

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BLACK STONE PAVING, LLC DBA RIVERSIDE)	
RENTALS AND ROCK)	
_____)	CASE NO.
)	2023-00172
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

ORDER

A hearing was scheduled before the Kentucky Public Service Commission (Commission) on October 27, 2023, at its offices at 211 Sower Boulevard, Frankfort, Kentucky, concerning the allegation that Black Stone Paving, LLC DBA Riverside Rentals and Rock (Black Stone Paving) violated KRS 367.4911(1)(a) when, on September 9, 2021, at approximately 12:56 PM at 2504 Indian Run Road, Flatwoods KY 41139, they conducted excavation activities within the approximate location of an underground facility without first contacting the Protection Notification Center (811) and thereby caused damage to a 1" gas service owned and operated by Columbia Gas of Kentucky, Inc. (Columbia Gas) to serve the public.

According to the Damage Report submitted to the Commission by Columbia Gas, which is encompassed in the Final Investigative Report compiled by the Commission's Division of Inspections, Black Stone Paving was stated to be in violation of KRS 367.4911(1)(a) and subject to a civil penalty for this violation by operation of KRS 367.4917(1) and KRS 367.4917(4). Black Stone Paving did not appear at the hearing.

Upon Commission Staff's motion for default judgment herein against the Black Stone Paving, and that it appears that the Black Stone Paving was duly served with the Initiating Order and Final Investigative Report on August 21, 2023, and made no Answer nor filed any responsive pleading herein, and is thereby in default, and the Commission being otherwise sufficiently advised;


IT IS HEREBY ORDERED that:

1. Black Stone Paving is assessed a civil penalty in the amount of \$1,250 for violation of KRS 367.4911(1)(a) and KRS 367.4917(4).
2. Black Stone Paving shall pay \$1,250 within 30 days of this Order by cashier's check or money order payable to the Kentucky State Treasurer and mailed or delivered to the office of the Kentucky Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky 40602.
3. The Commission's investigation of Damage Incident 54018 is hereby closed and this case is removed from the Commission's docket.

THIS IS A FINAL AND APPEALABLE ORDER OF THE PUBLIC SERVICE COMMISSION.

An application for a rehearing may be filed with the Commission within 20 days after service of this Order as provided by KRS 278.400. Any appeal of this Order must be filed with the Franklin Circuit Court within 30 days after service of this Order or within 20 days after an application for rehearing has been denied by failure of the Commission to act or, within 20 days after service of the final Order, as set out in KRS 278.410.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
DEC 04 2023
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Black Stone Paving, LLC dba Riverside Rentals
200 Bellefonte Cir
Ashland, KENTUCKY 41101