

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TRINITY SERVICE COMPANY)	
)	
_____)	CASE NO.
)	2022-00253
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

INITIATING ORDER FOR ALLEGED 811 VIOLATION OF THE KENTUCKY
UNDERGROUND FACILITY DAMAGE PREVENTION ACT

(Se proporciona la traducción al español de este documento como anexo/apéndice.)

Trinity Service Company 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 A hearing in this case shall take place on January 27, 2023.

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

¹ KRS 367.4901 through KRS 367.4917.

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, 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 Appendix A. In its Incident Report, Staff cites Trinity Service Company for violation of the following provision of the Act:

KRS 367.4911(8) – The excavator shall contact the protection notification center to request remarking two (2) working days in advance of the expiration of each twenty-one (21) day period while excavation or demolition continues

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

IT IS THEREFORE ORDERED that:

1. Trinity Service Company 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. Trinity Service Company shall appear on January 27, 2023, at 9 a.m. Eastern Standard Time, in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violation of the Underground Facility Damage Prevention Act.

3. The January 27, 2023 hearing shall be conducted via video conferencing.
4. Trinity Service Company shall attend the hearing by using the following link: <https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>; information and instructions are attached to this Order as Appendix B.
5. Trinity Service Company shall notify the Commission at least ten days prior to the hearing if Trinity Service Company is unable to appear by video conferencing and will therefore appear in person.
6. **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.**
7. An individual may submit a response to the allegations contained in the Staff Incident Report without the representation of an attorney.
8. The Staff Incident Report 53746, attached to this Order as Appendix A, is made a part of the record in this case.
9. The January 27, 2023 hearing shall be recorded by video only.
10. **Please note 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 A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00253 DATED NOV 22 2022

ONE HUNDRED AND ONE PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric V. Tout **Incident ID** 53746 **Investigation** 8698
Incident Date 6/15/2021 12:06:00 PM **Report Submitted** 7/6/2021

Operator Information

Operator Louisville Gas and Electric Company **Reported By** Mike Jones
Phone (502) 364-8281 **Email** Mike.Jones@lge-KU.com

Incident Location 1238 Garvin Pl
 Louisville KY 40203 **Locate Ticket Number** 2106071602

County Jefferson

Excavator Information

Excavator Frank Irvin **Organization ID**
 Trinity Service Company
Phone 502-741-4748 **Email**
Address PO Box 125 **Locate Ticket Number** 2106071602
 Muldraugh KY 40155

Damage Report (DR) Summary

Excavation Within 18" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
Yes	Yes	Yes	Mechanized/Not specified	\$1,623.00	\$0.00

The Operator reports that the Excavator damaged an accurately marked two-inch gas main with mechanized equipment.

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
2106071602	Yes / 1236 Garvin Pl.	06/07/21	06/08/21	6/15/2021	0	Yes

A review of LT...1602 indicates the Excavator obtained it to locate the entire alley on the north side of the property for the address of 1236 Garvin Pl.

The LT is include as Attachment 2.

INVESTIGATION

On 05/19/22the Operator, LG&E's mike Jones, provided the following documents:

- Facts-Based Investigation & Incident Field Investigation Report: Which are outlined in the DR Summary and Attachment 1. The Site Investigator, Steve Delap, stated that post locate photographs were utilized to verify locate marks due to spoil piles and debris covering said marks. Mr. Delap stated that by viewing the post locate photographs and hooking tracing equipment to the damage gas line he determined the Excavator was excavating in the approximant location/tolerance zone of 18 inch.
- Damage Photographs - 74: Taken on the incident date, 06/15/21, depicting the incident location with no yellow markings visible on the ground, spoil piles and debris covering the markings. The

PIPELINE DAMAGE INVESTIGATION REPORT

photographs. *Note:* Pre Mr. Jones the white paint dots on the ground represent the gas main's path.

- Invoice: Indicating the Excavator was bill \$1,623.46 for the damage repair.
- Photographs - 3: Two pre-excavation photographs taken on 06/07/21 indicating the incident location was marked with yellow paint and one damage photograph taken of the incident location depicting spoil piles and debris with white paint dots representing the gas main's path. Comparing these three photographs, the gas main was marked with yellow paint before excavation occurred and the excavation activities destroy all pre-excavation yellow markings.

LG&E's documents are included as Attachment 3.

On 05/20, 23 & 24/22 an attempt to contact the Excavator resulted in a message stating you have reached 502-741-4748 wherein a voice message was left. *Note:* A reverse phone search indicates that 502-741-4748 is registered to Frank Irvin of the address, P.O. Box 125, Muldraugh, KY 40155.

Due to the inability to contact the Excavator via telephone a Demand Letter requiring the attendance to the Damage Prevention Couse and imposing the reduce penalty of \$250.00 will be sent.

VIOLATIONS¹

KRS 367.4911 (8) The excavator shall contact the protection notification center to request remarking two (2) working days in advance of the expiration of each twenty-one (21) day period while excavation or demolition continues or if: **(a)** The markings of any underground facility have been removed or are no longer visible.

of Offences Within 365 Days

(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1 st Offence Date (Last Offence Date +366 Days)
1 st	See above	06/15/21	06/16/22

¹ A revision of the Underground Facility Damage Prevention Act took effect on January 1, 2022. All incidents of damage dated prior to January 1, 2022 will be reviewed under the former version of the Act

Attachment 1

Gas Excavation Damage Report

Louisville Gas and Electric Company

Submitted 7/6/2021 Incident ID: 53746

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=53746\)](#)

Reported By:

Name: Mike Jones
Phone: (502) 364-8281
Email: Mike.Jones@lge-KU.com

Gas Line Incident Occured:

Date: 6/15/2021
Time: 12:06 PM

Details:

Reported Date: 7/6/2021 8:48 AM

Incident Location Address:

Location:
Address: 1238 Garvin PI
City: Louisville
State: KY
County: Jefferson
Zip: 40203
Confirm Code: D

Number of Customers out: 2

Was gas or hazardous liquids contained in the underground facility?

* 3/2020

Was gas or hazardous liquids released into the atmosphere?

Locate Request Ticket No.: 2106071602

Excavator: Contractor

Excavator Address:

First Name: Frank

Last Name: Irvin

Organization ID:

Company: Trinity Service Company

Phone: 502-741-4748

Email:

Address: PO Box 125

City: Muldraugh

State: KY

Zip: 40155

Confirm Code: Y

Excavation Damage: Failure to use hand tools where required

Description of Incident Excavator damaged gas main digging mechanically within tolerance zone.
Summary Information

7/6/2021

Full details such as the cause	Trinity Service Company was contracted by Metropolitan Sewer District(MSD) to install a new sewer line along the alley way that runs from Garvin Place to S 6th St. While digging, Trinity Service Company damaged an accurately marked 2" MP PL G/M (#449728). Trinity Service Company on-site crew leader, Frank Irvin, stated they sawcut their trench to purposely split in-between the gas main marks, and telecommunication locate marks so they could dig uninterrupted. I hooked up to the gas service for 1238 Garvin Place and the wire at the gas main "T" on Garvin Place, and it appears to me that Trinity Service Company was digging within the 18" tolerance zone with their excavator for nearly the entire alley. I got the exact same locate marks that I found in post-locate photos from ELM's locate.
Extent of the damage	Damaged 2" plastic gas main
Cost of the damage	\$1,623.00
Steps taken to prevent re-occurrence	Conversation with Trinity, but they disagreed with our findings.
Amount billed to excavator	\$0.00

Attachment 2

EMERGENCY

Ticket : 2106071602 Date: 06/07/2021 Time: 12:40 Oper: KENTUCKY811 Chan:000

State: KY Cnty: JEFFERSON City: LOUISVILLE
Subdivision:

Address : 1236
Street : GARVIN PL
Cross 1 : W ORMSBY AVE
Location: LOCATE ENTIRE ALLEY ON THE NORTH SIDE OF THE PROPERTY
:
Boundary: n 38.235589 s 38.232461 w -85.763076 e -85.761294

Work type : INSTALL SEWER LINE
Done for : MSD LOUISVILLE
Start date: 06/08/2021 Time: 10:00 Hours notice: 21/21 Priority: EMER
Ug/Oh/Both: U Blasting: NO Emergency: Y
Duration : N/A Depth: 8 FT

Company : TRINITY SERVICE COMPANY Type: CONT
Co addr : PO BOX 125
City : MULDRAUGH State: KY Zip: 40155
Caller : FRANK IRVIN Phone: (502)741-4748
Contact : FRANK IRVIN - CELL Phone:
Mobile : (502)741-4748
Fax : (812)258-0537
Email : FRANKIRVIN48@YAHOO.COM

Submitted date: 06/07/2021 Time: 12:40

Members: 0002 0004 0006 0007 0054 0061 0139 0299 0721

* Responses are current as of 05/06/2022 08:57 AM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
LOUISVILLE GAS AND ELECTRIC 0002	ELECTRIC, GAS	LOUISVILLE GAS AND ELECTRIC CUSTOMER SERVICE (502) 589-1444	
LOUISVILLE WATER CO 0004	WATER	LOUISVILLE WATER CUSTOMER SERVICE (502) 569-3600	Clear - No conflict
MSD 0006	SEWER	MSD CUSTOMER SERVICE (502) 587-0603	The excavator has performed the excavation prior to the locator's arrival.
INSIGHT COMMUNICATIONS 0007	CABLE TV	INSIGHT COMMUNICATIONS CUSTOMER SERVICE (502) 357-4400	Clear - No conflict
MCI 0054	FIBER OPTIC		Clear - No conflict
AT&T TRANSMISSION 0061	FIBER OPTIC, TELEPHONE	AT&T TRANSMISSION CUSTOMER SERVICE (800) 252-1133	Clear - No conflict
AT&T DISTRIBUTION 0139	COMMUNICATIONS	AT&T DISTRIBUTION CUSTOMER SERVICE (888) 757-6500	
CENTURYLINK 0299	FIBER OPTIC		Clear - No conflict
TCS COMMUNICATIONS LLC 0721	FIBER OPTIC		Clear - No conflict

Attachment 3

Tout, Eric V (PSC)

From: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Sent: Thursday, May 19, 2022 7:50 AM
To: Tout, Eric V (PSC)
Subject: RE: 53746, 6/15/2021, 1238 Garvin Pl., Louisville, Trinity Service Company
Attachments: 2021061706.pdf; DigTix_Incident_Report.pdf; Yellow Report - 1238 Garvin Pl.pdf

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

Photos in separate email.

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Tuesday, May 17, 2022 5:30 AM
To: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Subject: FW: 53746, 6/15/2021, 1238 Garvin Pl., Louisville, Trinity Service Company

EXTERNAL email. STOP and THINK before responding, clicking on links, or opening attachments.

Hello Mike,

Doing a follow up on the below.

Thanks,
Eric

From: Tout, Eric V (PSC)
Sent: Monday, May 9, 2022 10:47 AM
To: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Subject: 53746, 6/15/2021, 1238 Garvin Pl., Louisville, Trinity Service Company

Hello Mike,

Please send reports, photos, invoices and payment info (copy of check) if paid. If the report does not explain the difference in addresses, the location ticket vs. damage report, 1236 vs 1238 Garvin Pl. provide one.

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

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Facts-Based Investigation

Internal Claim ID: INC-20210615-001 Customer Claim ID: _____
Site Investigator: Steve Delap Notified At: 06/15/21 12:15:00
Notified By: Gas Operations Dispatch 5025891444
Damage Location: 1236 Garvin Place Louisville KY 40203
Incident Time: 06/15/21 11:45:00

Original Locate Request: 2106071602 Assigned Locator: ELM Locating
Locate Request Due: 06/07/21 14:40:32 Locate Request Completed: 06/07/21 14:15:48
Photos Taken Before Damage? N
Photos Taken of Damage Site? Y

Type and Size of Damaged Utility: Natural Gas Distribution 2

Depth: 36" (1m) or more

Description and Extent of Damage: Trinity Service Company was contracted by Metropolitan Sewer District(MSD) to install a new sewer line along the alley way that runs from Garvin Place to S 6th St. This alley way runs east and west. located just north of W Ormsby Ave, and south of 1238 Garvin Place. Trinity is also making sewer connection tie-ins between Garvin Place and where the aforementioned alley "T's" into another alley that runs north.

While digging Trinity Service Company damaged an accurately marked 2" MP PL G/M (#449728).

****I had to use post-locate photos to verify accuracy of locate marks.

The gas main was damaged approximately(area was full of spoil piles & debris, so measuring exact footage was difficult) 135' west of the west curb line on Garvin Place, and 5'2" off the south curb line in the alley.

Trinity Service Company on-site crew leader, Frank Irvin, stated they sawcut their trench to purposely split in-between the gas main marks, and telecommunication locate marks so they could dig uninterrupted.

*When I arrived on-site the entire alley was covered in debris, construction materials, and digging equipment/tools.

I hooked up to the gas service for 1238 Garvin Place and the wire at the gas main "T" on Garvin Place, and it appears to me that Trinity Service Company was digging within the 18" tolerance zone with their excavator for nearly the entire alley. I got the exact same locate marks that I found in post-locate photos from ELM's locate.

Equipment Used: Backhoe/Trackhoe

Excavation Company Name: TRINITY SERVICE COMPANY

Company Address: PO BOX 221194, Louisville, KY 40252

Phone: 5027414748 Contact Name: FRANK IRVIN

Working For: _____

Repair Company: LG&E

Personal Injury: N 3rd Party Property Damage: N Evacuations: N Other: N

Impact Comments: _____



Facts-Based Investigation

Was Locate requested?:	<u>Y</u>	Locate Request Completed?:	<u>Y</u>
Locate Accurate (Within Tolerance Zone):	<u>Y</u>	If No, Distance Markings Off:	<u>N/A</u>
Marks Visible at Time of Damage:	<u>N</u>	Damage Within Scope of Ticket:	<u>Y</u>



Facts-Based Investigation

Repair Contact Name: George Kok Phone: 5025891444

Repair Comments: _____

Witness: _____ Phone: _____

Comments: _____

Witness: _____ Phone: _____

Comments: _____

Root Cause Explanation: _____

Responsible Party: Trinity Service Company

Responsible Party Comments: Gas damage was 135' west of west curb of Garvin. 72' east of the t in alley. 5' north of south alley. LG&E put a dead end cap on the gas main at the point it was damaged.

Date of Investigation: 06/15/21 Investigation Time (Hours): _____

Site Investigator's Name: Steve Delap Phone: 5029911135

Site Investigator's Signature: Steve Delap Date: 06/17/2021

Damage Status: Excavation Issue

Cause Code: Failure to use hand tools within tolerance zone

Damage Claims Manager: _____





NOTE: Only 12 most recent photos shown. To view all 90 attachments, please view the ticket within DigTix.

Incident Field Investigation Report — Gas



Damage report # _____

Is this related to a capital project? Yes No

Project/task CTPD419 / CAPITAL

Resp. ctr. _____

G# 001025409

Damage to company facilities

Date of incident 6/15/21 Time 12:43 a.m. p.m. Police report # _____

Address/location of damage 1238 Garvin Pl ZIP code 40203

Subdivision name Old Louisville

Time dispatched 12:06 a.m. p.m. Time of completion _____ a.m. p.m.

Who caused damage? Trinity Service Company (Name of contractor, utility, individual, etc.) a.m. p.m.

Address of party causing damage Po Box 125 (Street) Muldrough (City) KY (State) 40155 (ZIP)

Phone number of party causing damage (502) (Area code) 741-4748 (Number)

Was party causing damage still on the job? Yes No If yes, who was in charge? Frank Irvin

If no, how did you obtain name of party causing damage? _____

What was damaged? Company main Customer service Company service Other _____

What type of work was being performed? INSTALL SEWER LINE

Party's explanation for damage tried to split ditch between tele + gas, gas starts to work.

What repairs were made? Yes it's way over into trench

Any additional work to be performed? Yes No If yes, by whom? _____ Number of customers out 2

Possible damage to others

Date of incident _____ Time _____ a.m. p.m.

What was damaged? _____

What was LG&E doing at this location? _____

Description of damage _____

Owner of property _____ Phone (_____) _____ (Area code) (Number)

Owner's address _____ (Street) _____ (City) _____ (State) _____ (ZIP)

To whom was damage reported? _____

Was an LG&E contractor notified? Yes No If yes, name of contractor _____

Is the LG&E contractor responsible for the damage? Yes No

Were photos taken? Yes No If yes, from whom can the photos be obtained? _____

Were there any injuries? Yes No If yes, name of injured party _____

Were there any witnesses to the incident? Yes No

Name	Address	Phone

BUD/KY 811/VA 811 information

BUD number and requesting party's name 2106071602

Were facilities marked? Yes No Did excavator agree? Yes No

If yes, were facilities properly marked? Yes No Did excavator agree? Yes No

If no, how were they mismarked? *(be specific)* _____

Was line locating contractor on the job? Yes No ELM

6-15-21
(Date of report)

[Signature]
(Signature of employee)

Approved [Signature]

E028317
(Employee number)

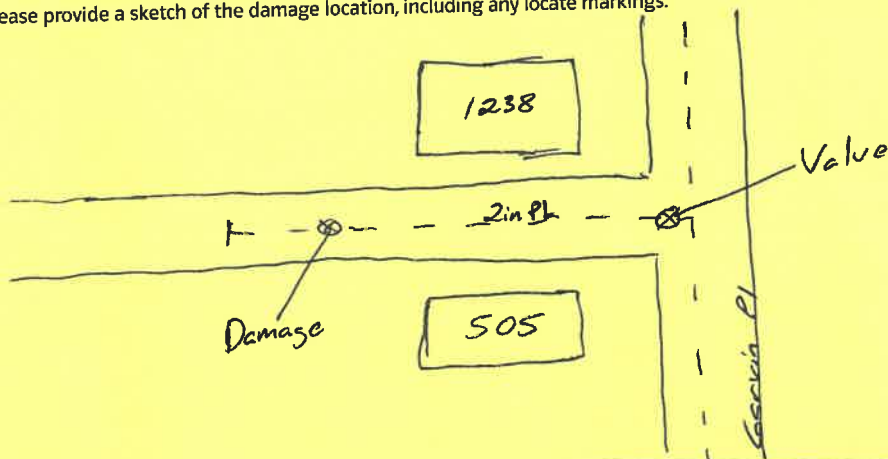
Date 6-16-21

Put any additional comments on back

Comments _____

Crew Personnel	Employee #	ST Hours	OT Hours	DT Hours	Unit #	Equipment
TERRY SMITH	29391	2 hrs			8130	<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
George Kok	E028317	2	4.5			<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
Cheyenne Rouse	E029679	2	4.5			<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
Garth Ledford	E028316	1				<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
Casey Grider	E028761	1	4.5			<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota

Please provide a sketch of the damage location, including any locate markings.



Material Used		IIN#
Qty.	Material	
	ft. Pipe PE 2406: 1/2" IPS	1170051
	ft. Pipe PE 2406: 1" CTS	1170078
/	ft. Pipe PE 2406: 1-1/4" IPS	0434843
	ft. Pipe PE 2406: 2" IPS	0459060
	ft. Pipe PE 2406: 4" IPS	0395160
	ea. 1/2" IPS Permasert coupling	0394943
	ea. 1" CTS Permasert coupling	0394935
/	ea. 2" IPS Electrofusion CPL	0394894
	ea. 4" IPS Electrofusion CPL	0394901
	ea. 1" Prefab Meterloop w/reg.	0532951
	ea. Flex Riser 1" male by 1/2" IPS	0530927
	ea. Flex Riser 1" male by 1" CTS	0530935
	ea. Farm tap (w/o regulator)	ARM WR 5695012
	ea. Farm tap regulator (Fischer 627 with 1/8" diameter orifice)	
1	2" PE Dead End	
1	2x1 Service Tee	
1	1" CTS End Cap	



2021-06-15 12:42:09
38.2336849,-65.7624666







2023-06-15 12:42:30
30.3336186,-85.7626767



2021-06-15 12:42:31
38.2336186,-85.7626767



2021-06-15 12:42:35
38.2336186,-85.7626767



2021-06-15 12:42:42
38.2335816,-85.7625384



2021-06-15 12:42:43
38.2335816,-85.7625384



2021-06-15 12:42:44
38.2335816,-85.7625384



CASE

SALES
EQUIPMENT SOLUTIONS
800-999-9901

DAMAGE





2021-06-15 10:43:55
38.2756604, -85.7621819



2021-06-15 12:43:12
38.2336504,-85.7622879



2021-06-15 12:43:15
38.2336504,-85.7622879



2021-06-15 12:43:17
38.2336136,-85.7625345



2021-06-15 12:43:18
38.2336136,-85.7625345





2021-06-15 12:43:21
38.2336136,-85.7625345



2021-06-15 12:43:23
38.2336136,-85.7625345



ADA
KEEP
MAY





2021-06-15 12:57:36
36.238064,-85.7625646





2021-06-15 13:09:32
38.2336502,-85.7620819



2021-06-15 13:09:42
38.2336548,-85.7619298



2021-06-15 13:09:47
38.2336548,-85.7619298











2021-06-15 13:09:57
38.2336724,-85.7623063



2021-06-15 13:10:01

38.2336724,-85.7623063



2021-06-15 13:10:04
38.2336724,-85.7623063



2021-06-15 13:10:06
36.2336724,-85.7623063



2021-06-15 13:10:11
38.2336724,-85.7623863



2021-06-15 13:10:18

30.2336123,-85.7625264



2021-06-15 13:10:23
38.2336561,-85.7620996



2021-06-15 13:10:31
38.2336369,-85.7619705



2021-06-15 13:10:45
38.2336557,-85.7623374



2021-06-15 13:18:57
38.2336042,-85.7624589







2021-06-15 13:11:23
38.2336211,-85.7621722









2021-06-15 13:11:40
38.2337384,-85.7628125



2021-06-15 13:11:44
38.2335935,-85.7626516



2021-06-15 13:11:58
38.2335043,-85.7625389



2021-06-15 13:11:53
98.2335842,-05.7625389



2021-06-15 13:11:57
38.2335619,-85.7623291



2021-06-15 13:11:58
38.2335619,-85.7623291









2021-06-15 13:13:21
38.2335556,-85.7624456





2021-06-15 13:13:33
38.2335705,-85.7627125



**D
A
M
A
G
E**
↓



2021-06-15 13:13:55
38.2336360,-85.7623783



DAMAGE
↓



2021-06-15 13:14:04
38.2336190,-95.7623703



2021-06-15 13:14:37
38.2336450,-85.7624470



2021-06-15 13:18:28
38.2336798,-85.7623830







2021-06-15 13:28:58
38.2335540,-85.7627187



2021-06-15 13:28:59

38.2336129,-85.7624847



2021-06-15 10:29:42
38.2336129,-95.7624647



2021-06-15 13:29:07
38.2336129,-85.7624847



2021-06-15 13:29:14
34.2336129,-85.7624647



2021-06-15 13:29:16
38.2336129,-85.7624847



2021-06-15 13:29:17
99.2336129,-85.7624847





Invoice
Louisville Gas and Electric Company
 820 West Broadway
 Louisville, KY 40202
 Attn: Remittance and Collection
 800-928-1340

INVOICE DATE: 06/25/2021

REFERENCE CTPD419
 NO.:
 DTS INVOICE 2021061706
 NO.:

AMOUNT DUE: **\$1,623.46**
 DUE DATE: **07/25/2021**

TRINITY SERVICE COMPANY
 PO BOX 125
 MULDRAUGH KY 40155

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT
PLEASE INCLUDE INVOICE NUMBER ON ALL REMITTANCES

COST TO REPAIR: Broken Gas Main
 DAMAGE DATE: 06/15/2021
 DAMAGE LOCATION: 1238 Garvin Pl
 Louisville, KY 40203

LABOR HOURS: 21.00

LABOR COST:	\$1,498.97
MATERIAL COST:	\$20.43
TRANSPORTATION/EQUIPMENT COST:	\$104.06
CONTRACTOR COST:	\$0.00
OTHER DAMAGE COSTS:	\$0.00

TOTAL DUE: \$1,623.46

Tout, Eric V (PSC)

From: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Sent: Thursday, May 19, 2022 10:42 AM
To: Tout, Eric V (PSC)
Subject: RE: 53746 -post locate photo

Sorry. Forgot that part.

Yes, the white dots are post damage locates for the main.

I think this photo is the same stretch looking the other direction. Those are the only angles we have.



Ticket: 2106071602.00 Timestamp: 6/7/2021 2:04:44 PM

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Thursday, May 19, 2022 10:16 AM
To: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Subject: RE: 53746 -post locate photo

EXTERNAL email. STOP and THINK before responding, clicking on links, or opening attachments.

This is good do you have one or two more at a different angles and what do the white dots on the ground represent in the damage photos?

From: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Sent: Thursday, May 19, 2022 10:05 AM
To: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Subject: 53746 -post locate photo

The first is a post locate photo, the second a damage photo you already have. Let me know if you need anything else.





Mike Jones

Group Leader | Gas Regulatory Services | LG&E and KU
6900 Enterprise Drive, Louisville, KY 40214
O: 502-364-8281 | M: 502-817-4834

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APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00253 DATED NOV 22 2022

TWO PAGES TO FOLLOW

Information and Instructions for Hearing

You are required to attend a formal hearing with the Kentucky Public Service Commission. Please note the hearing is scheduled in the **Eastern Time Zone**, and the hearing date and time are on the Order that accompanied these instructions.

You are **strongly encouraged** to download the GoToMeeting app now and be ready for your hearing. If you cannot appear via video using this app, at least ten days prior to your scheduled hearing you must call the Commission's offices at the number provided below. You will receive instructions on appearing in person in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky at the time and date of your scheduled hearing.

Please direct any questions to Andrea Wise, Commission Division of Inspections. andrea.wise@ky.gov or 502-782-2656.

To download the GoToMeeting app go to:

<https://global.gotomeeting.com/install/258846301>

On the day of your hearing using your computer, tablet, or video enabled smartphone. **Access the proceeding at:**

<https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>

More information about using GoToMeeting can be found at:

GoToMeeting - Attendee Quick Start

<https://www.youtube.com/embed/8VaHHVP0FCU?autoplay=1&showinfo=0&controls=0&rel=0>

GoToMeeting - How to Join a Meeting

https://www.youtube.com/embed/Ojl1q_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0

Technical Requirements for Using GoToMeeting

Operating System:

Windows 7 – Windows 10

Mac OS X 10.9 (Mavericks) – mac OS Big Sur (11)

Linux/Ubuntu (Web App only)

Google Chrome OS (Web App only)

iOS 11 – iOS 13

Android OS 5 (Lollipop) – Android 10

Web Browser: (Applies to Web App only)

Google Chrome v72 or newer

Microsoft Edge v77 or newer

Internet Connection:

Computer: 1 Mbps or better (broadband recommended)

Mobile device and Chromebook: 3G or better (WiFi recommended for VoIP)

Software:

GoToMeeting desktop app (JavaScript enabled)

GoToMeeting app from the Apple Store, Google Play Store, or Windows Store

Hardware:

2GB of RAM (minimum), 4GB or more of RAM (recommended)

Webcam device*

Microphone and speakers** (USB headset recommended)

Mobile Device:

iPhone 5 or newer

iPad 3rd gen or newer

Note: * You MUST have a camera on your device or connected to your device to appear at the hearing.

** Most devices have built-in speakers, but you will get better audio quality while connected via VoIP if you use a headset

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00253 DATED NOV 22 2022

TEN PAGES TO FOLLOW

ESTADO DE KENTUCKY
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

TRINITY SERVICE COMPANY)	
)	
_____)	CASO NO.
)	2022-00253
PRESUNTA INFRACCIÓN DE LA LEY DE)	
PREVENCIÓN DE DAÑOS EN INSTALACIONES)	
SUBTERRÁNEAS)	

ORDEN DE INICIACIÓN POR LA PRESUNTA INFRACCIÓN DE TIPO 811 DE LA LEY
DE PREVENCIÓN DE DAÑOS EN INSTALACIONES SUBTERRÁNEAS DE
KENTUCKY

(Se proporciona la traducción al español de este documento como anexo/apéndice.)

Trinity Service Company (Trinity Service Company) ha sido implicado como parte de una investigación ante la Comisión de Servicios Públicos de Kentucky (Comisión) por la presunta infracción de la Ley de Prevención de Daños a Instalaciones Subterráneas de Kentucky (la Ley).¹ Una audiencia sobre este caso tendrá lugar el January 27, 2023.

Conforme a la norma KRS 278.495(2), la Comisión tiene jurisdicción para regular la seguridad de las instalaciones de gas natural en Kentucky y para hacer cumplir las normas federales mínimas de seguridad de las tuberías. En virtud de la Ley, la Comisión tiene autoridad para investigar y evaluar las sanciones civiles por cualquier infracción de la Ley que resulte en daños de excavación a una instalación subterránea utilizada para transportar gas natural o líquidos peligrosos sujetos a las leyes federales de seguridad de tuberías, 49 U.S.C. §. 60101 *et seq.* Toda persona que infrinja cualquier disposición

¹ KRS 367.4901 a KRS 367.4917.

de la Ley está sujeta a la imposición de una sanción civil por un importe de 250 dólares por la primera infracción, no más de 1.000 dólares por la segunda infracción en el plazo de un año, y no más de 3.000 dólares por la tercera infracción y las siguientes. Además, cualquier persona cuya infracción de la ley provoque daños en una instalación subterránea que contenga cualquier material inflamable, tóxico, corrosivo o peligroso, o que provoque la liberación de cualquier material inflamable, tóxico, corrosivo o peligroso, está sujeta a una sanción adicional de hasta 1.000 dólares.

Tras recibir un informe de daños por excavación en su gasoducto subterráneo por parte de un operador, el personal de la Comisión (el Personal) llevó a cabo una investigación y preparó un Informe de Incidentes, cuya copia se adjunta a esta Orden como Apéndice A. En su Informe de Incidentes, el Personal cita a Trinity Service Company por la infracción de la siguiente disposición de la Ley:

KRS 367.4911(8) - El excavador se pondrá en contacto con el centro de notificación de protección para solicitar un volver a marcar con dos (2) días hábiles de antelación al vencimiento de cada período de veintiún (21) días mientras la excavación o la demolición continúe.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que Trinity Service Company violó la Ley de Prevención de Daños a Instalaciones Subterráneas. La Comisión considera, además, que debe llevarse a cabo una investigación formal sobre el incidente de los daños causados por la excavación.

POR LO TANTO SE ORDENA que:

1. Trinity Service Company deberá presentar a la Comisión una respuesta por escrito a las alegaciones contenidas en el Informe de Incidencia del Personal en un plazo de 20 días a partir de la recepción de esta Orden a través de un correo electrónico

enviado a PSCED@ky.gov con el número de caso de este procedimiento en el asunto del mensaje

2. Trinity Service Company comparecerá el January 27, 2023, a las 9 a.m. Eastern Standard Time, en la sala de audiencias Richard Raff de las oficinas de la Comisión en 211 Sower Boulevard en Frankfort, Kentucky, con el fin de presentar pruebas relativas a la supuesta violación de la Ley de Prevención de Daños a Instalaciones Subterráneas.

3. La audiencia January 27, 2023 se llevará a cabo por videoconferencia.

4. Trinity Service Company deberá asistir a la audiencia utilizando el siguiente enlace: <https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>; la información y las instrucciones se adjuntan a esta Orden como Apéndice B.

5. Trinity Service Company notificará a la Comisión, al menos diez días antes de la audiencia, si Trinity Service Company no puede comparecer por videoconferencia y, por lo tanto, comparecerá en persona.

6. Cualquier sociedad, corporación o entidad comercial (incluyendo una sociedad de responsabilidad limitada) debe ser representada por un abogado con licencia para ejercer la abogacía en Kentucky y dicha representación incluye la presentación de documentos y las comparecencias en las audiencias ante la Comisión.

7. Un individuo puede presentar una respuesta a las alegaciones contenidas en el Informe de Incidentes del Personal sin la representación de un abogado.

8. El Informe de Incidentes del Personal 53746, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia January 27, 2023 se grabará únicamente por vídeo.
10. **Tenga en cuenta que las partes que no comparezcan después de la notificación estarán sujetas a que se asiente una sentencia en rebeldía contra ellos.**

COMISIÓN DE SERVICIOS PÚBLICOS

Presidente

Vicepresidente

Comisionada

HACE CONSTAR:

Director/a Ejecutiva

APÉNDICE A

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS
PÚBLICOS DE KENTUCKY EN EL CASO NO. 2022-00253 FECHADO

CIENTO UN PÁGINAS A SEGUIR

APÉNDICE B

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE
KENTUCKY EN EL CASO NO. 2022-00253 FECHADO

DOS PÁGINAS PARA SEGUIR

Información e instrucciones para la audiencia

Se le obliga a asistir a una audiencia formal con la Comisión de Servicios Públicos de Kentucky. Tenga en cuenta que la audiencia está programada en la **huso horario del este**, y que la fecha y la hora de la audiencia figuran en la Orden que acompaña a estas instrucciones.

Se le recomienda encarecidamente que descargue la aplicación GoToMeeting ahora y esté preparado para su audiencia. Si no puede comparecer por vídeo utilizando esta aplicación, debe llamar a las oficinas de la Comisión al número que se indica a continuación al menos diez días antes de la audiencia programada. Recibirá instrucciones para presentarse en persona en la sala de audiencias Richard Raff de las oficinas de la Comisión en el 211 Sower Boulevard en Frankfort, Kentucky, a la hora y fecha de su audiencia programada.

Sírvase dirigir cualquier pregunta a Andrea Wise, División de Inspecciones de la Comisión. Andrea.Wise@ky.gov o 502-782-2656.

Para descargar la aplicación GoToMeeting vaya a:

<https://global.gotomeeting.com/install/258846301>

El día de su audiencia utilizando su computadora, tableta o teléfono inteligente con capacidad de vídeo. **Acceda al procedimiento en:**

<https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>

Puede encontrar más información sobre el uso de GoToMeeting en
GoToMeeting - Inicio rápido del asistente

<https://www.youtube.com/embed/8VaHHVP0FCU?autoplay=1&showinfo=0&controls=0&rel=0>

GoToMeeting - Cómo unirse a una reunión

https://www.youtube.com/embed/Ojl1q_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0

Requisitos técnicos para utilizar GoToMeeting

Sistema operativo:

Windows 7 – Windows 10

Mac OS X 10.9 (Mavericks) – Mac OS Big Sur (11)

Linux/Ubuntu (sólo aplicación web)

Google Chrome OS (sólo aplicación web)

iOS 11 - iOS 13

Android OS 5 (Lollipop) - Android 10

Navegador web: (Sólo se aplica a la aplicación web)

Google Chrome v72 o más reciente

Microsoft Edge v77 o más reciente

Conexión a Internet:

Computadora: 1 Mbps o superior (se recomienda la banda ancha)

Dispositivo móvil y Chromebook: 3G o superior (se recomienda WiFi para VoIP)

Software:

Aplicación de escritorio de GoToMeeting (con JavaScript activado)

La aplicación GoToMeeting de Apple Store, Google Play Store o Windows Store

Hardware:

2 GB de RAM (mínimo), 4 GB o más de RAM (recomendado)

Dispositivo de cámara web*

Micrófono y altavoces** (se recomiendan auriculares USB)

Dispositivo móvil:

iPhone 5 o más reciente

iPad de 3ª generación o más reciente

Nota: * Para comparecer en la audiencia, ES PRECISO tener una cámara en su dispositivo o conectada a él.

** La mayoría de los dispositivos tienen altavoces incorporados, pero obtendrás una mejor calidad de audio mientras estás conectado por VoIP si utilizas unos auriculares.

APÉNDICE C

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE
KENTUCKY EN EL CASO NO. 2022-00253 FECHADO

DIEZ PÁGINAS PARA SEGUIR

*Trinity Service Company c/o Frank Irvin
7410 S Park Pl, Unit 102
Louisville, KENTUCKY 40222

*Trinity Service Company c/o Frank Irvin
PO Box 221194
Louisville, KENTUCKY 40252