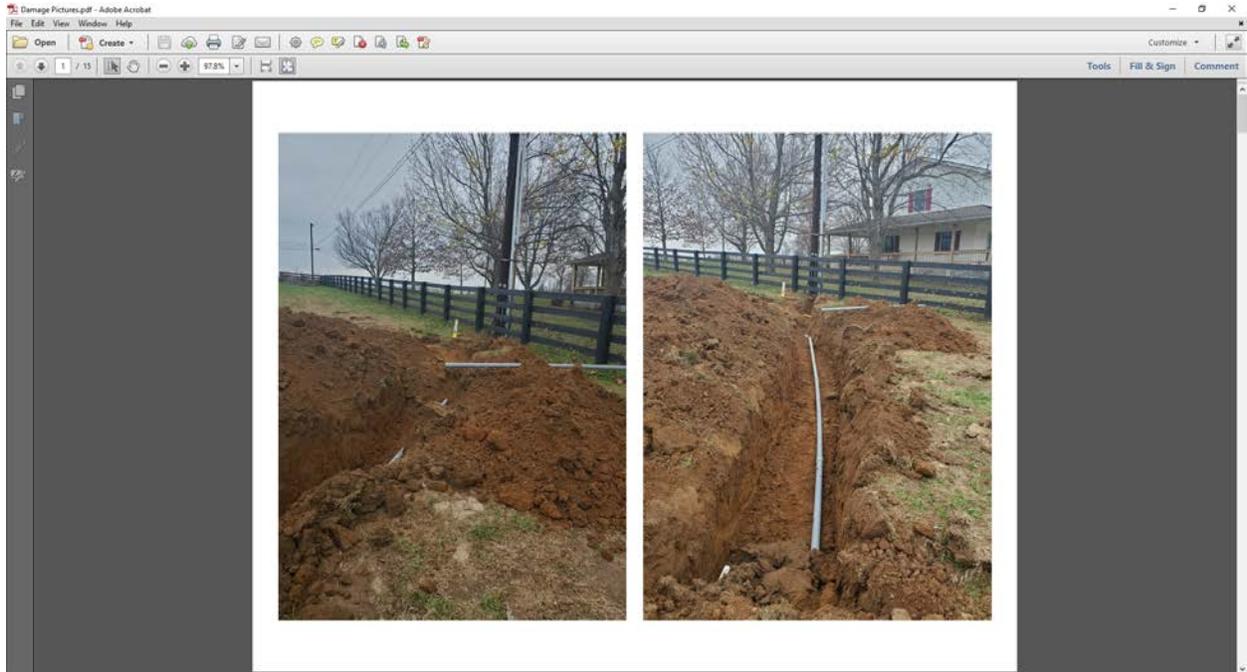
| | |
|---|---------|
| Pipe Size | 1 |
| Material Type | PE |
| Pressure (PSIG) | 50 |
| Duration (Minutes) | 60 |
| Distance to Feeder Main or Regulator Station (Feet) | 15 |
| Main or Service | Service |

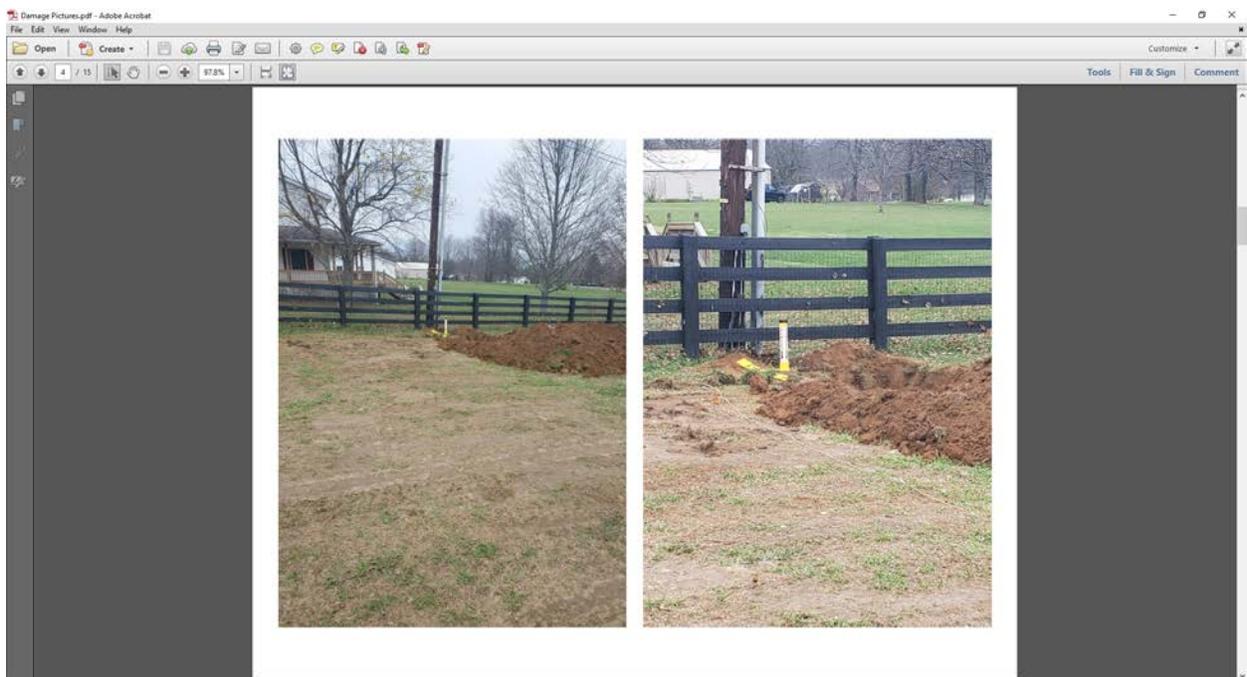
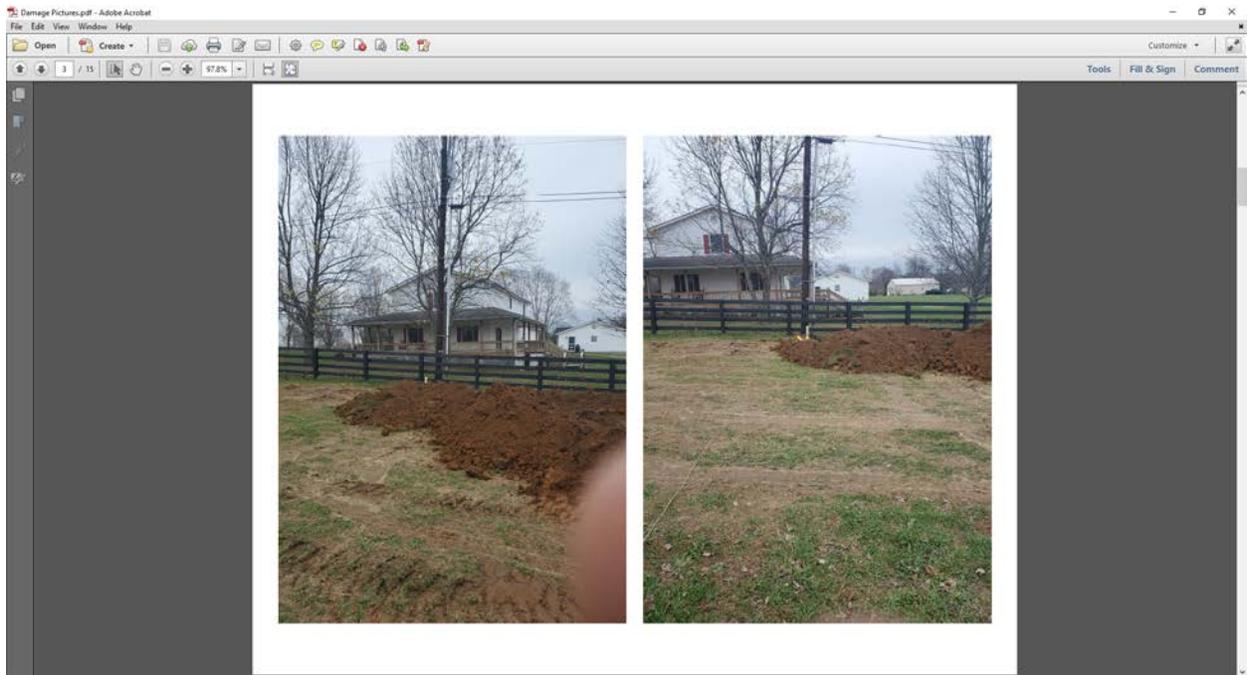
- 1) Fill out all information in Rows 1-6
- 2) Click Rectangular Hole if damage is given as length and width. Enter dimensions
- 3) Click Circular Hole if damage is circular. Enter dimensions
- 4) Click Calculate Gas Loss

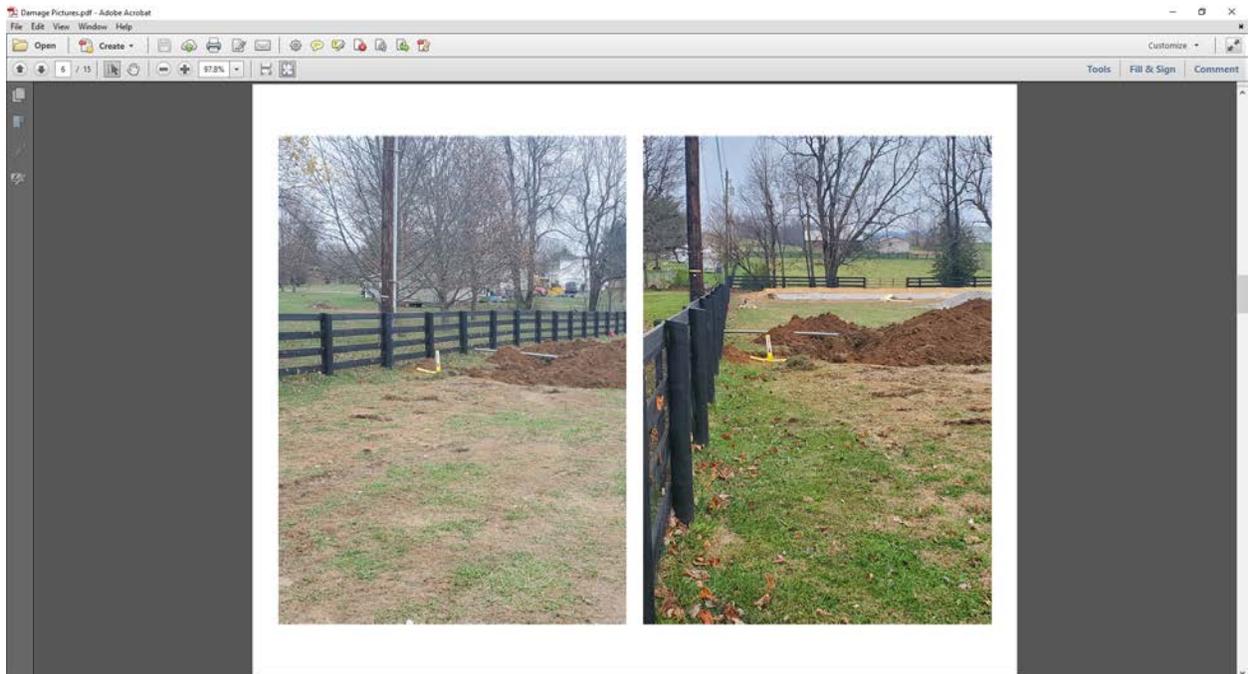
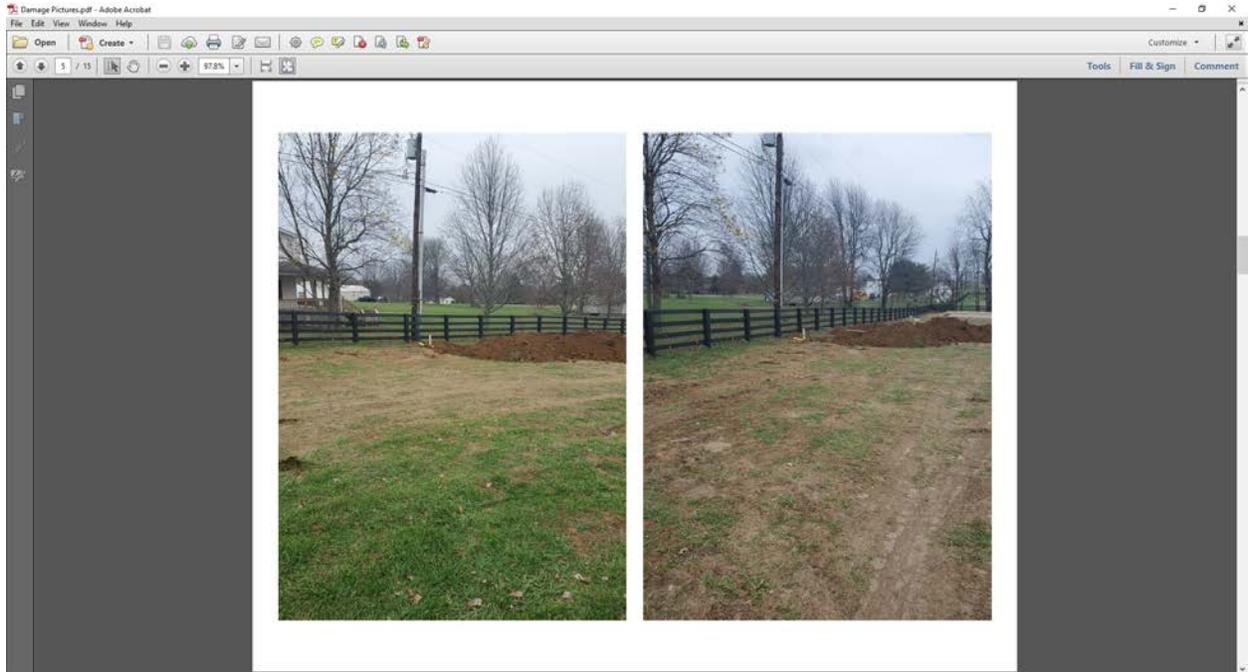
Calculator uses IGT Flow Formula

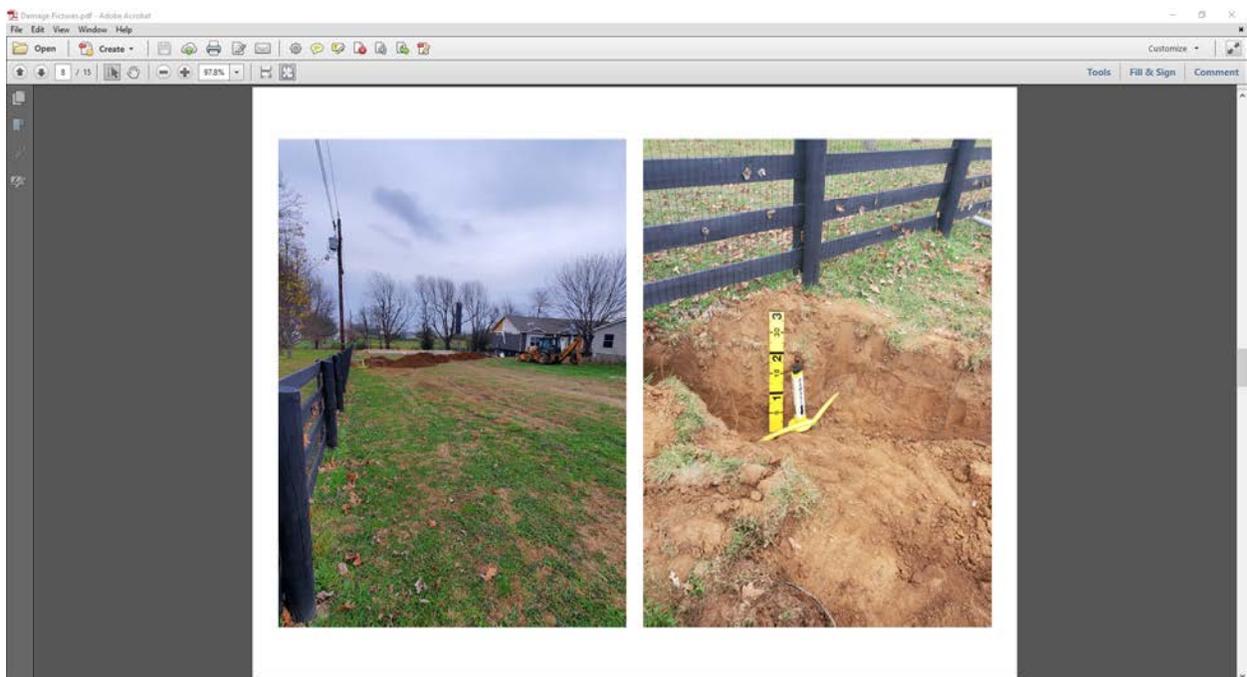
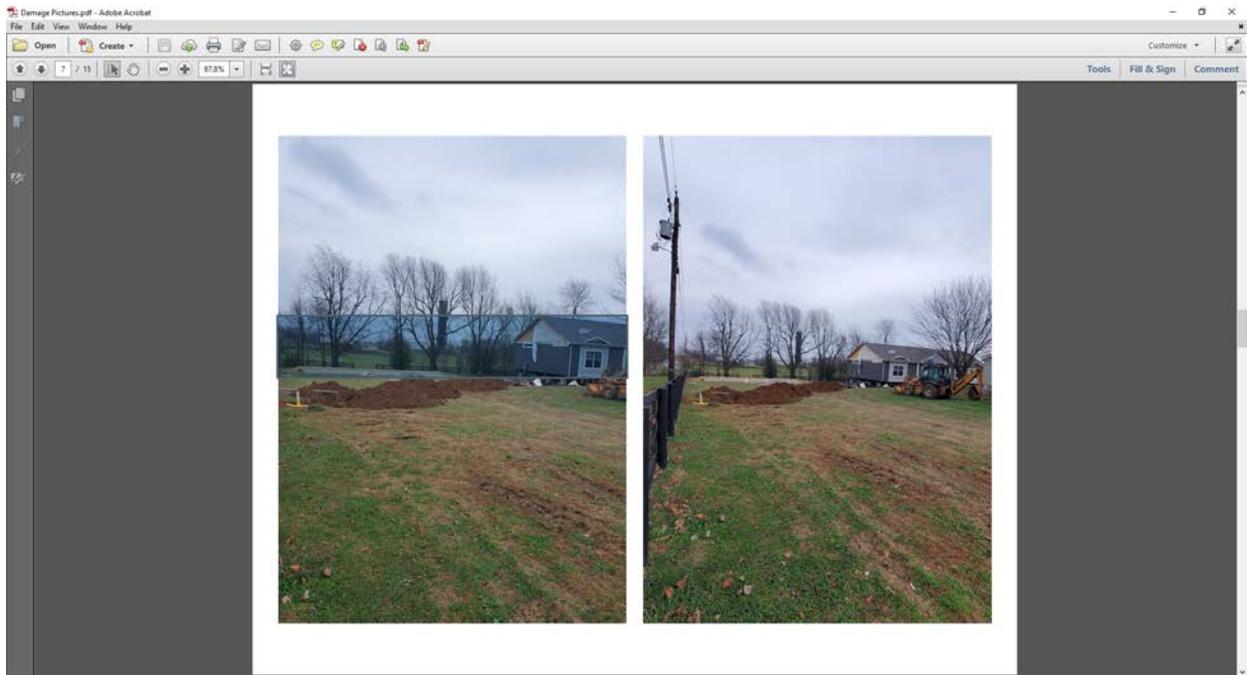
| | | |
|------------------------|--------|-----------------|
| Gas Loss Flow Rate | 891 | Cubic Feet/Min. |
| Gas Loss in Cubic Feet | 53,455 | Cubic Feet |
| Gas Loss in Pounds | 2,450 | Pounds |
| Gas Loss in CCF | 535 | CCF |
| Gas Loss in MCF | 53 | MCF |

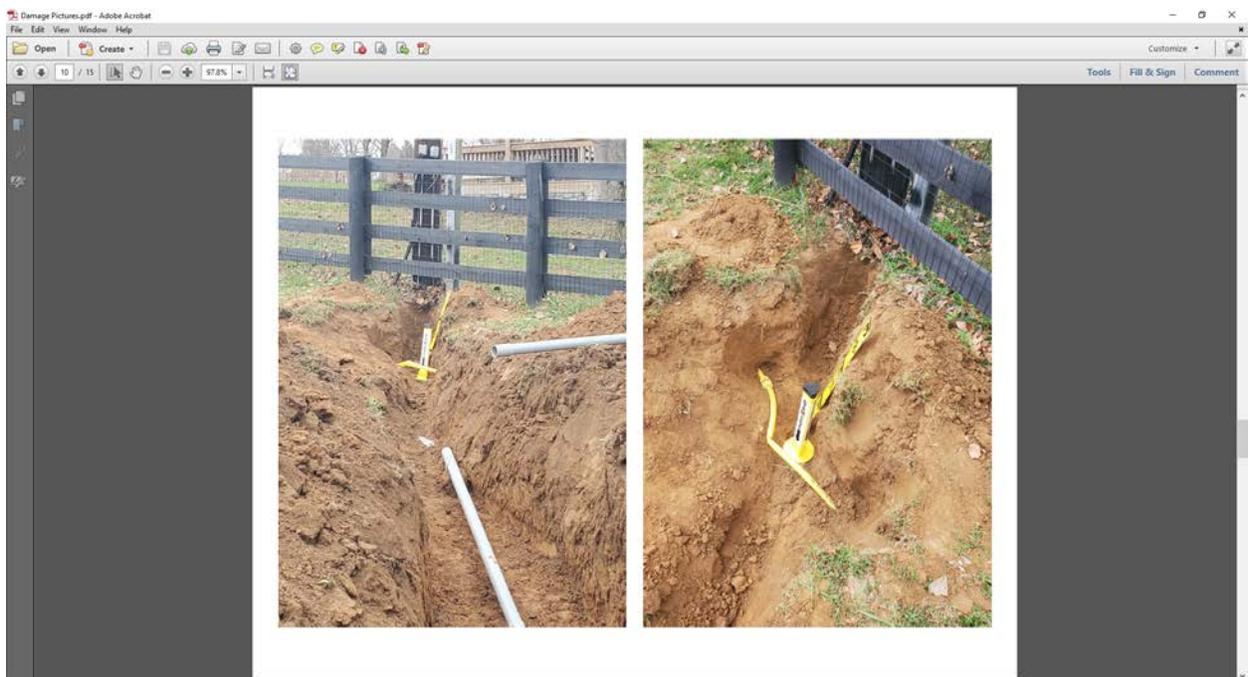
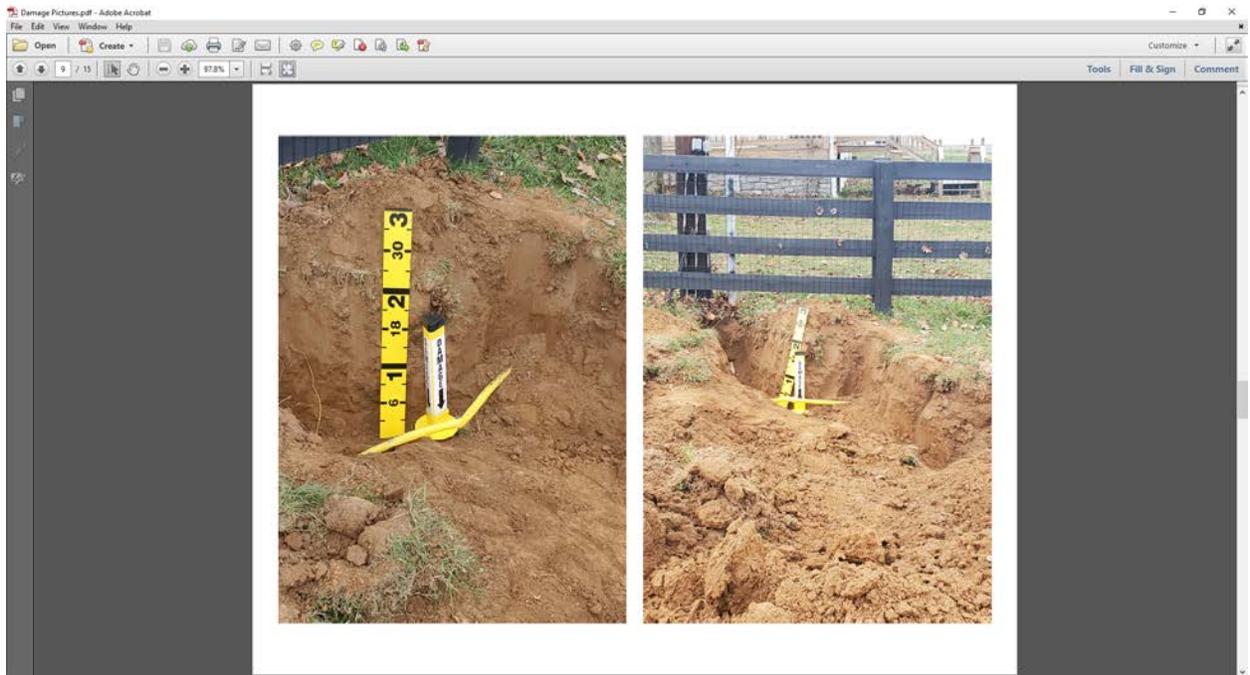
IF LARGER THAN 1,000 CCF CONTACT TECH. SERVICES

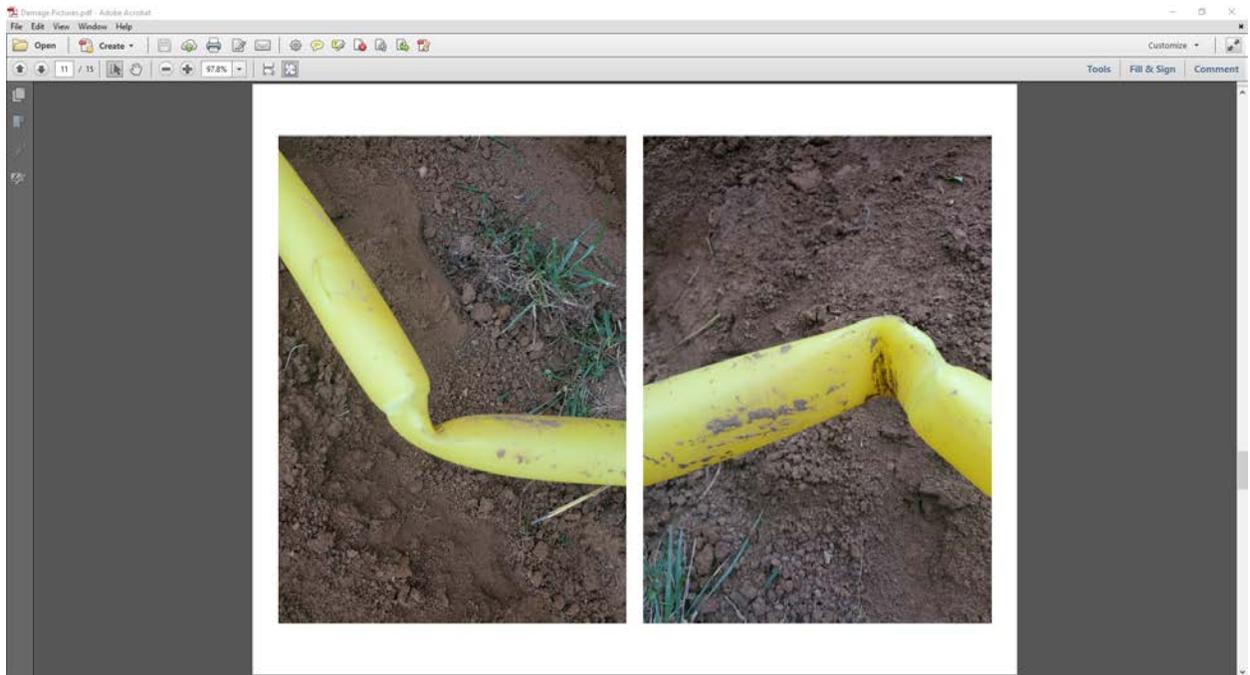


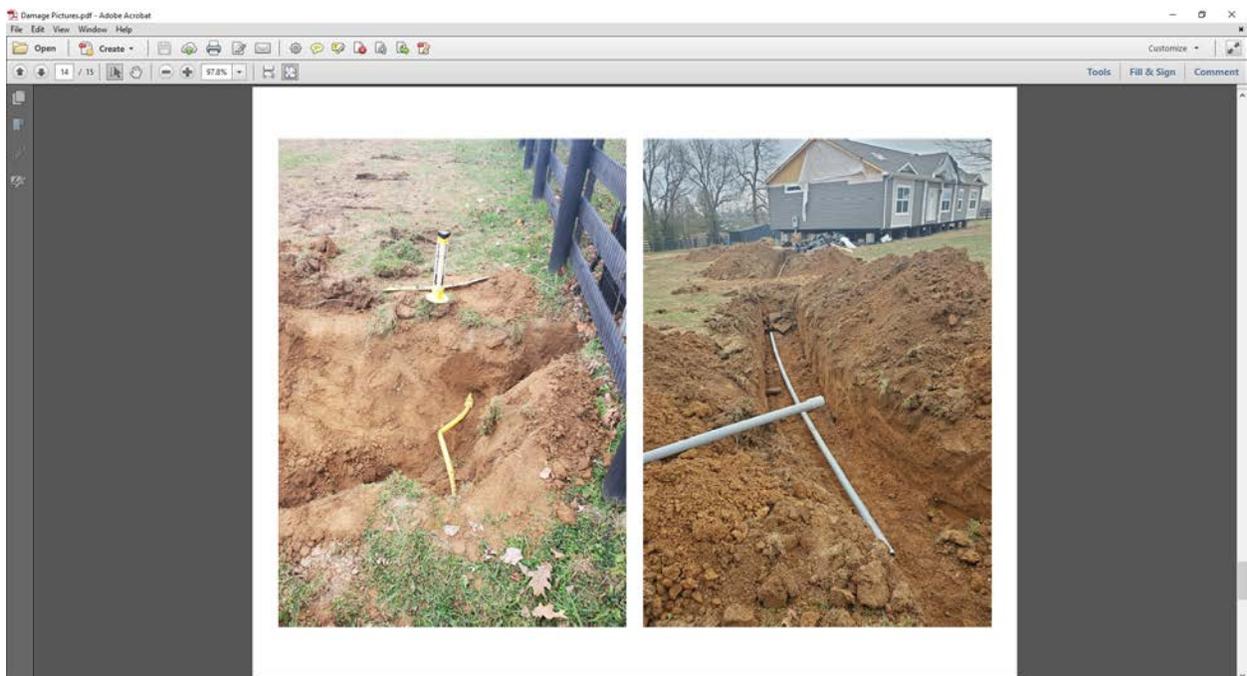
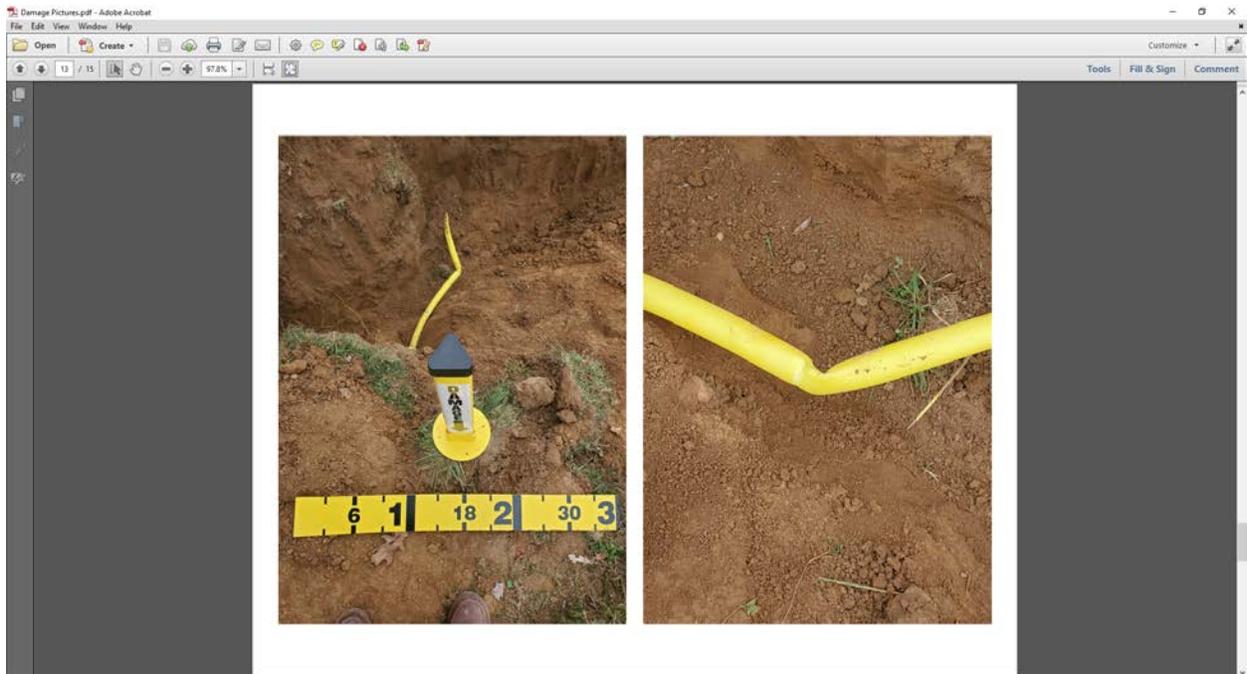


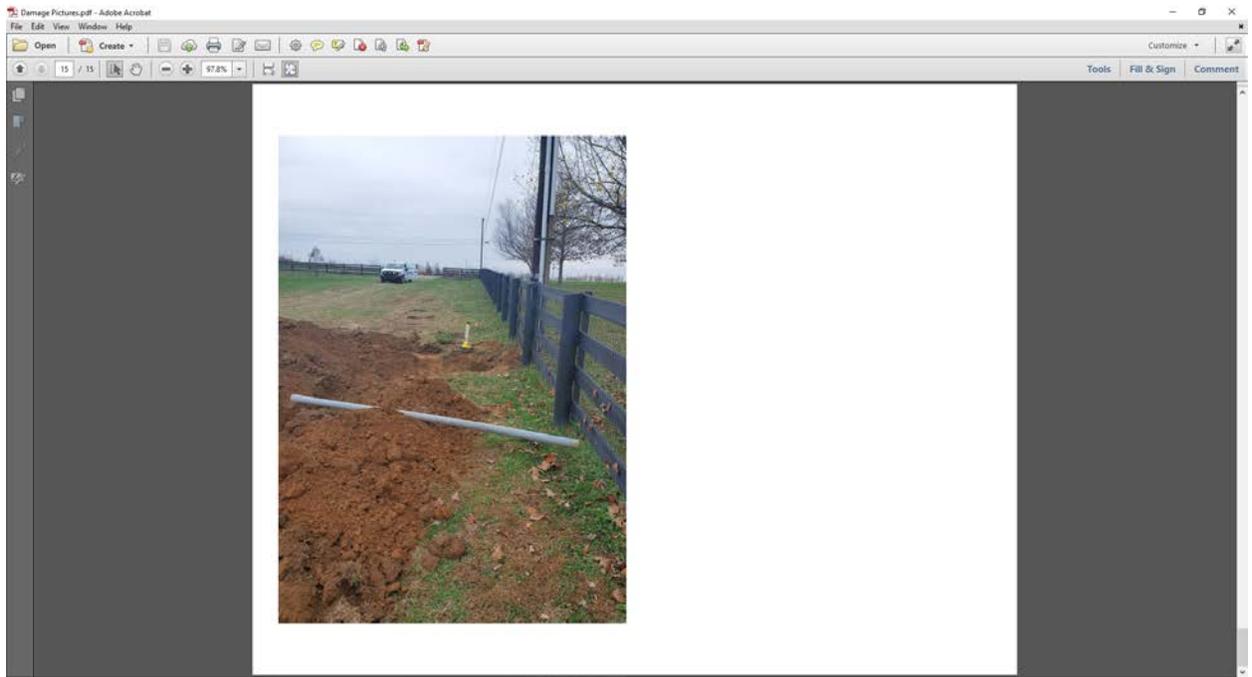












*Richard Shelton
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