

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOLID ROCK EXCAVATING)	
)	
_____)	CASE NO.
)	2023-00061
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 C.)

Solid Rock Excavating 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 April 28, 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 Solid Rock Excavating for violation of the following provision 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.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Solid Rock Excavating 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. Solid Rock Excavating 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. Solid Rock Excavating shall appear on April 28, 2023, at 9 a.m. Eastern Daylight 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 April 28, 2023 hearing shall be conducted via video conferencing.

4. Solid Rock Excavating 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. Solid Rock Excavating shall notify the Commission at least ten days prior to the hearing if Solid Rock Excavating 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 53966, attached to this Order as Appendix A, is made a part of the record in this case.

9. The April 28, 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. 2023-00061 DATED MAR 08 2023

SEVENTEEN PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 53966 **Investigation** 9142
Incident Date 8/9/2021 12:20:00 PM **Report Submitted** 8/31/2021

Operator Information

Operator Duke Energy Kentucky, Inc. **Reported By** Ronya Nabors
Phone (704) 576-8155 **Email** ronya.nabors@duke-energy.com

Incident Location 917 Riesling Ct **Locate Ticket Number** NONE
 Walton KY 41094
 917 Riesling Ct
County Boone

Excavator Information

Excavator The Drees Company **Organization ID** 0052544
Phone 859-384-1191 **Email**
Address 211 Grandview Dr Ste 130 **Locate Ticket Number** NONE
 Ft Mitchell KY 41017

Damage Report (DR) Summary

Excavation Within 18" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
No call-KY Contact Center (811)	Yes	Yes	Not specified	\$0.00	\$0.00

The Operator reports that no parties were on site and a one-inch pressure stem at the end of the main was damaged.

The DR is included as Attachment 1.

INVESTIGATION

On 10/13/22, Tyler Nesheim of One Call Concepts conducted a search from 07/19/21 thru 08/10/21 finding no Locate Tickets (LT) for The Drees Company and incident location.

Mr. Nesheim's email is included as Attachment 2.

On 10/18/22 the Operator, Duke's Tyler Shelton, stated that Solid Rock Excavating damaged Dukes facility while subcontracting for The Drees Company and Mr. Shelton provided the following documents:

- Damage Investigation Findings: Outlined in the DR Summary and Attachment 1. The report indicates Solid Rock Excavating (web # 859-393-5869) caused the damage with a min-excavator while subcontracting for The Drees Company.
- Invoice: Indicating the Operator billed Solid Rock Excavating \$1,404.31 for the damage repair. Mr. Shelton stated that Solid Rock Excavating paid the Invoice in full.

Duke's documents are included as Attachment 3.

On 11/01, 14 & 15/22 an attempt to contact the Excavator at 859-393-5869 resulted in a message stating this is Mike of Solid Rock Excavating wherein voice message was left.

On 11/02/22 Staff conducted a search, via <https://kentucky811.org/>, for all LTs for the incident location obtained by Solid Rock Excavating and found none.

PIPELINE DAMAGE INVESTIGATION REPORT

Due to the inability to make contact with a representative of Solid Rock Excavating a Demand Letter imposing the reduced penalty of \$250.00 and requiring the attendance to the Damage Prevention Course will be mailed.

VIOLATIONS¹

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.

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	08/09/21	08/10/22

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

Duke Energy Kentucky, Inc.

Submitted 8/31/2021 Incident ID: 53966

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=53966\)](#)

Reported By:

Name: Ronya Nabors
Phone: (704) 576-8155
Email: ronya.nabors@duke-energy.com

Gas Line Incident Occured:

Date: 8/9/2021
Time: 12:20 PM

Details:

Reported Date: 8/31/2021 10:27 AM

Incident Location Address:

Location: 917 Riesling Ct
Address: 917 Riesling Ct
City: Walton
State: KY
County: Boone
Zip: 41094
Confirm Code: Y

Number of Customers out: 1

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.: NONE

Excavator: Contractor

Excavator Address:

First Name:

Last Name:

Organization ID:

Company: Drees

Phone: 859-384-1191

Email:

Address: 211 Grandview Dr Ste 130

City: Ft Mitchell

State: KY

Zip: 41017

Confirm Code: S

Excavation Damage: No notification made to the One Call Center

Description of Incident No One Call ticket

Summary Information

8/31/2021

Full details such as the cause

Arrived on site and encountered what appeared to be a recently exposed UG gas service that had cap on the end near a shut off valve next to address marker plaque. Also located nearby was another shut off valve. No parties on site. Made contact with Roy Nickel USIC supervisor who stated he could not find any locate tickets for excavation in that area. Lots were Drees/Ryan Homes.

Extent of the damage
Cost of the damage

This was a 1" pl pressure stem hit at the end of a main.
\$0.00

Steps taken to prevent re-occurrence

Amount billed to excavator \$0.00

Attachment 2

Tout, Eric V (PSC)

From: Tyler Nesheim <tyler@occinc.com>
Sent: Thursday, October 13, 2022 6:01 PM
To: Tout, Eric V (PSC)
Subject: Re: FW: 53966

There is a ticket for that address in the timeframe for AMS Construction and one for Cit of Walton.

Nothing for Drees in that area and date range.

Ty

On 10/13/2022 9:37 AM, Tout, Eric V (PSC) wrote:

Hello Tyler,

As requested see below.

From: Tout, Eric V (PSC)
Sent: Tuesday, October 11, 2022 6:42 AM
To: info@ky811.com
Subject: 53966

Please provide locate ticket(s) for:

Incident Date: 8/9/2021 (Provided the date range for the search 21 days prior & one day after)
Operator: Duke
Incident Location: 917 Riesling Ct., Walton KY 41094
County: Boone
Excavator: Drees

*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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Tyler Nesheim
General Manager
One Call Concepts, Inc.

Office: 573-636-1554
www.occinc.com

Attachment 3

Tout, Eric V (PSC)

From: Shelton, Tyler <Tyler.Shelton@duke-energy.com>
Sent: Tuesday, October 18, 2022 8:58 AM
To: Tout, Eric V (PSC)
Subject: RE: [EXTERNAL] 53966, 8/9/2021, 917 Riesling Ct., Walton, The Drees Company
Attachments: 469437 - Claim Support Package.pdf

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

Hello Eric,

This claim was paid in full by Solid Rock Excavating. They damaged our facility while subcontracting for Drees. I have attached all we have in the claim support package.

Thank you,

Tyler

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Monday, October 17, 2022 11:31 AM
To: Shelton, Tyler <Tyler.Shelton@duke-energy.com>
Subject: [EXTERNAL] 53966, 8/9/2021, 917 Riesling Ct., Walton, The Drees Company

***** CAUTION! EXTERNAL SENDER *** STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

Hello Tyler,

We spoke about this one, Drees vs. Ryan Homes. Can you identify who cause the damage?

*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



Damage Investigation Findings

PRG CLAIM:	DK-469437	
DATE OF OUTAGE:	08/09/2021	12:20 PM
NOTIFICATION:	08/09/2021	01:01 PM
ARRIVAL:	08/09/2021	02:57 PM
LOCATION:	917 Riesling Ct, Walton, KY 41094	
LOCATE TICKET:	NONE	
INVESTIGATOR:	Christopher Hogle	

SUMMARY

On Monday, August 9, 2021, I was notified by Duke Energy about damage at 917 Riesling Ct, Walton, KY 41094. Duke Energy's Underground Facilities were damaged at the above stated location by a Mini Excavator.



STATEMENTS

USIC / Damage Investigation #22320210809051 - "Cause Factor: No Ticket/Locate Request"

Thomas Drees Homes / Property owner / Contractee - "We at Drees Homes contracted Solid Rock Excavating, LLC to perform general excavation tasks as well as move the gravel around the lot. When Solid Rock Excavating, LLC was attempting to move some of the gravel, they scraped their scoop across a gas line that was under the gravel rocks."

DETERMINATION

It has been determined that on August 9th, 2021, Solid Rock Excavating, LLC was performing general excavation for Drees Homes at the above stated location. During the excavation process Solid Rock Excavating, LLC was attempting to relocate gravel rocks from a large pile. In attempt to scoop gravel from the pile Solid Rock Excavating, LLC came into contact with and thus damaged an underground natural gas facility owned by Duke Energy Company. Solid Rock Excavating, LLC failed to request or obtain a locate ticket via USIC 811 One-Call Center at least 48 hours prior to commencing excavation as required by Kentucky KRS 367.4911.

Law(s): **KRS 367.4911**

Excavator or person responsible for excavation to notify operator of work schedule -- Responsibilities of excavator. (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. Excavator or person responsible for excavation to notify operator of work schedule -- Responsibilities of excavator.



ROOT CAUSE

Failure to notify the One Call Center



469437 - Investigator2.jpeg



469437 - Investigator3.jpeg



469437 - Investigator4.jpeg



469437 - Investigator5.jpeg



469437 - Investigator6.jpeg



469437 - Investigator8.jpeg



469437 - Investigator9.jpeg



469437 - Investigator12.jpeg



469437 - Investigator13.jpeg



469437 - Investigator14.jpeg



469437 - Investigator15.jpeg



Property of United States Infrastructure Corporation
Photo created on 08/10/2021 13:15:41 PM EDT

469437 - Locate Damage1.JPG



INVOICE



Please Make Check Payable to: Project Resources Group

Remit to: Project Resources Group, Inc. Attn. Damage Claims 5690 DTC Blvd, Suite 650 E Greenwood Village, CO 80111 Terms: Due Upon Receipt EIN: 84-1576547	Invoice # DK-469437 Date: October 27, 2021 Terms: Due Upon Receipt Conf. Code # Q3JJK Bank: BOK Financial ABA: 5892990000028 Routing: 102000607 Remit Email: accounting@prgconsulting.net
--	--

Responsible for Damages: Solid Rock Excavating, LLC 2906 Fawn Dr Burlington, KY 41005

Date & Address Where Damage Occurred: 8/9/2021 917 Riesling Ct Walton, KY 41094
--

Labor and Materials Costs:			
	Units	Unit Rate	Amount
<i>Internal Labor Costs</i>			
Service Mechanic B	0.90	75.78	\$68.20
Mechanic Operator Iii	3.00	55.98	\$167.94
Mechanic Operator Ii	2.00	67.91	\$135.82
Supervisor	1.00	94.34	\$94.34
Emergency Call Out	1.00	250.00	\$250.00
Srw Utility, Stake, Flat 4X4	0.90	40.10	\$36.09
Utilitytruck / Tandem Axle	3.00	54.30	\$162.90
Damage Investigation/Quality Control			\$281.00
Sub-Total			\$1,196.29
<i>Material Costs</i>			
Coupling;Pipe; 1" Cts; Stab; 125 Lb; Pe; Asti	1.00	22.11	\$22.11
Pipe; 1" Nps X 0.179" Wall Thk; Sgl Randorr	6.00	8.61	\$51.66
Plug;Pipe; 1" Nps; Sq Head; Thd; Brass	1.00	7.08	\$7.08
Tee,Pipe Reducing, 1" Nps X 1" Nps Run, 3/	1.00	83.51	\$83.51
Valve,Ball, 1" Nps, 2-Way, 600 Psig, Reduce	1.00	27.06	\$27.06
Elbow;Pipe; 1" Nps; Bw; 90 Deg; 1.5D Radiu	1.00	16.60	\$16.60
Sub-Total			\$208.02
Invoice Total			\$1,404.31

Please Make Check Payable to: Project Resources Group

For questions regarding this invoice, please contact: Demetrias Copeland, (720) 681-6395 or via email dcopeland@prgconsulting.net

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2023-00061 DATED MAR 08 2023

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. 2023-00061 DATED MAR 08 2023

TEN PAGES TO FOLLOW

ESTADO DE KENTUCKY
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

SOLID ROCK EXCAVATING)	
)	
_____)	CASO NO.
)	2023-00061
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

Solid Rock Excavating (Solid Rock Excavating) 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 April 28, 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 de la Ley está sujeta a la imposición de una sanción civil por un importe de 250 dólares

¹ KRS 367.4901 a KRS 367.4917.

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 Solid Rock Excavating por la infracción de la siguiente disposición de la Ley:

KRS 367.4911(1)(a) Cada excavador, o persona responsable de una excavación, que planifique un trabajo de excavación o demolición deberá notificar a cada operador afectado sobre el trabajo previsto del excavador y el cronograma de trabajo no menos de dos (2) días hábiles completos ni más de diez (10) días hábiles completos antes de comenzar el trabajo. Hacer contacto con los centros de notificación de protección aplicables satisfará este requisito.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que Solid Rock Excavating 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. Solid Rock Excavating 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. Solid Rock Excavating comparecerá el April 28, 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 April 28, 2023 se llevará a cabo por videoconferencia.

4. Solid Rock Excavating 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. Solid Rock Excavating notificará a la Comisión, al menos diez días antes de la audiencia, si Solid Rock Excavating 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 53966, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia April 28, 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

Comisionado/a

HACE CONSTAR:

Director/a Ejecutivo/a

APÉNDICE A

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS
PÚBLICOS DE KENTUCKY EN EL CASO NO. 2023-00061 FECHADO

DIECISIETE PÁGINAS A SEGUIR

APÉNDICE B

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE
KENTUCKY EN EL CASO No. 2023-00061 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 estés 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. 2023-00061 FECHADO

DIEZ PÁGINAS PARA SEGUIR

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Ft. Mitchell, KENTUCKY 41017

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Burlington, KENTUCKY 41005