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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 02, 2024***2019-00168**

RECEIVED: 07/09/19

FILED: 07/09/19

FINAL: 10/03/19

REOPENED:

SUSPENSION DATE:

CASE NATURE: Prodigy Construction Corporation, Inc. - Alleged Violation of Underground Facility Damage Prevention Act

CASE CODE

Damage Prevention

HEARINGS:

10/25/19 Formal Hearing

08/09/19 Formal Hearing

INDEX OF EVENTS:

10/03/19 Final Order Entered: 1. Prodigy's payment of Staff's proposed penalty and completion of remedial measures required by Staff is accepted and resolves all alleged violations of KRS 367.4901 through 367.4917 as well as any penalty that could be assessed under KRS 367.4917, arising out of the September 12, 2019 incident. 2. Prodigy's payment of Staff's proposed penalty and attendance at Damage Prevention Training is not an admission by Prodigy that it willfully violated any provision of KRS Chapter 367 or any administrative regulation promulgated pursuant thereto. 3. The Commission's investigation of the September 12, 2018 incident is closed and the hearing scheduled for October 25, 2019, is canceled. 4. This case is closed and removed from the Commission's docket.

09/12/19 Notice of Filing Evidence of Attendance

08/22/19 Order Entered: 1. The hearing in this case is hereby continued until Friday, October 25, 2019 at 9:00 o'clock a.m. Eastern Time at the offices of the Public Service Commission located at 211 Sower Boulevard, Frankfort, Kentucky. 2. Prodigy must be represented by an attorney licensed or otherwise authorized to practice law within the Commonwealth of Kentucky. 3. The Public Service Commission has scheduled a damage prevention training course to be held at its offices located at 211 Sower Boulevard, Frankfort, Kentucky on September 9, 2019 beginning at 1:00 o'clock p.m. Prodigy will be deemed to have satisfied the requirements of the previous mitigation offer if an employee attends this training course. Upon proof of attendance this case will be dismissed, otherwise an evidentiary hearing will be held on October 25 and Prodigy's potential fine if found to have violated KRS 367.4911(10) shall be one thousand two hundred fifty dollars (\$1,250) less the two hundred fifty dollars (\$250) it has previously paid to the Kentucky State Treasurer.

08/22/19 Notice of Filing Hearing Documents

08/09/19 Notice of Filing

07/09/19 Order Entered: 1. Prodigy Construction Corporation, Inc. shall submit to the Commission a written response to the allegations contained in the Staff Incident Report within 20 days of the date of this Order. 2. Prodigy Construction Corporation, Inc. shall appear on August 9, 2019, at 9 a.m., Eastern Daylight Time, in Hearing Room 1 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, and showing cause why it should not be subject to the penalties prescribed in KRS 367.4917(1) and (4) for this alleged violation. 3. The August 9, 2019 hearing shall be recorded by videotape only. 4. A person shall not file a paper or appear at a hearing on behalf of, or otherwise represent, a partnership, corporation, business entity or other person unless the person is an attorney licensed to practice law in Kentucky. 5. The Staff Incident Report in the Appendix to this Order is made a part of the record in this case.

Total Number of Cases: 1