

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALLAN CRAIG	)	
_____	)	
ALLEGED VIOLATION OF UNDERGROUND	)	CASE NO.
FACILITY DAMAGE PREVENTION ACT	)	2021-00036
	)	
	)	

NOTICE OF FILING

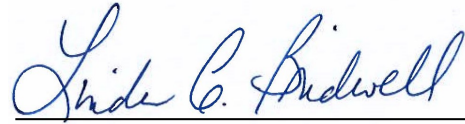
Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on April 23, 2021 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- All exhibits introduced at the evidentiary hearing conducted on April 23, 2021 in this proceeding;
- A written log listing, inter alia, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on April 23, 2021.

A copy of this Notice, the certification of the digital video record, and hearing log have been served upon all persons listed at the end of this Notice. Parties desiring to view the digital video recording of the hearing may do so at <https://youtu.be/Pg4CSqbu52A>.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to [pscfilings@ky.gov](mailto:pscfilings@ky.gov). A minimal fee will be assessed for a copy of this recording.

Done at Frankfort, Kentucky, this 6<sup>th</sup> day of May 2021.

A handwritten signature in blue ink that reads "Linda C. Bridwell". The signature is written in a cursive style with a large initial 'L' and 'B'.

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Linda C. Bridwell  
Executive Director  
Public Service Commission of Kentucky

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

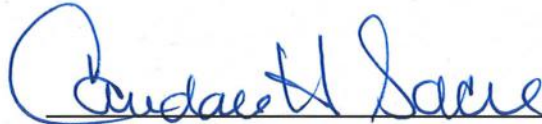
ALLAN CRAIG –	)	CASE NO.
ALLEGED VIOLATION OF UNDERGROUND	)	2021-00036
FACILITY DAMAGE PREVENTION ACT	)	


CERTIFICATION

I, Candace H. Sacre, hereby certify that:

1. The attached flash drive contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on April 23, 2021. The Formal Hearing Log, Exhibit List, and Exhibits are included with the recording on April 23, 2021;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of April 23, 2021; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of April 23, 2021, and the time at which each occurred.

Signed this 25<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Candace H. Sacre  
Administrative Specialist III

  
\_\_\_\_\_  
Stephanie Schweighardt  
Notary Public State at Large  
Commission Expires: January 14, 2023  
ID#: 614400



# Session Report - Detail

2021-00036 23Apr2021

Allan Craig

Date:	Type:	Location:	Department:
4/23/2021	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: Eric Tout  
 Judge: Kent Chandler; Talina Mathews; Michael Schmitt  
 Clerk: Candace Sacre

Event Time	Log Event
10:55:28 AM	Session Started
10:55:38 AM	Chairman Schmitt Note: Sacre, Candace
	Back on record, Next case, Case No. 2021-00036, Allan Craig, alleged violation of underground facility damage prevention act, specifically, KRS 367.4911(1)(a), reading. (Click on link for further comments.)
10:56:35 AM	Chairman Schmitt Note: Sacre, Candace
	At this time, Mr. Craig present or anyone on behalf of Mr. Craig?
10:56:48 AM	Chairman Schmitt Note: Sacre, Candace
	Not present, no one here on behalf.
10:56:52 AM	Chairman Schmitt Note: Sacre, Candace
	Counsel for DOI identify herself and witness.
10:57:03 AM	Staff Atty Frederick PSC Note: Sacre, Candace
	Tina Frederick, witness Eric Tout.
10:57:10 AM	Chairman Schmitt Note: Sacre, Candace
	Confirm Allan Craig duly served?
10:57:25 AM	Staff Atty Frederick PSC Note: Sacre, Candace
	Served and evidence filed.
10:57:30 AM	Chairman Schmitt Note: Sacre, Candace
	Witness is sworn.
10:57:40 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Direct Examination. Name?
10:57:44 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Where employed?
10:57:47 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Job duties?
10:57:53 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Familiar with damage to natural gas facility on June 11 2019 at 506 West Martin Road, Campbellsville, Kentucky?
10:58:10 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Investigate?
10:58:12 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Investigation Report 31661, eight-page document, verify true copy of report?
10:58:47 AM	Staff Atty Frederick PSC - witness Tout Note: Sacre, Candace
	Describe content of report?
10:59:28 AM	Staff Atty Frederick PSC Note: Sacre, Candace
	Previously filed, marked as DOI Exhibit 1.
10:59:34 AM	Chairman Schmitt Note: Sacre, Candace
	Sustained.
10:59:35 AM	DIVISION OF INSPECTION EXHIBIT 1 Note: Sacre, Candace
	INVESTIGATION REPORT 31661

	Note: Sacre, Candace	STAFF ATTY FREDERICK PSC - WITNESS TOUT
10:59:36 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Describe investigation?
11:00:01 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	First incident involving Craig?
11:00:11 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Facility contain natural gas?
11:00:22 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Craig homeowner or contractor?
11:00:45 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Not his home?
11:00:50 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Question homeowner?
11:00:57 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Why not cite homeowner?
11:01:12 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Speak to Craig?
11:01:18 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Content of conversation?
11:01:34 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Demand letter issued?
11:01:39 AM	Staff Atty Frederick PSC - witness	Tout
	Note: Sacre, Candace	Result?
11:01:46 AM	Staff Atty Frederick PSC	
	Note: Sacre, Candace	No further.
11:01:53 AM	Chairman Schmitt	
	Note: Sacre, Candace	No questions.
11:01:56 AM	Chairman Schmitt	
	Note: Sacre, Candace	Witness excused.
11:01:58 AM	Chairman Schmitt	
	Note: Sacre, Candace	Ask one more time, Craig present?
11:02:09 AM	Chairman Schmitt	
	Note: Sacre, Candace	Craig not present, order entered fining Craig \$1,250.
11:02:21 AM	Chairman Schmitt	
	Note: Sacre, Candace	Hearing adjourned.
11:02:31 AM	Session Ended	



## Exhibit List Report

2021-00036 23Apr2021

Allan Craig

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**Name:**

**Description:**

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Division of Inspections Exhibit 1      Investigative Report 31661

# PIPELINE DAMAGE INVESTIGATION REPORT

## Investigation Information

<b>KY PSC Investigator(s)</b> Eric V. Tout	<b>Incident ID</b> 31661
<b>Incident Date</b> 6/11/2019 10:30:00 AM	<b>Report Submitted</b> 6/11/2019 3:07:10 PM

## OPERATOR INFORMATION

<b>Operator</b> Atmos Energy Corporation <b>Phone</b> (270) 779-4849 <b>Incident Location</b> 560 W Martin Rd, Campbellsville 560 W Martin Rd Campbellsville, KY 42718  Taylor	<b>Reported By</b> Anthony Stallins <b>Email</b> anthony.stallins@atmosenergy. <b>Locate Ticket Number</b> N/A
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## EXCAVATOR INFORMATION

<b>Name of Excavator</b> Craig, Allan <b>Phone</b> 859-551-9316 <b>Excavator Address</b> Allan Craig 48 Lakeway Ave Campbellsville, KY 42718	<b>Organization ID</b> <b>Email</b> N/A <b>Locate Ticket Number</b>
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## INCIDENT

The Operator reports that the Excavator damaged a 3/4" service line with a backhoe while installing gutter drains and failed to contact the Protection Notification Center (811).

**The Damage Report is include as Attachment 1.**

<b>Excavation Summary</b>			
<b>Excavation Within 18"</b> (Approximate Location)	<b>Type Of Equipment Used</b>	<b>Cost of Damage</b> (Per Operator)	<b>Amount Billed</b> (Excavator)
No locate ticket	Mechanized / Backhoe	\$307.00	\$307.00

## INVESTIGATION

On January 22, 24 & 27, 2019 an attempt to contact the Excavator, Allen Craig (859-551-9316) resulted in no answer with no voice mail.

On January 28, 29 & 30, 2019 an attempt to contact Mr. Craig at 859-551-9316 resulted in a message stating that the number dialed has calling restrictions preventing the completion of your call.

On 02/03/20 an attempt to contact the Mr. Craig (859-551-9316) resulted in no answer with no voice mail.

According to the Taylor Co. PVA web site the listed owner of the property where this incident occurred is Ben Lewis & Laura Jo Drake and Facebook lists Mr. Craig as a heavy equipment operator with Strike Pipeline.  
**PVA & Facebook are include as Attachment 2.**

Accurant provided no current telephone numbers for Mr. Craig and the following telephone numbers were obtain for the Drakes, Mr. Drake 502-649-4805, 502-680-2867, Ms. Drake 812-498-1833.

On 02/03/20 contact was made with Mr. Drake (502-649-4805). Mr. Drake stated that Mr. Craig is a family member, Mr. Craig excavates for a living and Mr. Craig was finishing up gutter work at Mr. Drake's residence to make extra money. Mr. Drake stated that he was not at home when the damage occurred. Mr. Drake stated that Mr. Craig was previously employed with Strike Pipeline, Mr. Drake could not say who Mr. Craig's current employer is, but thought the company was out of Virginia. Mr. Drake provide Mr. Craig's telephone number 270-465-1834.

On 02/03/19 Mr. Craig stated that no 811 ticket was obtained, he was doing the work for his cousin and he hit the line with the backhoe bucket. Mr. Craig was receptive to attending the Damage Prevention Course and paying the

\$250.00 penalty. Mr. Craig requested that the Demand letter be emailed to [allancraig5.91@gmail.com](mailto:allancraig5.91@gmail.com).

**VIOLATION**

**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.

<b># of Previous Offences</b>		
<b>Excavator</b>	<b>Date of Last Offence</b> (Incident Date)	<b>Previous Case #</b>
1 <sup>st</sup>	N/A	N/A



# Attachment 1

# Gas Excavation Damage Report

## Atmos Energy Corporation

Submitted 7/2/2019 Incident ID: 31661

[Set back to Edit](#) | [Staff Edit](#)[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=31661\)](#)

### Reported By:

**Name:** Anthony Stallins  
**Phone:** (270) 779-4849  
**Email:** anthony.stallins@atmosenergy.com

### Gas Line Incident Occured:

**Date:** 6/11/2019  
**Time:** 10:30 AM

### Details:

**Reported Date:** 6/11/2019 3:07 PM

### Incident Location Address:

**Location:** 560 W Martin Rd, Campbellsville  
**Address:** 560 W Martin Rd  
**City:** Campbellsville  
**State:** KY  
**County:** Taylor  
**Zip:** 42718  
**Confirm Code:** Y  
**Number of Customers out:** 1  
**Locate Request Ticket No.:** N/A  
**Excavator:** Contractor

### Excavator Address:

**First Name:** Allan  
**Last Name:** Craig  
**Organization ID:**  
**Company:** Allan Craig  
**Phone:** 859-551-9316  
**Email:** N/A  
**Address:** 48 Lakeway Ave  
**City:** Campbellsville  
**State:** KY  
**Zip:** 42718

Confirm Code: Y

Excavation Damage: No notification made to the One  
Call Center

Description of Incident Cut 3/4" PE service. No locate. One off. No injuries.

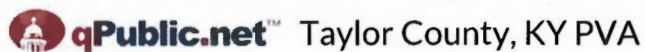
Summary Information

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7/2/2019

<b>Full details such as the cause</b>	Allen Craig, excavator installing gutter drains at 560 W Martin Rd, cut a 3/4" service line with his backhoe. Mr. Craig did not have a locate ticket.
<b>Extent of the damage</b>	Damaged service was repaired and service restored to the one affected customer.
<b>Cost of the damage</b>	\$307.00
<b>Steps taken to prevent re-occurrence</b>	Will invite Mr. Craig to the next Atmos Energy Damage Prevention/KY 811 Dig Law Training Session in Campbellsville.
<b>Amount billed to excavator</b>	\$307.00

## Attachment 2



**Parcel Summary**

**Map Number** 53-039-03  
**Account Number** 182758 (PID: 346628 PTID: 182758)  
**Location Address** 560 WEST MARTIN RD  
**Tax District** 01 County and County School  
**Homestead** No  
**2019 Tax Rate** 1.05346  
**Property Class** FARM  
**Description** HOUSE & 30.29 ACRE TRACT  
**Acres** 30.29  
**Deed Information** 318/626

[View Map](#)



**Owner Information**

**Current Owner**  
DRAKE BEN LEWIS & LAURA JO  
560 W MARTIN RD  
CAMPBELLSVILLE, KY 42718

**No data available for the following modules: Commercial Improvement Information, Mobile Home Information, Sketches.**

The Taylor County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

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[GDPR Privacy Notice](#)

Last Data Upload: 1/29/2020 9:13:15 PM

Developed by



Version 2.3.37



Allan Craig

Timeline ▼

Recent ▼

Intro

Heavy equipment operator at [Strike Pipeline](#)

Worked at [Heavy equipment](#)

Studied at [Taylor county high school](#)

Went to [Taylor County High School](#)

From [Campbellsville, Kentucky](#)

Single

Photos



Friends · 1,012

ck  
m  
ny



Rebecca Holden



Laura Jo Drake



Eddie Craig

Allan Craig  
48 Lakeway Ave  
Campbellsville, KENTUCKY 42718