

To: **The Commonwealth Of Kentucky**
Public Service Commission
Attention: J.E.B. Pinney, Thomas M. Dorman

03/04/2004

RE: **Case No. 2004-00054**

Robert Keith Campbell
(Complainant)

-V-

RECEIVED
MAR 0 8 2004
PUBLIC SERVICE
COMMISSION

Fleming Mason Energy Cooperative, Elizaville Road, PO Box 328, Flemingsburg, Kentucky 41041
(Defendant)

Response to Fleming Mason Energy Cooperative's attempt to satisfy.

I have enclosed color pictures from the initial complaint for Fleming Mason's benefit. I did not receive copies of the color pictures taken on February 20, 2004 as stated in Fleming Mason's attempt to satisfy letter, item #3. I would like to see the pictures.

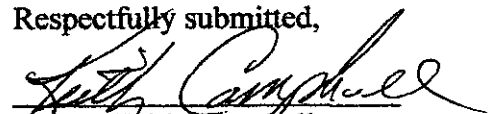
I want to make it clear, I never made an agreement oral or otherwise, allowing Fleming Mason to leave the trees and debris on my property.

I have enclosed pictures of the damage and horrendous mess left on my property. These pictures were taken on Sunday, February 29, 2004. Attached with the pictures are my responses to Fleming Mason's answer and attempt to satisfy letter. I have responded to each one of Fleming Mason's statements in the same numerical order as stated.

Statements are enclosed from an email to the Public service Commission dated 03/04/2004, 03:53 PM To respond and give just cause for the continuance of this complaint. I strongly disagree with Fleming Mason assertion that my property was left in as good or better condition.

I have mailed Fleming Mason Energy Cooperative Inc. Elizaville Road, P.O. Box 328, Flemingsburg, Kentucky 41041, original including color pictures of all information contained within this correspondence. I have hand delivered an original and ten copies of same information to the Public Service Commission, 211 Sower Boulevard, Frankfort, KY 40601.

Respectfully submitted,


Robert Keith Campbell
Cell 859-221-6674
Office 859-288-0243
Home 859-289-0902

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Keith Campbell

03/04/2004 03:53 PM

To: susan.dunn@ky.gov

cc: Keith Campbell/CKY/Enterprise@NiSource

Subject: Case No. 2004-00054

Susan,

I have received a letter from Fleming Mason's attorney responding to the complaint. I'll address them in the same numerical order as listed in the letter.

1. Someone has removed the tree limbs that were hanging in the tree tops. The fences that were smashed to the ground have been pulled back up in an attempt to repair them. I'm not satisfied.

2. With the large size and amount of trees and debris pushed up to the side of the right of way I can not utilize my property in the same manner that I did before the cutting of the trees. I'm not able to drive my ATVs, hike, horse back ride or hunt through these areas. When I took the pictures attached to this note I had to carry my son, he was not able to cross over the debris. I purchased this property less than two years ago to utilize as a working farm and recreational reasons for my family. I worked very hard cleaning up the mess that had been left in the right of ways for years before I owned the property. The statement is made in the letter that I orally agreed to allowing the logs to be left on the side of the right of way and chip the brush, I never made this agreement. I have been ask to sign papers by the contractor of Fleming Mason, I can not understand why I should be required to sign any paper allowing Fleming Mason or their contractor to leave my property in a condition less than they found it. I have refused.

3. I was able to hike, ride ATVs, horse back ride, hunt and walk with my children through these areas before Fleming Mason cut the trees on my property, I cannot today. Fleming Mason asserts that the right of way is in as good or better condition. Opinions are subject to the effect of the situation and this situation I'm sure has not impacted anyone at Fleming Mason I'm the one living with the mess and the lose of the use of my property.

4. I will agree to allow Fleming Mason to remove all of the debris they have cut and left on my property. I cleaned up the mess they left from years ago I want my property returned to the same condition they found it.

I have attached pictures of the right of way, Sugar Creek, my driveway and the trash left on my property. I have stopped burning the limbs and debris that continues to collect on my driveway, I'm piling it up for Fleming Mason to remove when they decide to operate compliantly. I have attached pictures of the debris I removed from my drive and the creek in front of my house after the last rain.

Fleming Mason failed to address the trees, limbs and debris left in Sugar Creek and on the highway property where mowing will begin within the next few months.

Debris I have been forced to clean out of Sugar Creek that runs across the front of my property and debris that collects on my East driveway:



MVC-001S.JPG MVC-002S.JPG MVC-003S.JPG MVC-032S.JPG MVC-022S.JPG

Right of way:



MVC-004S.JPG MVC-007S.JPG MVC-015S.JPG MVC-016S.JPG MVC-017S.JPG MVC-018S.JPG

Trash left on my property from Fleming Mason / contractor:

    
MVC-022S.JPG MVC-005S.JPG MVC-006S.JPG MVC-010S.JPG MVC-014S.JPG

Fence damage:


MVC-019S.JPG










One of my fields not in the right of way:

 
MVC-013S.JPG MVC-021S.JPG

Next to my house:

   
MVC-028S.JPG MVC-029S.JPG MVC-030S.JPG MVC-031S.JPG

Sugar Creek being used as a dump site for debris:

     
MVC-023S.JPG MVC-024S.JPG MVC-025S.JPG MVC-026S.JPG MVC-027S.JPG MVC-008S.JPG
  
MVC-009S.JPG MVC-012S.JPG MVC-032S.JPG

Please let me know if I need to provide any further information to help expedite closure to this situation. The debris collecting in Sugar Creek and on my driveway is more than I can keep up with. I NEED HELP, should we involve other authorities in this matter such as the department of High-Ways for the debris left on the areas they will be attempting to mow and the State Core of Engineers for the Sugar Creek water way?

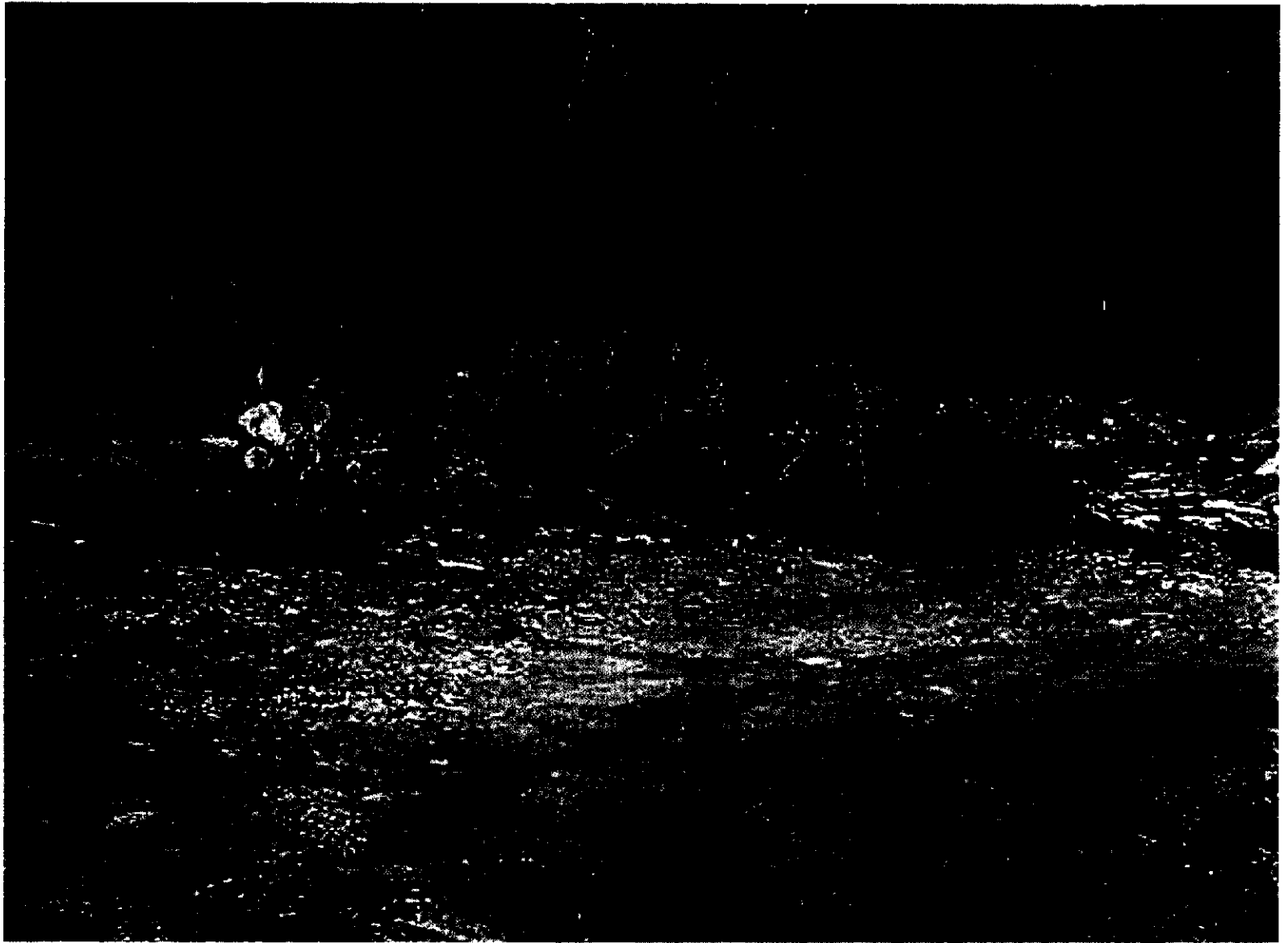
I'm confident after the rain we have had today I'll be cleaning up more of Fleming Mason's mess from my drive and creek tonight.

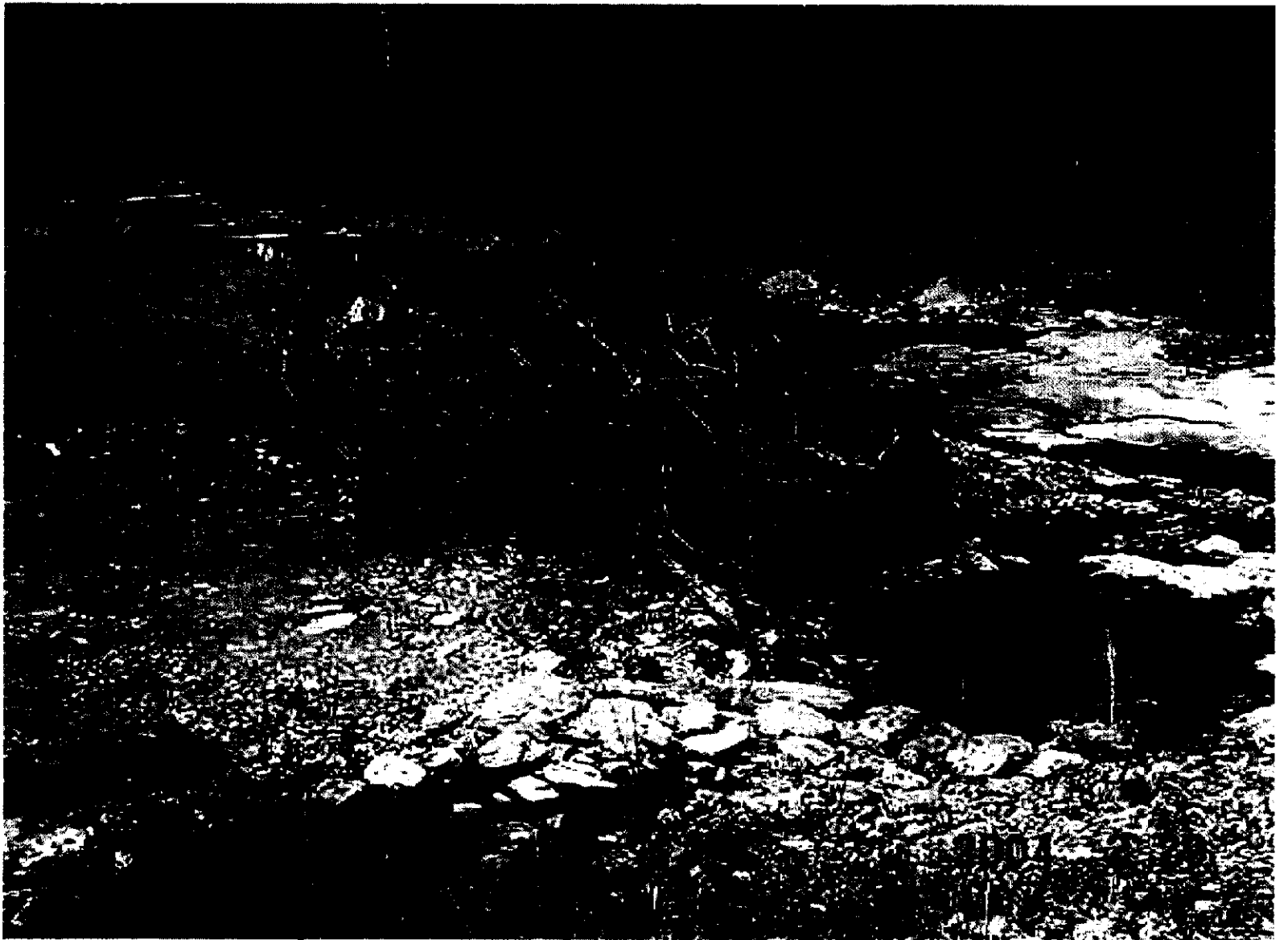
Thanks for your assistance with this situation.

Keith Campbell
Cell (859)221-6674
Home (859)289-0902

Debris I have been forced to clean up out of
Sugar Creek that runs across the front of my
property. Debris that collects on my East driveway.

5 pictures.











Right of way

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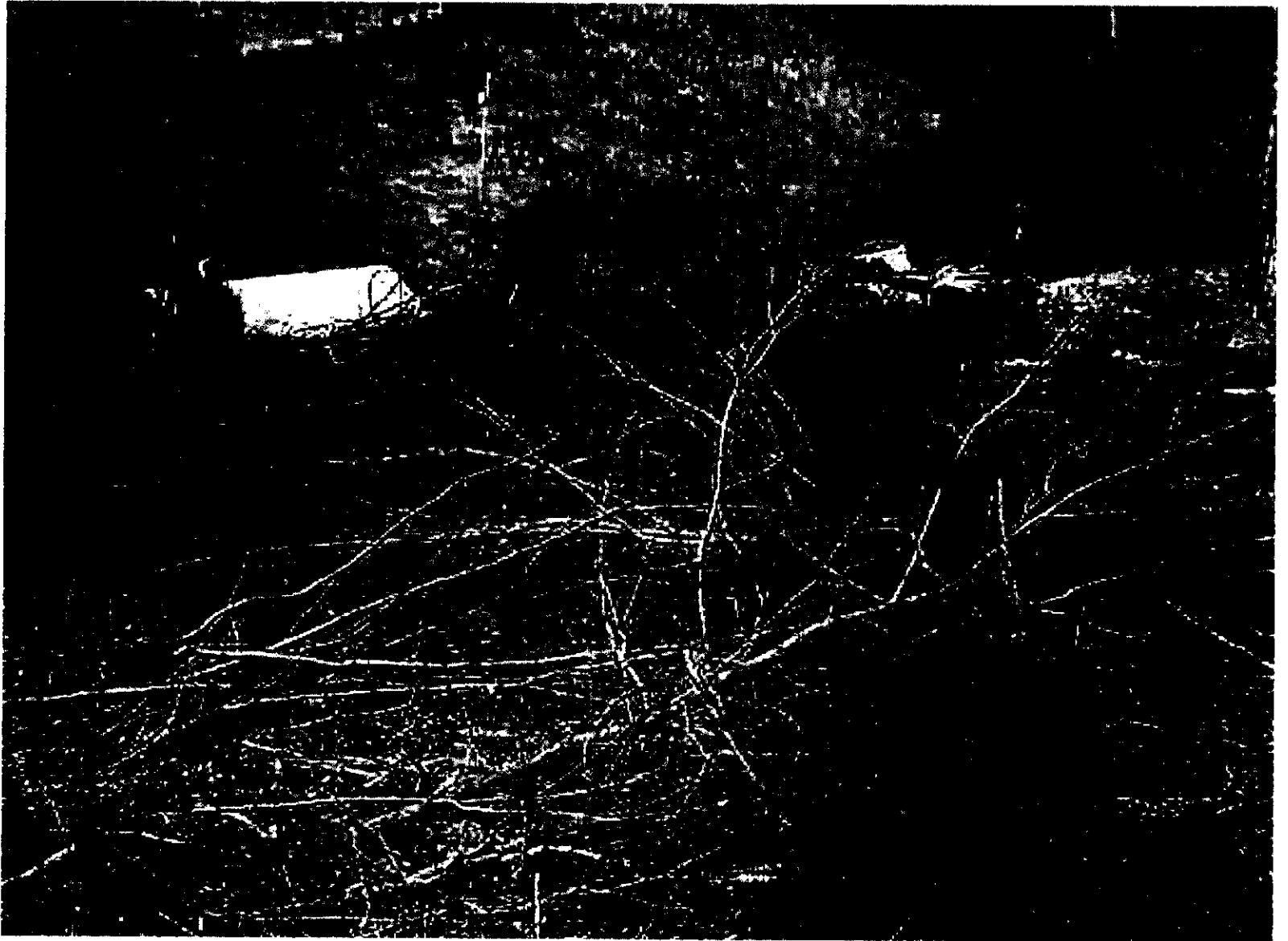








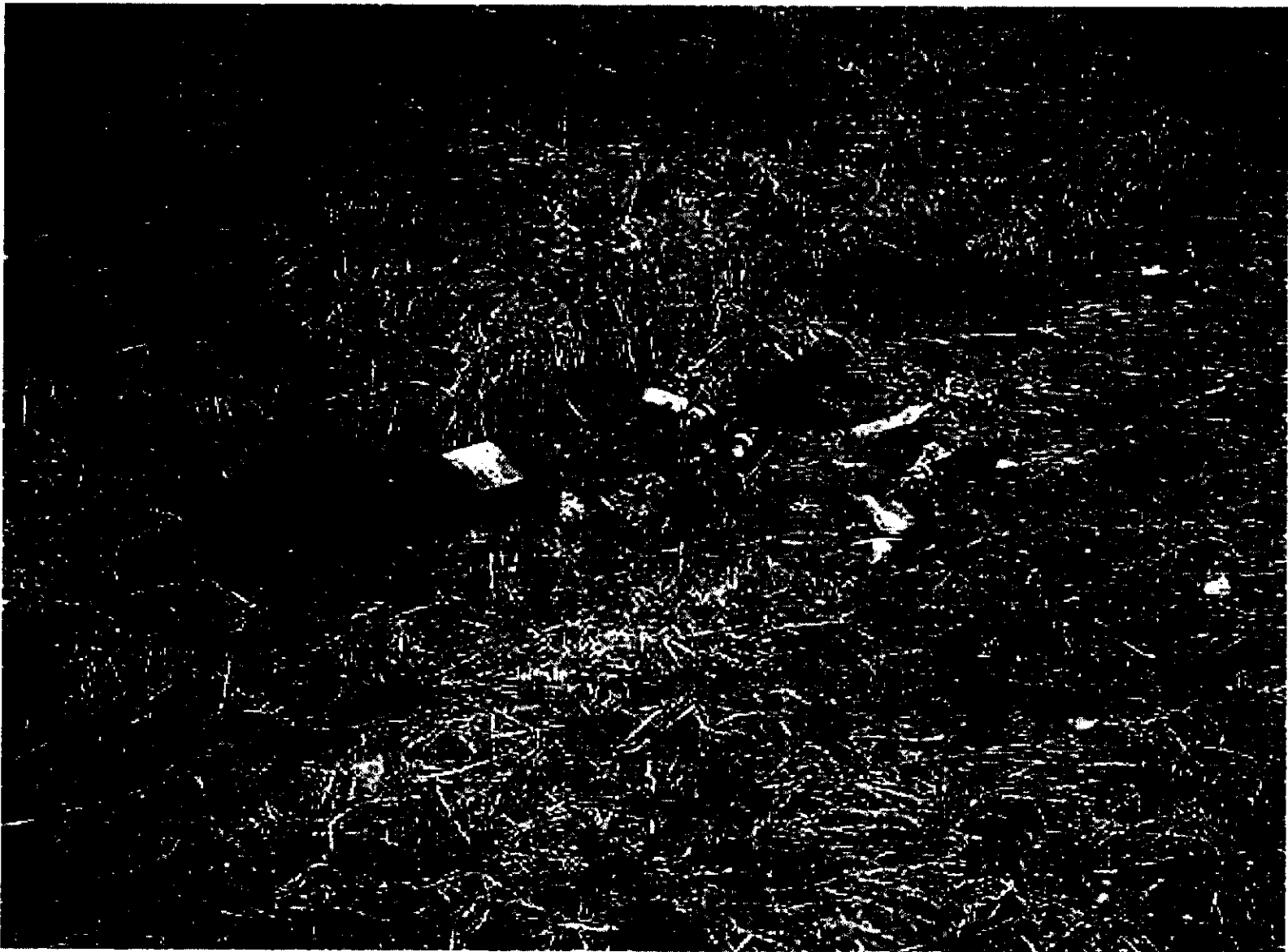




Trash Left on my property from Fleming
Mason / Contractor.

5 pictures











Fence damage

1 part



One of my fields not in the right of way

2 pictures





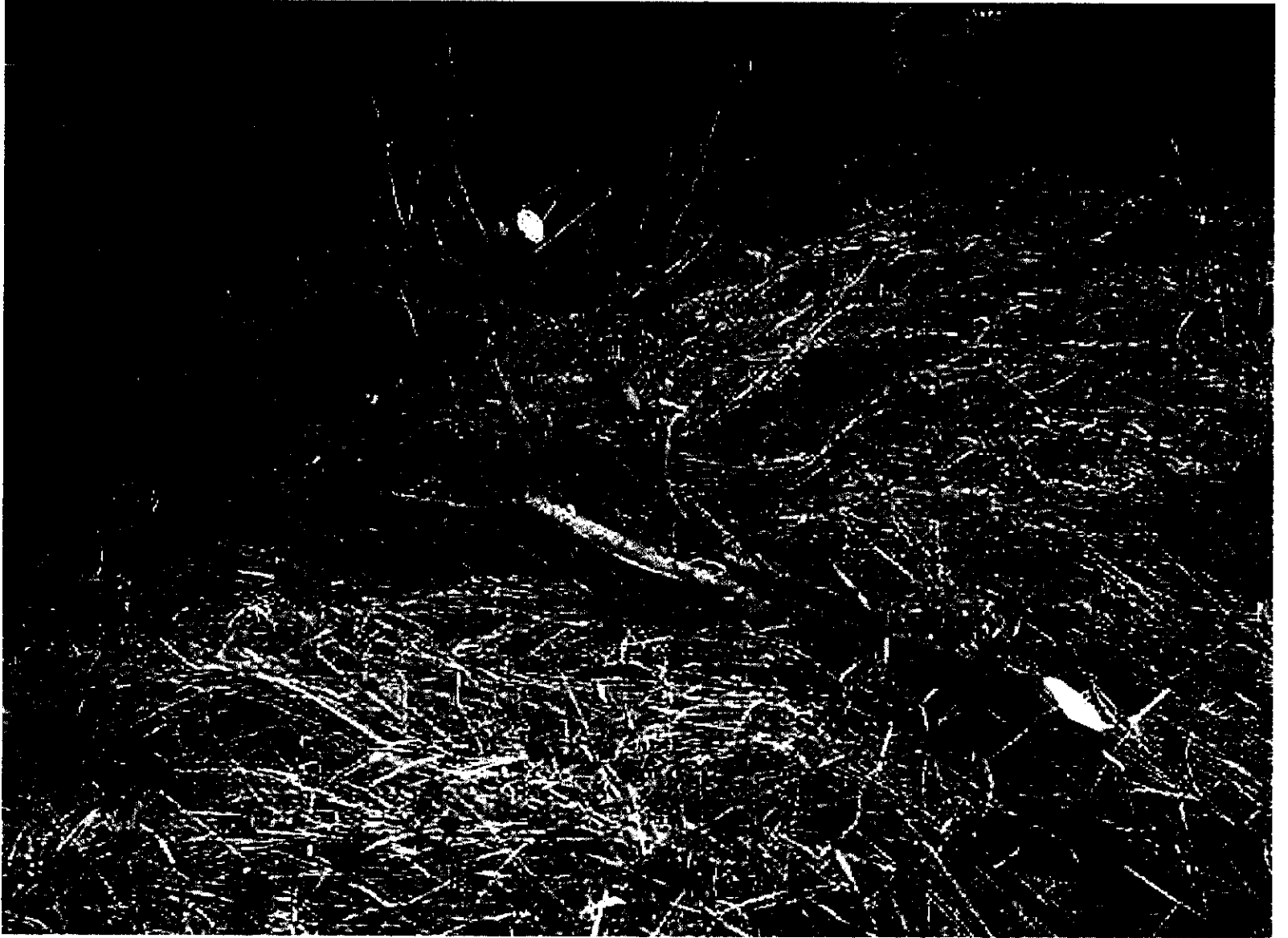
Next to my house

A Pictures









Sugar Creek being used as a dump site
for debris.

9 pictures.

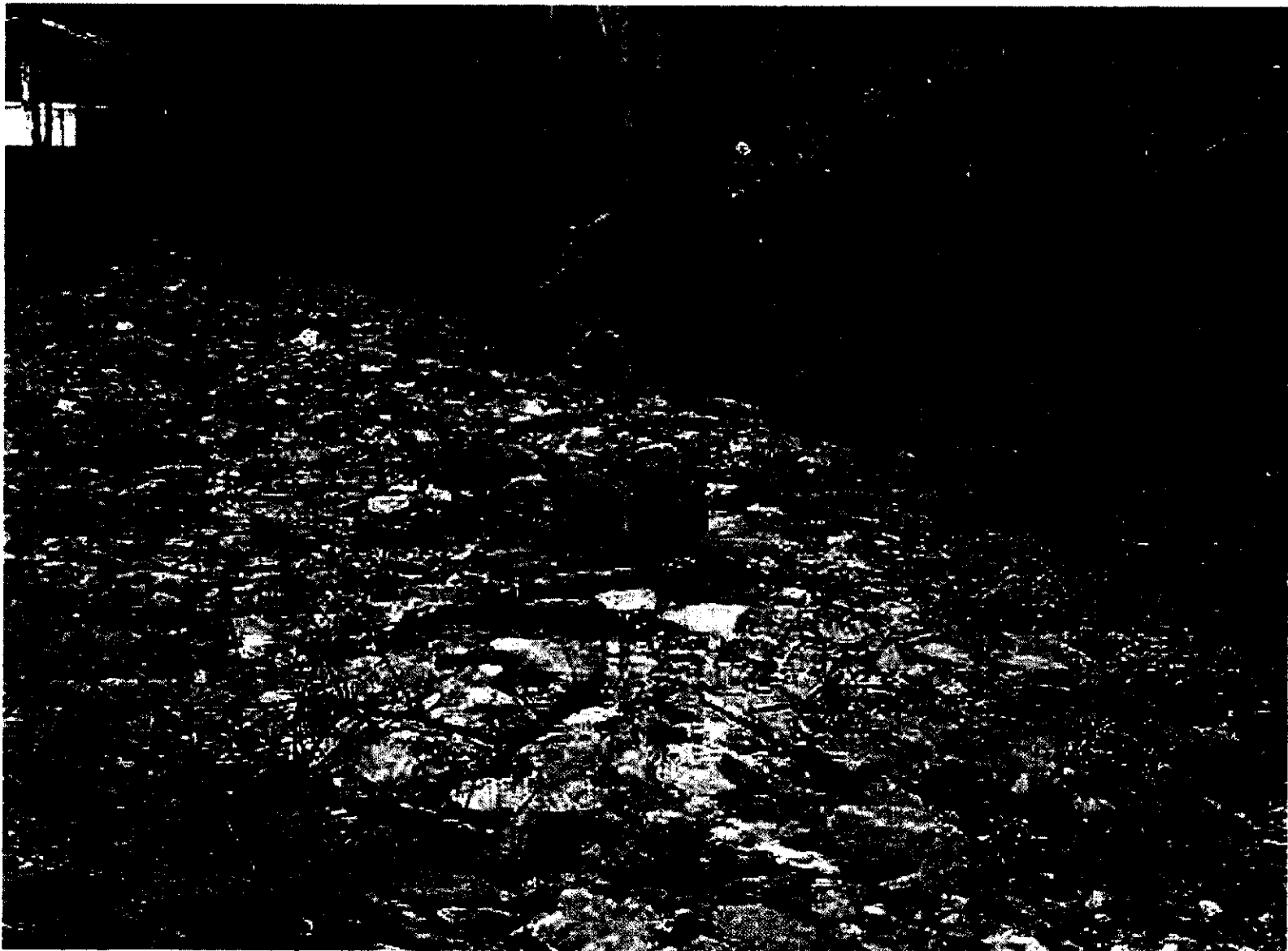


















Colon Pictures from the initial complaint.
PSC, Mr. Seb Pinney, Attorney. copy,













