

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SPRIGGS CONSTRUCTION LLC	)	
_____	)	
ALLEGED VIOLATION OF UNDERGROUND	)	CASE NO.
FACILITY DAMAGE PREVENTION ACT	)	2021-00083
	)	
	)	

NOTICE OF FILING

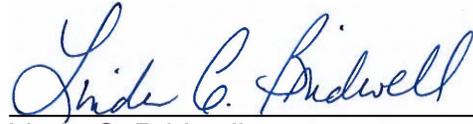
Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on October 29, 2021 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- All exhibits introduced at the evidentiary hearing conducted on October 29, 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 October 29, 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/ulBeOYIUJVs>.

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 10<sup>th</sup> day of November 2021.

A handwritten signature in blue ink that reads "Linda C. Bridwell". The signature is written in a cursive style with a horizontal line underneath it.

Linda C. Bridwell  
Executive Director  
Public Service Commission of Kentucky

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

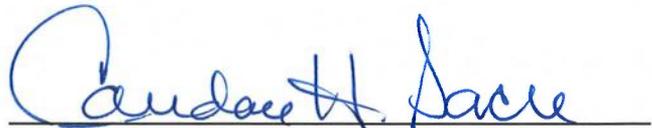
SPRIGGS CONSTRUCTION LLC –	)	
	)	CASE NO.
ALLEGED VIOLATION OF UNDERGROUND	)	2021-00083
FACILITY DAMAGE PREVENTION ACT	)	

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 October 29, 2021. The Formal Hearing Log, Exhibit List, and Exhibits are included with the recording on October 29, 2021;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of October 29, 2021; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of October 29, 2021, and the time at which each occurred.

Signed this 5<sup>th</sup> day of November, 2021.



Candace H. Sacre  
Administrative Specialist III



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



<b>Date:</b>	<b>Type:</b>	<b>Location:</b>	<b>Department:</b>
10/29/2021	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: A. J. Wray; John Gowins; Eric Tout  
 Judge: Kent Chandler  
 Clerk: Candace Sacre

<b>Event Time</b>	<b>Log Event</b>	
9:03:52 AM	Session Started	
9:04:18 AM	Chairman Chandler Note: Sacre, Candace	My name is Kent Chandler. I am Chairman of the Kentucky Public Service Commission, and I will be presiding today. This video will be recorded and is being streamed. The other commissioners, Commissioner Marianne Butler and Vice Chairman Amy Cabbage, will review the record in this case later.
9:04:37 AM	Chairman Chandler Note: Sacre, Candace	Today's hearings are for the purpose of hearing evidence in cases where the Investigation Division of the Public Service Commission has issued civil penalty assessments against individuals and business entities, alleging violations of the Kentucky Underground Facility Damage Prevention Act.
9:04:55 AM	Chairman Chandler Note: Sacre, Candace	The Public Service Commission has been authorized by KRS 367.4917(6) to enforce and assess civil penalties provided for in the Act and to seek injunctive relief for any violation that results in damage to an underground facility used to transport gas or hazardous liquid subject to the federal pipeline safety laws, 49 USC Section 60101, et seq.
9:05:24 AM	Chairman Chandler Note: Sacre, Candace	This morning, we are here for the purpose of holding a hearing in the following cases: 2021-00336 J Witt Properties LLC, 2021-00271 Joey Casey, 2021-00083 Spriggs Construction, 2021-00084, Spriggs Construction, 2021-00302 Spriggs Construction LLC, 2021-00266 L&N Utilities LLC, 2021-00267 L&N Utilities LLC, 2021-00253 Antonio Lozano, 2021-00257 Maria Rodriguez, 2021-00352 Michael Knopf, and 2021-00355 A&R Construction LLC.
9:06:54 AM	Chairman Chandler Note: Sacre, Candace	I will now go back through those and ask if anyone is here on any of those individual cases.
9:07:04 AM	Chairman Chandler Note: Sacre, Candace	2021-00336 J Witt Properties LLC, anybody here?
9:07:13 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Agreed to reset, scheduled for training in November, have paid penalty.
9:07:22 AM	Chairman Chandler Note: Sacre, Candace	Ms. Hamilton, can you hear us, did you hear Staff Counsel? (Click on link for further comments.)
9:08:03 AM	Chairman Chandler Note: Sacre, Candace	We will pass over 2021-00336 J Witt Properties LLC.
9:08:19 AM	Chairman Chandler Note: Sacre, Candace	Case No. 2021-00271 Joey Casey, anyone here?

9:08:30 AM	Chairman Chandler Note: Sacre, Candace	Please identify yourself?
9:08:44 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Mr. Wray is here on behalf of PRG with Duke Energy, witness today.
9:08:51 AM	Atty Pokrywka Duke Energy Note: Sacre, Candace	This is Brian Pokrywka, on behalf of Duke Energy as well, in-house legal counsel.
9:09:06 AM	Chairman Chandler Note: Sacre, Candace	Mr. Wray here pursuant to subpoena?
9:09:08 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Yes.
9:09:18 AM	Chairman Chandler Note: Sacre, Candace	2021-00083, anyone here, Spriggs Construction?
9:09:30 AM	Chairman Chandler Note: Sacre, Candace	Anyone here for 2021-00084 Spriggs Construction?
9:09:38 AM	Chairman Chandler Note: Sacre, Candace	2021-00302 Spriggs Construction?
9:10:00 AM	Chairman Chandler Note: Sacre, Candace	Remediation/penalty discussion. (Click on link for further comments.)
9:10:18 AM	Chairman Chandler Note: Sacre, Candace	2021-00266 L&N Utilities LLC, also 2021-00267 L&N Utilities, LLC, anyone here either of cases?
9:10:41 AM	Chairman Chandler Note: Sacre, Candace	Next, Mr. Lozano, 2021-00253 Antonio Lozano?
9:10:57 AM	Chairman Chandler Note: Sacre, Candace	2021-00257 Maria Rodriguez, here?
9:11:06 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Agreed to reset, signed up for November training,
9:11:10 AM	Chairman Chandler Note: Sacre, Candace	Correct, Ms. Rodriguez, signed up for training?
9:11:31 AM	Chairman Chandler Note: Sacre, Candace	You can be excused today.
9:11:39 AM	Chairman Chandler Note: Sacre, Candace	2021-00352 Michael Knopf?
9:11:51 AM	Chairman Chandler Note: Sacre, Candace	Have camera?
9:12:06 AM	Chairman Chandler Note: Sacre, Candace	2021-00355 A&R Construction LLC?
9:12:20 AM	Chairman Chandler Note: Sacre, Candace	Identify yourself?
9:12:33 AM	Chairman Chandler Note: Sacre, Candace	Anthony Anderson with A&R Construction.
9:12:47 AM	Chairman Chandler Note: Sacre, Candace	With counsel today?
9:13:02 AM	Chairman Chandler Note: Sacre, Candace	Received Order in this case?
9:13:15 AM	Chairman Chandler Note: Sacre, Candace	Portion, paragraph 2, that notes any partnership corporation business entity represented by counsel, notice that in Order?
9:13:35 AM	Chairman Chandler Note: Sacre, Candace	A&R first violation?
9:13:38 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	It is.

9:13:46 AM	Chairman Chandler Note: Sacre, Candace	Remediation/penalty discussion. (Click on link for further comments.)
9:16:02 AM	Chairman Chandler Note: Sacre, Candace	Pass over this today, recommend participate in training, and failure to do so will call case again.
9:18:04 AM	Chairman Chandler Note: Sacre, Candace	At this time, call Case No. 2021-00271 Joey Casey, alleged to have violated Kentucky Underground Facility Damage Act, based on review prima facie evidence exists Mr. Casey violated Act, specifically following provisions of the Act, reading, (click on link for further comments).
9:19:13 AM	Chairman Chandler Note: Sacre, Candace	Service successful?
9:19:21 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Yes.
9:19:33 AM	Chairman Chandler Note: Sacre, Candace	First witness?
9:19:36 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	John Gowins.
9:19:48 AM	Chairman Chandler Note: Sacre, Candace	Witness is sworn.
9:19:58 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Examination. Name and address?
9:20:13 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Direct Examination. Where employed?
9:20:20 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Job duties?
9:20:38 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Familiar with incident of damage took place May 13 2020 at 108 Tando Way, Fort Mitchell, Kentucky?
9:20:50 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigate?
9:20:53 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigation Report, Incident 32692, true and accurate of copy of your report?
9:21:26 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Describe its contents?
9:22:26 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Previously filed, marked DOI Exhibit 1.
9:22:32 AM	Chairman Chandler Note: Sacre, Candace	Mark as such.
9:22:40 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Was excavator owner?
9:22:57 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Operator reported Mr. Casey not homeowner?
9:23:14 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Mr. Casey present when operator investigated incident?
9:23:34 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Operator speak to Mr. Casey?
9:23:56 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Who called in dig ticket?
9:24:12 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Owner of property?

9:24:21 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Contain natural gas?

9:24:28 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Speak with Mr. Casey during investigation?

9:24:34 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace What did he state?

9:25:02 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Page 11, Investigation Report, what is this?

9:25:19 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Valid at time of excavation?

9:25:28 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Page 5, invoice for damage that occurred?

9:25:40 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Who invoice list as responsible party?

9:25:58 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Aware if invoice paid?

9:26:09 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Report indicate facility contained natural gas?

9:26:19 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace What provision of Act violated?

9:27:19 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Demand letter issued?

9:27:26 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace To whom issued?

9:27:36 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Result?

9:27:41 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Why cite Mr. Casey and not homeowner?

9:27:52 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Know if Casey any prior violations?

9:28:14 AM Chairman Chandler - witness Gowins  
Note: Sacre, Candace Examination. Recollection or information if gas escaped?

9:29:07 AM Chairman Chandler - witness Gowins  
Note: Sacre, Candace Page 8 of Exhibit 1?

9:29:20 AM Chairman Chandler - witness Gowins  
Note: Sacre, Candace On page/pages discuss gas excavation damage report, Duke Energy Kentucky at top?

9:29:32 AM Chairman Chandler - witness Gowins  
Note: Sacre, Candace Whether issue of using ticket expired or not having ticket at all, agree if not agency relationship, Mr. Casey is doing excavation violation anyway because not received ticket?

9:31:25 AM Chairman Chandler  
Note: Sacre, Candace Redirect?

9:31:34 AM Chairman Chandler  
Note: Sacre, Candace Additional witnesses?

9:31:36 AM Staff Atty Norris-Canfield PSC  
Note: Sacre, Candace A. J. Wray from PRG.

9:31:46 AM Chairman Chandler  
Note: Sacre, Candace Witness is sworn.

9:32:08 AM Chairman Chandler - witness Wray  
Note: Sacre, Candace Examination. Name and address?

9:32:25 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Direct Examination. By whom employed?

9:32:31 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Job duties?

9:32:40 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace How connected with this incident?

9:32:56 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Participate in investigation?

9:33:00 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Supervise investigation?

9:33:04 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Familiar with Investigation Report?

9:33:13 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Familiar with Locate Ticket Number 2004161595?

9:33:21 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Damage within scope of that ticket?

9:33:42 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Underground facility marked and located?

9:34:03 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Page 5, Investigation Report, first page of report by PRG?

9:34:21 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace What is this document?

9:34:34 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Invoice paid?

9:34:47 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Reflect Joey Casey responsible for damage?

9:35:00 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Page 7, Investigation Report, tell what this document is?

9:35:20 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Explain findings?

9:35:55 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace See photograph?

9:35:59 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Describe?

9:36:21 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Referring to yellow pipe?

9:36:28 AM Staff Atty Norris-Canfield PSC - witness Wray  
Note: Sacre, Candace Page 8, please describe photos?

9:37:33 AM Chairman Chandler  
Note: Sacre, Candace Move introduction of Exhibit 1?

9:37:37 AM Staff Atty Norris-Canfield PSC  
Note: Sacre, Candace Yes, please.

9:37:44 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1  
Note: Sacre, Candace STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS  
Note: Sacre, Candace INCIDENT 32692 INVESTIGATION REPORT

9:37:46 AM Chairman Chandler  
Note: Sacre, Candace Any other witnesses?

9:37:52 AM Chairman Chandler  
Note: Sacre, Candace Final statement?

9:38:09 AM Chairman Chandler  
Note: Sacre, Candace Will submit case.

9:38:25 AM Chairman Chandler  
Note: Sacre, Candace Take Mr. Knopf next?

9:38:27 AM Staff Atty Norris-Canfield PSC  
Note: Sacre, Candace Yes, please.

9:38:49 AM	Chairman Chandler Note: Sacre, Candace	Call next Case No. 2021-00352, Michael Knopf. (Click on link for further comments.)
9:39:55 AM	Chairman Chandler Note: Sacre, Candace	Have copy of Order in this matter? (Click on link for further comments.)
9:40:46 AM	Chairman Chandler Note: Sacre, Candace	Call first witness?
9:40:50 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Eric Tout.
9:40:56 AM	Chairman Chandler Note: Sacre, Candace	Witness is sworn.
9:41:04 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Examination. Name and address?
9:41:17 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Direct Examination. Where employed?
9:41:36 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Job duties?
9:41:52 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Familiar with incident of damage that took place on August 4 2020 at 2515 Bradley Avenue, Louisville?
9:42:04 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Investigate?
9:42:07 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Investigation Report, Incident 42955, appear to be true and accurate copy?
9:42:41 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Describe contents?
9:43:08 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Move marked and entered.
9:43:16 AM	Chairman Chandler Note: Sacre, Candace	Mr. Knopf, have copy?
9:43:30 AM	Chairman Chandler Note: Sacre, Candace	Make it part of the record.
9:43:31 AM	PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS TOUT
	Note: Sacre, Candace	INCIDENT 42955 INVESTIGATION REPORT
9:43:36 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Describe investigation?
9:44:23 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	LG&E report noted Mr. Knopf homeowner?
9:44:31 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Report indicate if he was present when investigated incident?
9:45:14 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Contained natural gas?
9:45:36 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Page 7, what is document?
9:46:12 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Dig ticket valid at time of excavation?
9:46:19 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	When expire?
9:46:27 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	When submitted?

9:46:39 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Damage within scope of ticket?

9:46:46 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Facility marked and located in response to locate ticket?

9:46:59 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 11, what photo depict?

9:47:30 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Predig photo?

9:47:50 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Next photograph, page 13, tell what photo depicts?

9:48:56 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 14, what photo depicts?

9:49:21 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 15, describe this photograph?

9:49:56 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 5, estimate for cost of damage?

9:50:10 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Report indicate facility contained natural gas?

9:50:20 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace What provision violated?

9:50:47 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Demand letter issued?

9:50:51 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace To whom issued?

9:50:56 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Result?

9:51:09 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Know if Mr. Knopf first violation?

9:51:23 AM Chairman Chandler  
Note: Sacre, Candace Mr. Knopf, any questions?

9:51:32 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Examination. Photos, three damage photos, what have here?

9:52:28 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Vehicle from marking company, blue flags in background, what do blue flags indicate?

9:52:52 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Yellow line and yellow paint>?

9:53:01 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Both flags and paint?

9:53:05 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Either of options exist under Chapter 367?

9:53:21 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Two pages forward, white marking on ground, see that?

9:53:47 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace White, under Act, represents area in which excavation expected occur?

9:54:00 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace What else have?

9:54:32 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Using what color?

9:54:34 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Seems a bit problematic?

9:54:50 AM Chairman Chandler - witness Tout  
Note: Sacre, Candace Corner of home with downspout there and drain?

9:55:07 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Holly bush?
9:55:11 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Mentioned tree, discussing earlier?
9:55:35 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Tree you say shows up in before picture with crossover SUV and cones around it, same tree?
9:56:17 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Talk about second mark, assume not indicating about white paint, talking about yellow flag?
9:56:33 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	What about second mark in background?
9:57:02 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Before photo not get either of marks?
9:57:15 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Next page, supposed to indicate damage?
9:57:28 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	What is 2 there? Seems to be yellow apparatus from damage marker to Marker 2, what is that?
9:57:51 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Where is Mark 2?
9:58:08 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Do you see Mark 2?
9:58:32 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Know how far damage from Mark 2 was, operator provide information?
9:59:51 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Know if damage occurred within 18 inches?
10:00:00 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	How that the case, ruler going this way, damage over here?
10:00:22 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Not what photograph shows, shows where person standing to the street?
10:00:35 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Not know where goes after photo, not have evidence, yellow line on roots, last documentary evidence of where marked?
10:01:04 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Towards road?
10:01:07 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Not have documentary evidence what marks look like outside this photo, left right straight towards house, not provide other photos than this one?
10:01:59 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Have any pictures show any marks and measuring distance between remainder marks and damage site?
10:02:17 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	The actual measurement?
10:02:57 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Indicate had measured actual distance?
10:03:21 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Have in Investigation, third paragraph, LG&E's Mike Jones stated markings around tree just well within approximate location/tolerant zone of 18 inches, asking if indicated what actual distance was?
10:04:32 AM	Chairman Chandler Note: Sacre, Candace	Any redirect?

10:04:44 AM	Chairman Chandler Note: Sacre, Candace	Mr. Knopf, any evidence to provide in matter?
10:05:16 AM	Chairman Chandler Note: Sacre, Candace	Ms. Rhodes have copy of photograph? (Click on link for further comments.)
10:06:01 AM	Chairman Chandler Note: Sacre, Candace	Mr. Knopf?
10:06:03 AM	Mr. Michael Knopf Note: Sacre, Candace	Statement by Michael Knopf. (Click on link for further comments.)
10:07:42 AM	Chairman Chandler Note: Sacre, Candace	See picture on screen now?
10:08:07 AM	Chairman Chandler Note: Sacre, Candace	And line that's added?
10:08:09 AM	Mr. Michael Knopf Note: Sacre, Candace	Statement (cont'd). (Click on link for further comments.)
10:10:44 AM	Chairman Chandler Note: Sacre, Candace	White circle, marking you did prior to construction?
10:11:11 AM	Chairman Chandler Note: Sacre, Candace	Introduce photo as evidence?
10:11:16 AM	Chairman Chandler Note: Sacre, Candace	No objection?
10:11:19 AM	Chairman Chandler Note: Sacre, Candace	Mark as Knopf No. 1.
10:11:20 AM	KNOPF EXHIBIT 1 Note: Sacre, Candace	PHOTOGRAPH
10:11:23 AM	Chairman Chandler Note: Sacre, Candace	Any other evidence?
10:11:31 AM	Mr. Michael Knopf Note: Sacre, Candace	Statement (con'td). (Click on link for further comments.)
10:11:49 AM	Chairman Chandler Note: Sacre, Candace	Will give opportunity to provide arguments and comments, want to get past evidentiary stage, any other evidence?
10:12:10 AM	Chairman Chandler Note: Sacre, Candace	Since DOI has burden of proof, let speak first and then to you, five minutes to provide comments for consideration.
10:12:27 AM	Chairman Chandler Note: Sacre, Candace	Final statements or recommendation in this matter?
10:12:36 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	DOI amenable original offer, \$100 penalty and Mr. Knopf attend training course. (Click on link for further comments.)
10:13:32 AM	Chairman Chandler Note: Sacre, Candace	Mr. Knopf, anything would like to say?
10:13:44 AM	Mr. Michael Knopf Note: Sacre, Candace	Statement by Mr. Knopf. (Click on link for further comments.)
10:15:27 AM	Chairman Chandler Note: Sacre, Candace	Recommendation \$100 or \$250?
10:15:35 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	\$100 fine, homeowner.
10:15:45 AM	Chairman Chandler Note: Sacre, Candace	Anything else, Mr. Knopf?
10:15:49 AM	Mr. Michael Knopf Note: Sacre, Candace	Statement (cont'd). (Click on link for further comments.)
10:16:15 AM	Chairman Chandler Note: Sacre, Candace	Any further comments or submit on record, Mr. Knopf?

10:16:36 AM	Chairman Chandler Note: Sacre, Candace	Take case under consideration and issue order, procedural discussions. (Click on link for further comments.)
10:17:18 AM	Chairman Chandler Note: Sacre, Candace	May be excused.
10:17:50 AM	Chairman Chandler Note: Sacre, Candace	Recess until 10:30.
10:18:03 AM	Session Paused	
10:35:10 AM	Session Resumed	
10:35:39 AM	Chairman Chandler Note: Sacre, Candace	Back on the record, 8-1-1 cases, six cases left, three for Spriggs Construction 2021-00083 2021-00084 and 2021-00302, L&N Utilities 2021-00266 and 2021-00267, and Anthony Lozano 2021-00253.
10:36:28 AM	Chairman Chandler Note: Sacre, Candace	2021-00083 Spriggs Construction alleged to have violated underground damage prevention act, (click on link for further comments.)
10:37:08 AM	Chairman Chandler Note: Sacre, Candace	Nobody here, DOI prepared to proceed?
10:37:18 AM	Chairman Chandler Note: Sacre, Candace	Call first witness?
10:37:22 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	John Gowins.
10:37:32 AM	Chairman Chandler Note: Sacre, Candace	Remind still under oath.
10:37:38 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Direct Examination. Name?
10:37:43 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Where employed?
10:37:51 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Familiar with incident of damage that took place May 21 2019 at 10424 Highway 44, Louisville?
10:38:06 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigation Report Incident 31674, appear true and accurate copy?
10:38:28 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Describe investigation?
10:39:31 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Move marked and entered as DOI Exhibit 1.
10:39:46 AM	Chairman Chandler Note: Sacre, Candace	So ordered.
10:39:47 AM	PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS INCIDENT 31674 INVESTIGATION REPORT
10:39:51 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Operator made initial report?
10:40:01 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Indicate they had spoken with excavator?
10:40:41 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Valid dig ticket?
10:40:49 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Expiration date?
10:40:55 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Incident date?

10:41:03 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Damage within scope of ticket?
10:41:12 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Able verify if facility marked and located in response to ticket?
10:41:27 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 8, Investigation Report, one of photographs speaking about?
10:41:49 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Describe photograph?
10:42:04 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 9, describe?
10:42:26 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Also flags in photo indicating gas line?
10:42:38 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	At corner of sign, also flag?
10:42:46 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 10, explain photo and how relates to damage?
10:43:30 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 11, explain this photo and how relates to damage?
10:44:11 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	State did attempt contact excavator, never able reach them?
10:46:41 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Report indicate facility contained natural gas?
10:46:49 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	What provision violated?
10:47:24 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Demand letter issued?
10:47:31 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Who issued to?
10:47:41 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Result?
10:47:51 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Excavator any prior violations?
10:48:03 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Since that time, additional violations?
10:48:17 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Examination. Flags present in post-damage pictures flags placed at time of initial marking on May 2 2019?
10:48:42 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	White markings post-damage photos not present in May 2nd pictures?
10:49:05 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Mechanized equipment used?
10:49:15 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Directional boring cause damage?
10:49:39 AM	Chairman Chandler Note: Sacre, Candace	Redirect?
10:49:46 AM	Chairman Chandler Note: Sacre, Candace	Additional witnesses?
10:49:49 AM	Chairman Chandler Note: Sacre, Candace	Additional evidence?
10:49:51 AM	Chairman Chandler Note: Sacre, Candace	Closing statement?
10:50:05 AM	Chairman Chandler Note: Sacre, Candace	Next call 2021-00084 Spriggs Construction, prepared move forward?

10:50:28 AM	Chairman Chandler Note: Sacre, Candace	Case called earlier, nobody on its behalf, party with burden of proof DOI call first witness.
10:50:38 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	John Gowins.
10:50:43 AM	Chairman Chandler Note: Sacre, Candace	Remind still under oath.
10:50:56 AM	Chairman Chandler Note: Sacre, Candace	Allegations in 2021-00084 evidence Spriggs Construction violated Act, (click on link for further comments.)
10:51:41 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Direct Examination. Familiar with incident of damage took place May 30 2019 at 1200 Hull Street, Louisville?
10:51:52 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigate?
10:51:59 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigation Report Incident 31694, true and accurate copy?
10:52:18 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Move marked and entered as DOI Exhibit 1.
10:52:24 AM	Chairman Chandler Note: Sacre, Candace	So ordered.
10:52:25 AM	PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS INCIDENT 31694 INVESTIGATION REPORT
10:52:29 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Describe investigation?
10:53:05 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Report indicate excavator present when did investigation?
10:53:39 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Speak to excavator?
10:53:51 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	What state about incident?
10:54:19 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Dig ticket indicate operator spoken to excavator?
10:54:48 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 9, what is document?
10:55:05 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Ticket valid at time of incident?
10:55:17 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Determined excavator using mechanized equipment within tolerance zone?
10:55:23 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 5, tell what this document is?
10:55:47 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Estimation cost of damage?
10:55:51 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Able determine cost paid?
10:55:57 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Contained natural gas?
10:56:11 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	What provision determine violated?
10:56:32 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Demand letter issued?

10:56:38 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Where sent?
10:56:47 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Result?
10:56:54 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Prior violation?
10:57:06 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Pay penalty?
10:58:02 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Examination. Incident 31694?
10:58:15 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Allegation no contention improper marking but excavator damaged facility, using mechanized equipment?
10:59:05 AM	Chairman Chandler Note: Sacre, Candace	Have anything on this case?
10:59:08 AM	Chairman Chandler Note: Sacre, Candace	Short brief on this matter. (Click on link for further comments.)
11:01:04 AM	Chairman Chandler Note: Sacre, Candace	Anything else?
11:01:15 AM	Chairman Chandler Note: Sacre, Candace	Next case, 2021-00302 Spriggs Construction, (click on link for further comments.)
11:02:22 AM	Chairman Chandler Note: Sacre, Candace	DOI prepared to move forward?
11:02:28 AM	Chairman Chandler Note: Sacre, Candace	First witness?
11:02:35 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	John Gowins.
11:02:37 AM	Chairman Chandler Note: Sacre, Candace	Remind still under oath.
11:02:44 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Direct Examination. Familiar with incident of damage took place on November 21 2019 at 500 Happy Valley Road, Glasgow?
11:02:54 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigate?
11:02:57 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigation Report Incident 32271, true and accurate copy?
11:03:19 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Move marked and entered as DOI Exhibit 1.
11:03:25 AM	Chairman Chandler Note: Sacre, Candace	So ordered.
11:03:26 AM	PSC DIVISION OF INVESTIGATIONS EXHIBIT 1 Note: Sacre, Candace Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS INCIDENT 32271 INVESTIGATION REPORT
11:03:27 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Describe investigation?
11:04:37 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Contained natural gas?
11:04:45 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Make contact with excavator?
11:04:51 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 5, what is this document?
11:05:10 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Valid at time of incident?

11:05:15 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace When submitted?

11:05:23 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace When expire?

11:05:30 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace How many days expired?

11:05:37 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Page 6, tell us about this document?

11:05:56 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Valid on date of incident?

11:06:12 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Both tickets expired time of damage?

11:06:17 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Page 4, what is this document?

11:06:34 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Include estimate for cost of damage?

11:06:40 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Aware paid?

11:06:58 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Email included in report?

11:07:02 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace What page?

11:07:20 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Page 7, email referencing?

11:07:34 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace What provision violated?

11:07:59 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Spriggs digging within tolerance zone mechanized equipment?

11:08:09 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Also accurate failed renew dig ticket?

11:08:16 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Demand letter issued?

11:08:23 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace To whom sent?

11:08:31 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Result?

11:08:52 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace What number violation is this?

11:09:00 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Receive penalty?

11:09:05 AM Staff Atty Norris-Canfield PSC - witness Gowins  
Note: Sacre, Candace Paid?

11:09:18 AM Chairman Chandler - witness Gowins  
Note: Sacre, Candace Examination. Damage Report indicate gas in line?

11:09:52 AM Chairman Chandler - witness Gowins  
Note: Sacre, Candace No evidence released into atmosphere?

11:10:01 AM Chairman Chandler  
Note: Sacre, Candace Redirect, anything else?

11:10:05 AM Staff Atty Norris-Canfield PSC  
Note: Sacre, Candace Nothing further, submit.

11:10:11 AM Chairman Chandler  
Note: Sacre, Candace Alleged third violation, not found guilty previous violation, style brief in both matters, will enter order soon what Commission request be.

11:11:08 AM	Chairman Chandler Note: Sacre, Candace	Next case, 2021-00266 L&N Utilities, called earlier not anyone present, allegation evidence violated Act, (click on link for further comments).
11:12:15 AM	Chairman Chandler Note: Sacre, Candace	DOI prepared to move forward?
11:12:18 AM	Chairman Chandler Note: Sacre, Candace	First witness?
11:12:22 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	John Gowins.
11:12:24 AM	Chairman Chandler Note: Sacre, Candace	Remind still under oath.
11:12:29 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Direct Examination. Familiar with incident of damage that took place on January 7 2020 at 1164 Colorado Road, Lexington, Kentucky?
11:12:41 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigate?
11:12:42 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Investigation Report Incident 32412, true and accurate copy?
11:13:05 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Move marked and entered as DOI Exhibit 1.
11:13:11 AM	Chairman Chandler Note: Sacre, Candace	So ordered.
11:13:13 AM	PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS INCIDENT 32412 INVESTIGATION REPORT
11:13:14 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Describe investigation?
11:13:58 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Who reported damage?
11:14:15 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Examination. "They" referring to operator?
11:14:27 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Direct Examination (cont'd). Operator called to another location, damage not reported by L&N?
11:14:36 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	How many lines reported damaged?
11:14:50 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Additional line damaged since another location involved?
11:15:23 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 5, tell what this document is?
11:15:55 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Indicate operator called in dig ticket?
11:16:20 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Excavator was digging with mechanized equipment?
11:16:24 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Contained natural gas?
11:16:32 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Speak with excavator?
11:16:55 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Attend training or pay penalty?
11:17:01 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Page 4, what is this document?

11:17:24 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Include estimate of cost of damage?
11:17:31 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Paid operator for damage?
11:17:54 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Contain natural gas?
11:18:01 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Provision violated?
11:18:11 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Demand letter issued?
11:18:18 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Where sent?
11:18:34 AM	Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace	Any prior violations?
11:18:58 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Examination. Contractor bored through SL, reading (click on link for further comments), SL stands for service line?
11:19:26 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Who work done for?
11:20:06 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Know at what depth lines supposed to be maintained?
11:20:29 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Depth indicated on pictures page 11, 36-inch ruler, four pictures, maybe page 9, the depth there, service line does appear to be in excess of 12 inches?
11:22:04 AM	Chairman Chandler - witness Gowins Note: Sacre, Candace	Any indication escape of gas into atmosphere?
11:22:33 AM	Chairman Chandler Note: Sacre, Candace	Redirect?
11:22:35 AM	Chairman Chandler Note: Sacre, Candace	Additional evidence?
11:22:48 AM	Chairman Chandler Note: Sacre, Candace	Three minute break until 11:25.
11:23:02 AM	Session Paused	
11:29:29 AM	Session Resumed	
11:29:38 AM	Chairman Chandler Note: Sacre, Candace	Back on the record, next case 2021-00267, L&N Utilities, LLC, (click on link for further comments).
11:30:39 AM	Chairman Chandler Note: Sacre, Candace	Prepared to move forward?
11:30:45 AM	Chairman Chandler Note: Sacre, Candace	Call first witness.
11:30:49 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Eric Tout.
11:30:54 AM	Chairman Chandler Note: Sacre, Candace	Remind still under oath.
11:31:05 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Direct Examination. Familiar with incident of damage took place June 16 2020 at 1000 Samuel Street, Louisville, Kentucky?
11:31:15 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Investigate?
11:31:18 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Incident 42777, Investigation Report, true and accurate copy?

11:31:45 AM Staff Atty Norris-Canfield PSC  
Note: Sacre, Candace Move marked and entered.

11:31:48 AM Chairman Chandler  
Note: Sacre, Candace So ordered.

11:31:49 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1  
Note: Sacre, Candace STAFF ATTY NORRIS-CANFIELD PSC - WITNESS TOUT  
Note: Sacre, Candace INCIDENT 42777 INVESTIGATION REPORT

11:31:50 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Describe investigation?

11:32:20 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Gas operator reported L&N Utilities LLC responsible for damage?

11:32:26 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Excavator present?

11:33:15 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 4, what this document is?

11:33:36 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Estimate of cost of damage?

11:33:40 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Damage paid for?

11:33:45 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 6, what is this document?

11:34:15 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Ticket valid at time?

11:34:20 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Aware markings accurately done?

11:34:41 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Digging with mechanized equipment?

11:34:48 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Supplemental Investigation Report, true and accurate copy?

11:35:10 AM Staff Atty Norris-Canfield PSC  
Note: Sacre, Candace Moved marked and entered.

11:35:15 AM Chairman Chandler  
Note: Sacre, Candace So ordered.

11:35:16 AM PSC DIVISION OF INSPECTIONS EXHIBIT 2  
Note: Sacre, Candace STAFF ATTY NORRIS-CANFIELD PSC - WITNESS TOUT  
Note: Sacre, Candace INCIDENT 42777 SUPPLEMENTAL INVESTIGATION REPORT

11:35:21 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Necessity of document and contents, why make supplemental report?

11:35:37 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Page 5, Supplemental Investigation, explain this photo?

11:36:53 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace What green markings indicate?

11:37:07 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Blue markings?

11:37:10 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Yellow indicate gas?

11:37:14 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace White circles just additional marking by operator?

11:37:24 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Explain concept of ruler?

11:37:50 AM Staff Atty Norris-Canfield PSC - witness Tout  
Note: Sacre, Candace Picture indicates within tolerance zone?

11:38:17 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Page 7?
11:38:53 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Contained natural gas?
11:39:18 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Speak to excavator during investigation?
11:39:26 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	What did they state?
11:40:48 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Demand letter issued?
11:40:50 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Who issued to?
11:41:37 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Secretary of State different, send both addresses?
11:41:46 AM	Staff Atty Norris-Canfield PSC - witness Tout	
	Note: Sacre, Candace	Provision violated?
11:42:25 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Examination. Photo, close-up of ruler, what is metal T with cable connected to it?
11:43:05 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Grounding mechanism?
11:43:38 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Yellow in dirt, what is that?
11:43:58 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	What is pylon?
11:44:01 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Actually what damaged, pylon not service line?
11:44:11 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Underneath damage pylon?
11:44:31 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Shut-off box?
11:44:35 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Service line or shut-off box damaged?
11:44:44 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Know what allegation was?
11:45:00 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Damage occurred while being bored down?
11:45:28 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Damage pylon on top of different facility, service run through that shut-off?
11:46:00 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	Service line in back, yellow service line in front of shut-off?
11:46:18 AM	Chairman Chandler - witness Tout	
	Note: Sacre, Candace	See any indication of paint around damage pylon?
11:46:37 AM	Chairman Chandler	
	Note: Sacre, Candace	Any redirect?
11:46:42 AM	Chairman Chandler	
	Note: Sacre, Candace	Any additional evidence?
11:46:49 AM	Chairman Chandler	
	Note: Sacre, Candace	Nuance with proposed penalty on this case?
11:47:24 AM	Chairman Chandler	
	Note: Sacre, Candace	This is third?

11:47:32 AM	Chairman Chandler Note: Sacre, Candace	Found by Commission violated Act twice already or once and what just heard?
11:47:40 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Once, plus second case heard today.
11:47:52 AM	Chairman Chandler Note: Sacre, Candace	Final case, 2021-00253, Antonio Lozano, called earlier Lozano not present, called in the past back in August Lozano present, (click on link for further comments), did not conduct training?
11:48:45 AM	Chairman Chandler Note: Sacre, Candace	Lozano alleged to have violated Underground Damage Prevention Act, evidence existed that Lozano violated Act, specifically, reading, (click on link for further comments).
11:49:26 AM	Chairman Chandler Note: Sacre, Candace	Called case earlier, Lozano not present, DOI prepared to proceed?
11:49:43 AM	Chairman Chandler Note: Sacre, Candace	Call first witness.
11:49:47 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Eric Tout.
11:49:49 AM	Chairman Chandler Note: Sacre, Candace	Remind still under oath.
11:49:57 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Direct Examination. Familiar with incident of damage took place April 21 2020 at 4173 Willow Lane, Lexington, Kentucky?
11:50:07 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Investigate?
11:50:10 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Investigation Report Incident 32574, true and accurate copy?
11:50:29 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Describe contents?
11:50:44 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Move marked and entered.
11:50:50 AM	Chairman Chandler Note: Sacre, Candace	So ordered.
11:50:51 AM	PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS TOUT INCIDENT 32574 INVESTIGATION REPORT
11:50:52 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Describe investigation?
11:51:52 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Lozano homeowner, owner of property at 4173 Willow Lane, Lexington?
11:52:17 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Treated case as if homeowner?
11:52:31 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Columbia Gas indicate Lozano present when did investigation?
11:53:00 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Lozano not hold valid dig ticket?
11:53:07 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Contained natural gas?
11:53:53 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Page 6, what this document?
11:54:17 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Valid on date of incident?

11:54:27 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	What provision determine violated?
11:55:02 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Demand letter issued?
11:55:11 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Issued to Lozano?
11:55:15 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Offered training?
11:55:18 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Offered reduced penalty?
11:55:20 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Done either of those things?
11:55:56 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Did not complete training course?
11:56:00 AM	Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace	Prior violations?
11:56:11 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Examination. Where in record indicate paid penalty?
11:56:49 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Yes.
11:56:49 AM	Chairman Chandler Note: Sacre, Candace	As notice of filing, provide Lozano paid some portion?
11:56:52 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Demand letter \$100 penalty if attended training?
11:57:08 AM	Chairman Chandler - witness Tout Note: Sacre, Candace	Recommendation, Lozano was excavator and 4173 Willow Mr. Lozano's address?
11:57:28 AM	Chairman Chandler Note: Sacre, Candace	Recommendation \$100 fine or \$250 fine?
11:57:51 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	\$100 penalty and attend training course.
11:58:02 AM	Chairman Chandler Note: Sacre, Candace	In record soon what Lozano paid to date?
11:58:09 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	Yes, has paid \$100 penalty.
11:58:20 AM	Chairman Chandler Note: Sacre, Candace	Anything else?
11:58:34 AM	Chairman Chandler Note: Sacre, Candace	Ask notice of filing with evidence amount Mr. Lozano paid.
11:59:11 AM	Chairman Chandler Note: Sacre, Candace	Any other cases not taken up but called?
11:59:23 AM	Chairman Chandler Note: Sacre, Candace	Number of cases passed over request of parties, 2021-00336 J Witt Properties, 2021-00257 Maria Rodriguez, 2021-00355 A&R Construction passed over, counsel file as notice of filing (click on link for further comments).
12:00:33 PM	Chairman Chandler Note: Sacre, Candace	Anything else?
12:00:38 PM	Chairman Chandler Note: Sacre, Candace	Hearing adjourned.
12:00:48 PM	Session Ended	



<b>Name:</b>	<b>Description:</b>
KNOPF EXHIBIT 1	PHOTOGRAPH
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 32271 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 32412 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 32692 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 31694 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 31674 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 32574 INVESTION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 42955 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 1	INCIDENT 42777 INVESTIGATION REPORT
PSC DIVISION OF INSPECTIONS EXHIBIT 2	INCIDENT 42777 SUPPLEMENTAL INVESTIGATION REPORT

## PIPELINE DAMAGE INVESTIGATION REPORT

### Investigation Information

<b>KY PSC Investigator(s)</b> John E. Gowins	<b>Incident ID</b> 31674
<b>Incident Date</b> 5/21/2019 4:25:00 PM	<b>Report Submitted</b> 6/17/2019 11:55:00 AM

### OPERATOR INFORMATION

<b>Operator</b> Louisville Gas and Electric Company	<b>Reported By</b> Mike Jones
<b>Phone</b> (502) 364-8281	<b>Email</b> Mike.Jones@lge-KU.com
<b>Incident Location</b> 10424 Highway 44 Louisville, KY 40047  Jefferson	<b>Locate Ticket Number</b> 1905021356

### EXCAVATOR INFORMATION

<b>Name of Excavator</b> Gibson, Cory	<b>Organization ID</b>
<b>Phone</b> 601-642-5077	<b>Email</b>
<b>Excavator Address</b> Spriggs Construction LLC 113 Highway 70 E Crossville, TN 38555	<b>Locate Ticket Number</b>

### INCIDENT

Locate Ticket Summary						
Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from Initial date)	Incident Date	# of Days Expired	Within Scope of Excavation
1905021356	Yes	5/2/19	5/23/19	5/21/19	N/A	Yes

Excavation Summary			
Excavation Within Tolerance Zone	Type Of Equipment Used	Cost of Damage (Per Operator)	Amount Billed (Excavator)
Yes	Mechanized	\$714.00	\$0.00

The operator reports that the excavator damaged 1/2" plastic service because the marks were not visible where the damage occurred. The locate request was completed on 5/2 and 5/3. The locate request was marked accurately and validated in the post-marking photography, but was not maintained properly by the excavator for the entirety of the locate request.

## INVESTIGATION

Manta has phone number of: 931.250.5253, same address.

This would be the company's first violation.

December 27, 2019

- Called 931.250.5253, left a v.m.
- Called 601.642.5077 left a v.m.

January 9, 2020

- Called 931.250.5253 left a v.m.
- Called 931.787.4783 (from dig ticket) spoke to Jim Spriggs. He said they were off the week of Christmas and were catching up on return calls. He was certain someone would get back with me.

January 16, 2020

- Called Mr. Spriggs at 931.787.4783, their building lost most of the roof in recent storms, gave me the number for Wendy Gentry 931.808.1767.
- Called Ms. Gentry, went to v.m. and the mailbox was full and couldn't take any messages.
- Called Mr. Spriggs back, explained the problem with trying to talk to Ms. Gentry, he will text her and ask her to contact me.

January 27, 2020

- Called Ms. Gentry at 931.808.1767, left a v.m.

February 7, 2020

- Called Ms. Gentry at 931.808.1767, spoke with her, explained my investigating of two incidents, she asked that I email her the information so she can research it to: [wendy@spriggscon.com](mailto:wendy@spriggscon.com).

February 17, 2020

- Called Ms. Gentry at 931.808.1767, she has not been able to research yet, will try to get it looked at today.

February 28, 2020

- Called Ms. Gentry at 931.808.1767, she is still in the process of gathering pictures or other documentation.

March 9, 2020

- Sent Ms. Gentry a reminder email.

March 16, 2020

- Sent Ms. Gentry an email indicating two demand letters were coming, one for incident # 31674 and one for incident # 31694.

## **VIOLATION**

KRS 367.4911 (8) (a) The excavator shall contact the protection notification center to request remarking two (2) working days in advance of the expiration of each twenty-one (21) day period while excavation or demolition continues or if the markings of any underground facility have been removed or are no longer visible.

# Gas Excavation Damage Report

## Louisville Gas and Electric Company

Submitted 6/17/2019 Incident ID: 31674

[Set back to Edit](#)[Staff Edit](#)[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=31674\)](#)

### Reported By:

---

**Name:** Mike Jones  
**Phone:** (502) 364-8281  
**Email:** Mike.Jones@lge-KU.com

### Gas Line Incident Occured:

---

**Date:** 5/21/2019  
**Time:** 4:25 PM

### Details:

---

**Reported Date:** 6/17/2019 11:55 AM

### Incident Location Address:

---

**Location:**  
**Address:** 10424 Highway 44  
**City:** Louisville  
**State:** KY  
**County:** Jefferson  
**Zip:** 40047

**Confirm Code:**

**Number of Customers out:** 1  
**Locate Request Ticket No.:** 1905021356  
**Excavator:** Contractor

### Excavator Address:

---

**First Name:** Cory  
**Last Name:** Gibson  
**Organization ID:**  
**Company:** Spriggs Construction  
**Phone:** 601-642-5077  
**Email:**  
**Address:** 113 Highway 70 E  
**City:** Crossville  
**State:** TN  
**Zip:** 38555

**Confirm Code:** D

**Excavation Damage:** Facility marking or location not sufficient

**Description of Incident** Excavator damaged gas service after letting accurately marked service marks fade.

### Summary Information

---

6/17/2019

**Full details such as the cause** Excavator damaged 1/2" plastic service because the marks were not visible where the damage occurred. The locate request was completed on 5/2 and 5/3. The locate request was marked accurately and validated in the post-marking photography, but was not maintained properly by the excavator for the entirety of the locate request.

**Extent of the damage** 1/2" plastic service

**Cost of the damage** \$714.00

**Steps taken to prevent re-occurrence** Conducted a Safety Tailgate with the excavator on 5-24-19.

**Amount billed to excavator** \$0.00



## Tennessee Secretary of State

Tre Hargett

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# Business Entity Detail

<b>Available Entity Actions</b>	<a href="#">File Annual Report</a>
	<a href="#">Certificate of Existence</a>
	<a href="#">More Business in Tennessee</a>

Entity details cannot be edited. This detail reflects the current state of the filing in the system.

Return to the [Business Information Search](#).

000857353: Limited Liability Company - Domestic Printer Friendly Version

**Name:** Spriggs Construction LLC

**Status:** Active

**Formed in:** TENNESSEE

**Fiscal Year Close:** December

**Term of Duration:** Perpetual

**Principal Office:** 6130 HIGHWAY 70 N  
CROSSVILLE, TN 38571-3636 USA

**Mailing Address:** 6130 HIGHWAY 70 N  
CROSSVILLE, TN 38571-3636 USA

**AR Exempt:** No

**Managed By:** Member Managed

**Initial Filing Date:** 07/15/2016

**Delayed Effective Date:**

**AR Due Date:** 04/01/2020

**Inactive Date:**

**Obligated Member Entity:** No

**Number of Members:** 1

Assumed Names

History

Registered Agent

Name	Status	Expires
No Assumed Names Found...		

Division of Business Services  
 312 Rosa L. Parks Avenue, Snodgrass Tower, 6th Floor  
 Nashville, TN 37243  
 615-741-2286  
 8:00 a.m. until 4:30 p.m. (Central) Monday - Friday.  
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Business Filings and Information (615) 741-2286 | [TNSOS.CORPINFO@tn.gov](mailto:TNSOS.CORPINFO@tn.gov)  
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 Notary Commissions (615) 741-3699 | [TNSOS.ATS@tn.gov](mailto:TNSOS.ATS@tn.gov)

Uniform Commercial Code (UCC) (615) 741-3276 | [TNSOS.UCC@tn.gov](mailto:TNSOS.UCC@tn.gov)

Workers' Compensation Exemption Registrations (615) 741-0526 | [TNSOS.WCER@tn.gov](mailto:TNSOS.WCER@tn.gov)

Apostilles & Authentications (615) 741-0536 | [TNSOS.ATS@tn.gov](mailto:TNSOS.ATS@tn.gov)

Summons (615) 741-1799 | [TNSOS.ATS@tn.gov](mailto:TNSOS.ATS@tn.gov)

Trademarks (615) 741-0531 | [TNSOS.ATS@tn.gov](mailto:TNSOS.ATS@tn.gov)

Nonresident Fiduciaries (615) 741-0536 | [TNSOS.ATS@tn.gov](mailto:TNSOS.ATS@tn.gov)

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Public Records Policy and Records Request Form



Tennessee Secretary of State  
Tre Hargett

**Gowins, John E (PSC)**

---

**From:** Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>  
**Sent:** Thursday, December 26, 2019 12:00 PM  
**To:** Gowins, John E (PSC)  
**Subject:** RE: Incident # 31674

The first two photos are of the post locate markings. You can see they are in line with the mailbox across the street and this sign.



Ticket: 1905021356.00 Timestamp: 5/2/2019 5:35:45 PM



The next images are of the damage location – right under the sign.





**From:** Gowins, John E (PSC) <john.gowins@ky.gov>  
**Sent:** Thursday, December 26, 2019 11:13 AM  
**To:** Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>  
**Subject:** Incident # 31674

**EXTERNAL email. STOP and THINK before responding, clicking on links, or opening attachments.**

Mike,  
The report mentions post-marking photographs. Can you provide those to me, and if you have any of the damage itself, those too.  
Thanks.

John E. Gowins  
Consumer Complaints Investigator II  
Division of Inspections  
Kentucky Public Service Commission  
502.782.2656

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NORMAL NOTICE

Ticket : 1905021356 Date: 05/02/2019 Time: 13:07 Oper: EBAYENS Chan:000

State: KY Cnty: BULLITT City: LOUISVILLE  
Subdivision:

Address :

Street : OLD MILL RD

Cross 1 : N BARDSTOWN RD

Location: FROM THE INTERSECTION LOCATE SOUTH WEST ON THE NORTH SIDE OF THE ROAD  
FOR 1410 FEET TO JUSTIN TRAIL

:

Boundary: n 38.048705 s 38.044580 w -85.545405 e -85.540915

Work type : INSTALL FIBER/DIRECTIONAL BORE

Done for : MCI METRO VERIZON

Start date: 05/06/2019 Time: 13:15 Hours notice: 96/48 Priority: NORM

Ug/Oh/Both: U Blasting: NO Emergency: N

Duration : N/A Depth: 6 FEET

Company : SPRIGGS CONSTRUCTION Type: CONT

Co addr : 113 TN RT 70 E

City : CROSSVILLE State: TN Zip: 38555

Caller : WENDY GENTRY Phone: (931)787-4783

Contact : CORY GIBSON - CELL Phone:

Mobile : (601)642-5077

Email : WENDY@SPRIGGSCON.COM

Remarks : \*\*\* GEOCODED PLACE IS MOUNT WASHINGTON

:

Submitted date: 05/02/2019 Time: 13:07

Members: 0002 0007 0054 0139 0641 WINKY

**Gowins, John E (PSC)**

---

**From:** Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>  
**Sent:** Tuesday, March 17, 2020 7:23 AM  
**To:** Gowins, John E (PSC)  
**Subject:** RE: Incident # 31674

John,

Here are 2 photos and the report from the responding crew. You will see they thought it was marked accurately and the excavator said it wasn't even at the time.



713.88 assigned 7/29, 2015



# Incident Field Investigation Report — Gas

Damage report # 2019052808  
Is this related to a capital project?  Yes  No  
G# 6000870354

Project/task DTPDU19/MAINT  
Resp. ctr. AOL

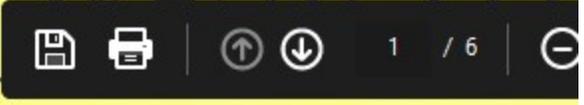
### Damage to company facilities

Date of incident 5-21-19 Time 6:00  a.m.  p.m. Police report # \_\_\_\_\_  
Address/location of damage 10424 Highway 44 ZIP code 40047  
Subdivision name \_\_\_\_\_  
Time dispatched 4:25  a.m.  p.m. Time of completion 8:30  a.m.  p.m.  
Who caused damage? SPRIGGS Construction  
Address of party causing damage 113 TN Route 70 East Crossville TN  
(Street) (City) (State) (ZIP)  
Phone number of party causing damage (601) 642-5077  
(Area code) (Number)

Was party causing damage still on the job?  Yes  No If yes, who was in charge? Cory Gibson  
If no, how did you obtain name of party causing damage? \_\_\_\_\_  
What was damaged?  Company main  Customer service  Company service  Other \_\_\_\_\_  
What type of work was being performed? Boring In Fiber Conduit for MCI Metro  
Explanation for damage Repaired customer service  
Repairs were made? Repaired customer service  
Additional work to be performed?  Yes  No If yes, by whom? \_\_\_\_\_  
Number of customers out 1

### Possible damage to others

Incident \_\_\_\_\_ Time \_\_\_\_\_  a.m.  p.m.  
Was damaged? \_\_\_\_\_  
Was LG&E doing at this location? \_\_\_\_\_  
Type of damage \_\_\_\_\_  
Address of property \_\_\_\_\_ Phone (\_\_\_\_\_) \_\_\_\_\_  
(Street) (City) (Area code) (Number)  
Address \_\_\_\_\_ Phone (\_\_\_\_\_) \_\_\_\_\_  
(Street) (City) (Area code) (Number)  
When was damage reported? \_\_\_\_\_ (ZIP)



---

**From:** Gowins, John E (PSC) <john.gowins@ky.gov>  
**Sent:** Monday, March 16, 2020 2:21 PM  
**To:** Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>  
**Subject:** Incident # 31674

**EXTERNAL email. STOP and THINK before responding, clicking on links, or opening attachments.**

Mike,

The report says that the locate request was marked accurately and validated in the post-marking photography, but was not maintained properly by the excavator for the entirety of the locate request. Can you provide copies of the post-marking photographs?

Thanks.

John E. Gowins  
Consumer Complaints Investigator II  
Division of Inspections  
Kentucky Public Service Commission  
502.782.2656

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## Gowins, John E (PSC)

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**From:** Gowins, John E (PSC)  
**Sent:** Friday, February 7, 2020 9:42 AM  
**To:** wendy@spriggscon.com  
**Subject:** Incidents # 31674 and 31694  
**Attachments:** 1905021356.pdf; email\_from LG&E\_31674.pdf; 1905260153.pdf

Ms. Gentry,

For incident # 31674, Louisville Gas and Electric reported that the excavator damaged 1/2" plastic service because the marks were not visible where the damage occurred. The locate request was completed on 5/2 and 5/3. The locate request was marked accurately and validated in the post-marking photography, but was not maintained properly by the excavator for the entirety of the locate request. The dig ticket # 1905021356 is attached. Also included is an email from LG&E with photographs.

For incident # 31694, Louisville Gas and Electric reported that the contractor was digging with track hoe when they damaged a 2-inch plastic gas main. Contractor failed to spot main with hand tools prior to using mechanized equipment. The main was located properly. The dig ticket # 1905260153 is attached as well.

Please contact me after your review.

Thank you.

John E. Gowins  
Consumer Complaints Investigator II  
Division of Inspections  
Kentucky Public Service Commission  
502.782.2656

## Gowins, John E (PSC)

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**From:** Gowins, John E (PSC)  
**Sent:** Monday, March 9, 2020 3:17 PM  
**To:** wendy@spriggscon.com  
**Subject:** FW: Incidents # 31674 and 31694  
**Attachments:** 1905021356.pdf; email\_from LG&E\_31674.pdf; 1905260153.pdf

Ms. Gentry,

You and I spoke back on February 28 about these two incidents.

I really need to move forward on resolving these issues.

Have you had an opportunity to review your documentation?

Thanks.

---

**From:** Gowins, John E (PSC)  
**Sent:** Friday, February 7, 2020 9:42 AM  
**To:** wendy@spriggscon.com  
**Subject:** Incidents # 31674 and 31694

Ms. Gentry,

For incident # 31674, Louisville Gas and Electric reported that the excavator damaged 1/2" plastic service because the marks were not visible where the damage occurred. The locate request was completed on 5/2 and 5/3. The locate request was marked accurately and validated in the post-marking photography, but was not maintained properly by the excavator for the entirety of the locate request. The dig ticket # 1905021356 is attached. Also included is an email from LG&E with photographs.

For incident # 31694, Louisville Gas and Electric reported that the contractor was digging with track hoe when they damaged a 2-inch plastic gas main. Contractor failed to spot main with hand tools prior to using mechanized equipment. The main was located properly. The dig ticket # 1905260153 is attached as well.

Please contact me after your review.

Thank you.

John E. Gowins  
Consumer Complaints Investigator II  
Division of Inspections  
Kentucky Public Service Commission  
502.782.2656

**Gowins, John E (PSC)**

---

**From:** Gowins, John E (PSC)  
**Sent:** Monday, March 16, 2020 2:04 PM  
**To:** wendy@spriggscon.com  
**Subject:** Incidents # 31674 and 31694

Ms. Gentry,

I will be sending two demand letters to Spriggs Construction LLC for these gas line incidents. The letter for incident # 31674 will have a \$1250 civil penalty requirement since it is the first violation for the company.

The letter for incident # 31694 will have a \$2000 civil penalty requirement since it is the second violation for the company.

John E. Gowins  
Consumer Complaints Investigator II  
Division of Inspections  
Kentucky Public Service Commission  
502.782.2656

\*Spriggs Construction LLC  
6130 Hwy 70 N  
Crossville, TENNESSEE 38571