COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

J WITT PROPERTIES LLC

ALLEGED VIOLATION OF UNDERGROUND FACILITY DAMAGE PREVENTION ACT

CASE NO. 2021-00336

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;

- 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 <u>pscfilings@ky.gov</u>. A minimal fee will be assessed for a copy of this recording. Done at Frankfort, Kentucky, this 10th day of November 2021.

Bidwell

Linda C. Bridwell Executive Director Public Service Commission of Kentucky

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J WITT PROPERTIES LLC -

ALLEGED VIOLATION OF UNDERGROUND FACILITY DAMAGE PREVENTION ACT

CASE NO. 2021-00336

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 5k day of Novem (ge, 2021.

Candace H. Sacre Administrative Specialist III

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

Session Report - Detail



Damage Prevention 29Oct2021

Damage Prevention Hearings

10/29/2021 Witness: A. J. W Judge: Kent Cha	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)
Clerk: Candace S			
Event Time	Log Event		
9:03:52 AM	Session Started		
9:04:18 AM	Chairman Chandler		
	Note: Sacre, Candace	Service Commission, an recorded and is being s	ller. I am Chairman of the Kentucky Public d I will be presiding today. This video will be treamed. The other commissioners, Butler and Vice Chairman Amy Cubbage, this case later.
9:04:37 AM	Chairman Chandler		
	Note: Sacre, Candace	where the Investigation has issued civil penalty	r the purpose of hearing evidence in cases Division of the Public Service Commission assessments against individuals and business ons of the Kentucky Underground Facility
9:04:55 AM	Chairman Chandler	-	
	Note: Sacre, Candace	367.4917(6) to enforce Act and to seek injuncti damage to an undergro	mission has been authorized by KRS and assess civil penalties provided for in the ve relief for any violation that results in und facility used to transport gas or t to the federal pipeline safety laws, 49 USC
9:05:24 AM	Chairman Chandler	· ·	
	Note: Sacre, Candace	the following cases: 20 Joey Casey, 2021-0008 Construction, 2021-003 L&N Utilities LLC, 2021-	ere for the purpose of holding a hearing in 021-00336 J Witt Properties LLC, 2021-00271 3 Spriggs Construction, 2021-00084, Spriggs 02 Spriggs Construction LLC, 2021-00266 00267 L&N Utilities LLC, 2021-00253 Antonio aria Rodriguez, 2021-00352 Michael Knopf, onstruction LLC.
9:06:54 AM	Chairman Chandler		
	Note: Sacre, Candace	I will now go back throu those individual cases.	ugh those and ask if anyone is here on any of
9:07:04 AM	Chairman Chandler		
	Note: Sacre, Candace	2021-00336 J Witt Prop	erties LLC, anybody here?
9:07:13 AM	Staff Atty Norris-Canfield PSC Note: Sacre, Candace	-	lled for training in November, have paid
9:07:22 AM	Chairman Chandler	penalty.	
5.07.22 AM	Note: Sacre, Candace	Ms. Hamilton, can you h on link for further comn	near us, did you hear Staff Counsel?(Click nents.)
9:08:03 AM	Chairman Chandler Note: Sacre, Candace		-00336 J Witt Properties LLC.
9:08:19 AM	Chairman Chandler Note: Sacre, Candace	Case No. 2021-00271 Jo	oey 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,
9:10:41 AM	Chairman Chandler	anyone here either of cases?
9:10:41 AM	Note: Sacre, Candace	Novt Mr. Lozano, 2021 00252 Antonio Lozano2
9:10:57 AM	Chairman Chandler	Next, Mr. Lozano, 2021-00253 Antonio Lozano?
9.10.57 AM	Note: Sacre, Candace	2021-00257 Maria Rodriguez, here?
9:11:06 AM	Staff Atty Norris-Canfield PSC	
9.11.00 AM	Note: Sacre, Candace	Agreed to reset, signed up for November training,
9:11:10 AM	Chairman Chandler	Agreed to reset, signed up for November training,
5.11.10 AN	Note: Sacre, Candace	Correct, Ms. Rodriguez, signed up for training?
9:11:31 AM	Chairman Chandler	concer, nor rounguez, signed up for training.
5111101 / 11	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	
0.10.00 ***	Note: Sacre, Candace	A&R first violation?
9:13:38 AM	Staff Atty Norris-Canfield PSC	Th in
	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 Gov	vins
	Note: Sacre, Candace	Examination. Name and address?
9:20:13 AM	Staff Atty Norris-Canfield PSC - w	
	Note: Sacre, Candace	Direct Examination. Where employed?
9:20:20 AM	Staff Atty Norris-Canfield PSC - w	
	Note: Sacre, Candace	Job duties?
9:20:38 AM	Staff Atty Norris-Canfield PSC - w	
	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 - w	itness Gowins
	Note: Sacre, Candace	Investigate?
9:20:53 AM	Staff Atty Norris-Canfield PSC - w	itness 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 - w	itness 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 - w	itness Gowins
	Note: Sacre, Candace	Was excavator owner?
9:22:57 AM	Staff Atty Norris-Canfield PSC - w	itness Gowins
	Note: Sacre, Candace	Operator reported Mr. Casey not homeowner?
9:23:14 AM	Staff Atty Norris-Canfield PSC - w	itness Gowins
	Note: Sacre, Candace	Mr. Casey present when operator investigated incident?
9:23:34 AM	Staff Atty Norris-Canfield PSC - w	itness Gowins
	Note: Sacre, Candace	Operator speak to Mr. Casey?
9:23:56 AM	Staff Atty Norris-Canfield PSC - w	itness Gowins
	Note: Sacre, Candace	Who called in dig ticket?
9:24:12 AM	Staff Atty Norris-Canfield PSC - w	
	Note: Sacre, Candace	Owner of property?

9:24:21 AM	Staff Atty Norris-Canfield PSC - wit	
9:24:28 AM	Note: Sacre, Candace	-
9:24:20 AM	Staff Atty Norris-Canfield PSC - wit	
0.24.24 AM		Speak with Mr. Casey during investigation?
9:24:34 AM	Staff Atty Norris-Canfield PSC - wit	
0.25.02 414	Note: Sacre, Candace	
9:25:02 AM	Staff Atty Norris-Canfield PSC - wit	
0.05.40.444		Page 11, Investigation Report, what is this?
9:25:19 AM	Staff Atty Norris-Canfield PSC - wit	
0.05.00.004	Note: Sacre, Candace	
9:25:28 AM	Staff Atty Norris-Canfield PSC - wit	
		Page 5, invoice for damage that occurred?
9:25:40 AM	Staff Atty Norris-Canfield PSC - wit	
		Who invoice list as responsible party?
9:25:58 AM	Staff Atty Norris-Canfield PSC - wit	
	Note: Sacre, Candace	
9:26:09 AM	Staff Atty Norris-Canfield PSC - wit	
		Report indicate facility contained natural gas?
9:26:19 AM	Staff Atty Norris-Canfield PSC - wit	
	-	What provision of Act violated?
9:27:19 AM	Staff Atty Norris-Canfield PSC - wit	
		Demand letter issued?
9:27:26 AM	Staff Atty Norris-Canfield PSC - wit	
	Note: Sacre, Candace	
9:27:36 AM	Staff Atty Norris-Canfield PSC - wit	
		Result?
9:27:41 AM	Staff Atty Norris-Canfield PSC - wit	
		Why cite Mr. Casey and not homeowner?
9:27:52 AM	Staff Atty Norris-Canfield PSC - wit	
		Know if Casey any prior violations?
9:28:14 AM	Chairman Chandler - witness Gowi	
	-	Examination. Recollection or information if gas escaped?
9:29:07 AM	Chairman Chandler - witness Gowi	
		Page 8 of Exhibit 1?
9:29:20 AM	Chairman Chandler - witness Gowi	
	Note: Sacre, Candace	On page/pages discuss gas excavation damage report, Duke Energy
		Kentucky at top?
9:29:32 AM	Chairman Chandler - witness Gowi	
	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
0.21.25 414		violation anyway because not received ticket?
9:31:25 AM	Chairman Chandler	
0.21.24 414	Note: Sacre, Candace	Redirect?
9:31:34 AM	Chairman Chandler	
0.21.26 AM	,	Additional witnesses?
9:31:36 AM	Staff Atty Norris-Canfield PSC	A 1 Munu from DDC
0.01.46 AM	-	A. J. Wray from PRG.
9:31:46 AM	Chairman Chandler	Million and in success
0.22.00 444	Note: Sacre, Candace	Witness is sworn.
9:32:08 AM	Chairman Chandler - witness Wray	
0.22.25 444	Note: Sacre, Candace	Examination. Name and address?
9:32:25 AM	Staff Atty Norris-Canfield PSC - wit	
	Note: Sacre, Candace	Direct Examination. By whom employed?

9:32:31 AM	Staff Atty Norris-Canfield PSC - wi	
	Note: Sacre, Candace	Job duties?
9:32:40 AM	Staff Atty Norris-Canfield PSC - wi	
		How connected with this incident?
9:32:56 AM	Staff Atty Norris-Canfield PSC - wi	
	Note: Sacre, Candace	
9:33:00 AM	Staff Atty Norris-Canfield PSC - wi	
0.22.04 414	Note: Sacre, Candace	Supervise investigation?
9:33:04 AM	Staff Atty Norris-Canfield PSC - wi	Thess wray Familiar with Investigation Report?
0.22.12 AM	Staff Atty Norris-Canfield PSC - wi	÷ .
9:33:13 AM	Note: Sacre, Candace	Familiar with Locate Ticket Number 2004161595?
9:33:21 AM	Staff Atty Norris-Canfield PSC - wi	
9.33.21 AM	-	Damage within scope of that ticket?
9:33:42 AM	Staff Atty Norris-Canfield PSC - wi	
9.33.42 AM	-	Underground facility marked and located?
9:34:03 AM	Staff Atty Norris-Canfield PSC - wi	
9.54.05 AM	-	Page 5, Investigation Report, first page of report by PRG?
9:34:21 AM	Staff Atty Norris-Canfield PSC - wi	
5151121741	-	What is this document?
9:34:34 AM	Staff Atty Norris-Canfield PSC - wi	
5.51.51 API	Note: Sacre, Candace	Invoice paid?
9:34:47 AM	Staff Atty Norris-Canfield PSC - wi	•
	Note: Sacre, Candace	Reflect Joey Casey responsible for damage?
9:35:00 AM	Staff Atty Norris-Canfield PSC - wi	
J.JJ.00 AM	-	Page 7, Investigation Report, tell what this document is?
9:35:20 AM	Staff Atty Norris-Canfield PSC - wi	
J.JJ.20 AM	Note: Sacre, Candace	
9:35:55 AM	Staff Atty Norris-Canfield PSC - wi	
J.JJ.JJ AN	Note: Sacre, Candace	See photograph?
9:35:59 AM	Staff Atty Norris-Canfield PSC - wi	
5.55.55 APT	Note: Sacre, Candace	Describe?
9:36:21 AM	Staff Atty Norris-Canfield PSC - wi	
9.30.21 AM	Note: Sacre, Candace	Referring to yellow pipe?
9:36:28 AM	Staff Atty Norris-Canfield PSC - wi	
J.J0.20 AM	Note: Sacre, Candace	Page 8, please describe photos?
9:37:33 AM	Chairman Chandler	ruge o, pieuse describe protos:
5.57.55 APT	Note: Sacre, Candace	Move introduction of Exhibit 1?
9:37:37 AM	Staff Atty Norris-Canfield PSC	
5157157741	Note: Sacre, Candace	Yes, please.
9:37:44 AM	PSC DIVISION OF INSPECTIONS E	
	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 To	ut
	Note: Sacre, Candace	Examination. Name and address?
9:41:17 AM	Staff Atty Norris-Canfield PSC - v	witness Tout
	Note: Sacre, Candace	Direct Examination. Where employed?
9:41:36 AM	Staff Atty Norris-Canfield PSC -	
	Note: Sacre, Candace	Job duties?
9:41:52 AM	Staff Atty Norris-Canfield PSC - v	
	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 - v	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	
	Note: Sacre, Candace	
	Note: Sacre, Candace	
9:43:36 AM	Staff Atty Norris-Canfield PSC -	
	Note: Sacre, Candace	-
9:44:23 AM	Staff Atty Norris-Canfield PSC - v	
	Note: Sacre, Candace	LG&E report noted Mr. Knopf homeowner?
9:44:31 AM	Staff Atty Norris-Canfield PSC - v	
	Note: Sacre, Candace	Report indicate if he was present when investigated incident?
9:45:14 AM	Staff Atty Norris-Canfield PSC - v	
	Note: Sacre, Candace	Contained natural gas?
9:45:36 AM	Staff Atty Norris-Canfield PSC - v	
	Note: Sacre, Candace	Page 7, what is document?
9:46:12 AM	Staff Atty Norris-Canfield PSC - v	
0.46.10 414	Note: Sacre, Candace	Dig ticket valid at time of excavation?
9:46:19 AM	Staff Atty Norris-Canfield PSC - v	
0.46.27 444	Note: Sacre, Candace	When expire?
9:46:27 AM	Staff Atty Norris-Canfield PSC - Note: Sacra Candaca	
	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
5115166741	Note: Sacre, Candace Page 5, estimate for cost of damage?
9:50:10 AM	Staff Atty Norris-Canfield PSC - witness Tout
5150110741	Note: Sacre, Candace Report indicate facility contained natural gas?
9:50:20 AM	Staff Atty Norris-Canfield PSC - witness Tout
5.50.20 AN	Note: Sacre, Candace What provision violated?
9:50:47 AM	Staff Atty Norris-Canfield PSC - witness Tout
J.JU. 77 AM	Note: Sacre, Candace Demand letter issued?
9:50:51 AM	Staff Atty Norris-Canfield PSC - witness Tout
5.50.51 AM	Note: Sacre, Candace To whom issued?
9:50:56 AM	Staff Atty Norris-Canfield PSC - witness Tout
9.30.30 AM	Note: Sacre, Candace Result?
9:51:09 AM	
9.51.09 AM	Staff Atty Norris-Canfield PSC - witness Tout
0.51.22 AM	Note: Sacre, Candace Know if Mr. Knopf first violation? Chairman Chandler
9:51:23 AM	
0.51.22 414	Note: Sacre, Candace Mr. Knopf, any questions?
9:51:32 AM	Chairman Chandler - witness Tout
0.52.20 414	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
0.52.52 AM	blue flags indicate?
9:52:52 AM	Chairman Chandler - witness Tout
0.52.01 414	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
0.53.31 414	Note: Sacre, Candace Either of options exist under Chapter 367?
9:53:21 AM	Chairman Chandler - witness Tout
0.52.47 414	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
0.54.00 414	OCCUR?
9:54:00 AM	Chairman Chandler - witness Tout
0.54.22 AM	Note: Sacre, Candace What else have?
9:54:32 AM	Chairman Chandler - witness Tout
0.54.24 414	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	
51571	51741	Note: Sacre, Candace	Where is Mark 2?
0.28.	08 AM	Chairman Chandler - witness Tout	
5.50.		Note: Sacre, Candace	Do you see Mark 2?
0.50.	32 AM	Chairman Chandler - witness Tout	
9.30.	JZ AM		
		Note: Sacre, Candace	Know how far damage from Mark 2 was, operator provide information?
0.50.	51 AM	Chairman Chandler - witness Tout	
9.59.			
10.00		Note: Sacre, Candace	Know if damage occurred within 18 inches?
10:00):00 AM	Chairman Chandler - witness Tout	
40.00		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
10.00		Chairman Chandler with an Taut	street?
10:00):35 AM	Chairman Chandler - witness Tout	
		Note: Sacre, Candace	Not know where goes after photo, not have evidence, yellow line on
10.01	-04 AM		roots, last documentary evidence of where marked?
10:01	1:04 AM	Chairman Chandler - witness Tout	
		Note: Sacre, Candace	Towards road?
10:01	L: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	L: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	2:17 AM	Chairman Chandler - witness Tout	
		Note: Sacre, Candace	The actual measurement?
10:02	2:57 AM	Chairman Chandler - witness Tout	
		Note: Sacre, Candace	Indicate had measured actual distance?
10:03	3:21 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	1:32 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	
20100109741	Note: Sacre, Candace	Statement (cont'd). (Click on link for further comments.)
10:10:44 AM	Chairman Chandler	
10110111741	Note: Sacre, Candace	White circle, marking you did prior to construction?
10:11:11 AM	Chairman Chandler	white circle, marking you did phor to construction.
10.11.11 AN	Note: Sacre, Candace	Introduce photo as evidence?
10:11:16 AM	Chairman Chandler	The budge photo as evidence:
10.11.10 AM	Note: Sacre, Candace	No objection?
10:11:19 AM	Chairman Chandler	
10.11.19 AM		Mark as Knonf No. 1
10:11:20 AM	Note: Sacre, Candace KNOPF EXHIBIT 1	Mark as Knopf No. 1.
10:11:20 AM		
10:11:23 AM	Note: Sacre, Candace Chairman Chandler	PHOTOGRAPH
10:11:23 AM		Any other evidence?
10.11.21 444	Note: Sacre, Candace	Any other evidence?
10:11:31 AM	Mr. Michael Knopf	Chatamant (and the) (Click on link for firsther second at)
10 11 10 114	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
10.12.10 414	Chairman Chandler	get past evidentiary stage, any other evidence?
10:12:10 AM	Chairman Chandler	Cines DOI has hunder of superfulst enable first and then to use first
	Note: Sacre, Candace	Since DOI has burden of proof, let speak first and then to you, five
10.12.27 414	Chairman Chandler	minutes to provide comments for consideration.
10:12:27 AM	Chairman Chandler	Final statements or recommendation in this matter?
10.12.20 414	Note: Sacre, Candace	Final statements of recommendation in this matter?
10:12:36 AM	Staff Atty Norris-Canfield PSC	DOI amanchia asising laffan di 00 nangitu and Mulling fattand
	Note: Sacre, Candace	DOI amenable original offer, \$100 penalty and Mr. Knopf attend
10:13:32 AM	Chairman Chandler	training course. (Click on link for further comments.)
10:13:32 AM		Mr. Knonf anything would like to any?
10.12.44 414	Note: Sacre, Candace	Mr. Knopf, anything would like to say?
10:13:44 AM	Mr. Michael Knopf	
10 15 07 414	Note: Sacre, Candace	Statement by Mr. Knopf. (Click on link for further comments.)
10:15:27 AM	Chairman Chandler	
10 15 25 444	Note: Sacre, Candace	Recommendation \$100 or \$250?
10:15:35 AM	Staff Atty Norris-Canfield PSC	±400 C 1
	Note: Sacre, Candace	\$100 fine, homeowner.
10:15:45 AM	Chairman Chandler	
10.15 40 114	Note: Sacre, Candace	Anything else, Mr. Knopf?
10:15:49 AM	Mr. Michael Knopf	
10.10.15	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	
1011/110/11	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 -	
10.27.42 444	Note: Sacre, Candace	Direct Examination. Name?
10:37:43 AM	Staff Atty Norris-Canfield PSC -	
10:37:51 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC -	Where employed?
10.37.31 AM	Note: Sacre, Candace	Familiar with incident of damage that took place May 21 2019 at
	Note: Sacre, Candace	10424 Highway 44, Louisville?
10:38:06 AM	Staff Atty Norris-Canfield PSC -	÷ , .
	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 INSPECTION	
	Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS
10 00 51 114	Note: Sacre, Candace	INCIDENT 31674 INVESTIGATION REPORT
10:39:51 AM	Staff Atty Norris-Canfield PSC -	
10.40.01 414	Note: Sacre, Candace	Operator made initial report?
10:40:01 AM	Staff Atty Norris-Canfield PSC -	
10.40.41 444	Note: Sacre, Candace	Indicate they had spoken with excavator?
10:40:41 AM	Staff Atty Norris-Canfield PSC - Note: Sacre, Candace	
10:40:49 AM	Staff Atty Norris-Canfield PSC -	Valid dig ticket?
ייא פדיטריטי	Note: Sacre, Candace	Expiration date?
10:40:55 AM	Staff Atty Norris-Canfield PSC -	
20110100701	-	
	Note: Sacre, Candace	Incident date?

10:41:03 AM	Staff Atty Norris-Canfield PSC - V	
	Note: Sacre, Candace	
10:41:12 AM	Staff Atty Norris-Canfield PSC - \	
10.41.27 414		Able verify if facility marked and located in response to ticket?
10:41:27 AM	Staff Atty Norris-Canfield PSC - N	
10.41.40 414	•	Page 8, Investigation Report, one of photographs speaking about?
10:41:49 AM	Staff Atty Norris-Canfield PSC - N	
10.42.04 AM	Note: Sacre, Candace	
10:42:04 AM	Staff Atty Norris-Canfield PSC - N	
10:42:26 AM	Note: Sacre, Candace	-
10.42.20 AM	Staff Atty Norris-Canfield PSC - N	
10.42.29 AM		Also flags in photo indicating gas line?
10:42:38 AM	Staff Atty Norris-Canfield PSC - N	
10:42:46 AM	Staff Atty Norris-Canfield PSC - v	At corner of sign, also flag?
10.42.40 AM	-	Page 10, explain photo and how relates to damage?
10:43:30 AM	Staff Atty Norris-Canfield PSC - v	
10.45.50 AM		Page 11, explain this photo and how relates to damage?
10:44:11 AM	-	
10.44.11 AM	Staff Atty Norris-Canfield PSC - N	State did attempt contact excavator, never able reach them?
10:46:41 AM	Staff Atty Norris-Canfield PSC - v	•
10.40.41 AM	Note: Sacre, Candace	Report indicate facility contained natural gas?
10:46:49 AM	Staff Atty Norris-Canfield PSC - v	
10.40.49 AM	Note: Sacre, Candace	
10:47:24 AM	Staff Atty Norris-Canfield PSC - v	•
10.47.24 AM	Note: Sacre, Candace	
10:47:31 AM	Staff Atty Norris-Canfield PSC - v	
10.47.51 AM	Note: Sacre, Candace	
10:47:41 AM	Staff Atty Norris-Canfield PSC - v	
10.77.11 AM	Note: Sacre, Candace	
10:47:51 AM	Staff Atty Norris-Canfield PSC - v	
10.47.51 AM		Excavator any prior violations?
10:48:03 AM	Staff Atty Norris-Canfield PSC - v	
10. 10.05 AM	Note: Sacre, Candace	Since that time, additional violations?
10:48:17 AM	Chairman Chandler - witness Go	
10110117 741	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 Go	
	Note: Sacre, Candace	White markings post-damage photos not present in May 2nd
	,	pictures?
10:49:05 AM	Chairman Chandler - witness Go	•
	Note: Sacre, Candace	Mechanized equipment used?
10:49:15 AM	Chairman Chandler - witness Go	
	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 -	
	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	3 1 <i>1 1 1 1 1</i>
	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	
	Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS
	Note: Sacre, Candace	INCIDENT 31694 INVESTIGATION REPORT
10:52:29 AM	Staff Atty Norris-Canfield PSC -	
10102120 / 4 1	Note: Sacre, Candace	Describe investigation?
10:53:05 AM	Staff Atty Norris-Canfield PSC -	-
10100100741	Note: Sacre, Candace	Report indicate excavator present when did investigation?
10:53:39 AM	Staff Atty Norris-Canfield PSC -	
10100100741	Note: Sacre, Candace	Speak to excavator?
10:53:51 AM	Staff Atty Norris-Canfield PSC -	•
101001017	Note: Sacre, Candace	What state about incident?
10:54:19 AM	Staff Atty Norris-Canfield PSC -	
1010 1120 / 11	Note: Sacre, Candace	Dig ticket indicate operator spoken to excavator?
10:54:48 AM	Staff Atty Norris-Canfield PSC -	
	-	Page 9, what is document?
10:55:05 AM	Staff Atty Norris-Canfield PSC -	-
	-	Ticket valid at time of incident?
10:55:17 AM	Staff Atty Norris-Canfield PSC -	
	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 -	-
	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 -	
1010710071	Note: Sacre, Candace	Pay penalty?
10:58:02 AM	Chairman Chandler - witness Go	
10100102741	Note: Sacre, Candace	Examination. Incident 31694?
10:58:15 AM	Chairman Chandler - witness Go	
10.50.15 AM	Note: Sacre, Candace	Allegation no contention improper marking but excavator damaged
	Note: Sacre, Canadee	facility, using mechanized equipment?
10:59:05 AM	Chairman Chandler	ruency, using meenanized equipment.
10.33.03 AM	Note: Sacre, Candace	Have anything on this case?
10:59:08 AM	Chairman Chandler	
10.59.00 AM		Chart brief on this matter (Click on link for further comments)
11.01.04 AM	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
11 02 22 444		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 -	
	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
	-	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 INVESTIGATI	ONS EXHIBIT 1
	Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS
	Note: Sacre, Candace	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 -	
	Note: Sacre, Candace	Contained natural gas?
11:04:45 AM	Staff Atty Norris-Canfield PSC -	-
-	Note: Sacre, Candace	Make contact with excavator?
11:04:51 AM	Staff Atty Norris-Canfield PSC -	
/	Note: Sacre, Candace	Page 5, what is this document?
11:05:10 AM	Staff Atty Norris-Canfield PSC -	÷ .
	Note: Sacre, Candace	Valid at time of incident?

11:05:15 AM	Staff Atty Norris-Canfield PSC - wi Note: Sacre, Candace	
11:05:23 AM	Staff Atty Norris-Canfield PSC - wi	itness Gowins
11:05:30 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	itness Gowins
11:05:37 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	
11:05:56 AM	Staff Atty Norris-Canfield PSC - wi Note: Sacre, Candace	itness Gowins
11:06:12 AM	Staff Atty Norris-Canfield PSC - wi	
11:06:17 AM	Staff Atty Norris-Canfield PSC - wi	
11:06:34 AM	Staff Atty Norris-Canfield PSC - wi	
11:06:40 AM	Staff Atty Norris-Canfield PSC - wi	itness Gowins
11:06:58 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	itness Gowins
11:07:02 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi Note: Sacre, Candace	itness Gowins
11:07:20 AM	Staff Atty Norris-Canfield PSC - wi	
11:07:34 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	itness Gowins
11:07:59 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	itness Gowins
11:08:09 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	
11:08:16 AM	Staff Atty Norris-Canfield PSC - wi	
11:08:23 AM	Staff Atty Norris-Canfield PSC - wi	
11:08:31 AM	Staff Atty Norris-Canfield PSC - wi	
11:08:52 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	
11:09:00 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	
11:09:05 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC - wi	
11:09:18 AM	Note: Sacre, Candace Chairman Chandler - witness Gow	-
11:09:52 AM	Note: Sacre, Candace Chairman Chandler - witness Gow	
11:10:01 AM	Note: Sacre, Candace Chairman Chandler	No evidence released into atmosphere?
11:10:05 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC	Redirect, anything else?
11:10:11 AM	Note: Sacre, Candace Chairman Chandler	Nothing further, submit.
	Note: Sacre, Candace	Alleged third violation, not found guilty previous violation, style brief in both matters, will enter order soon what Commission request be.

Note:Sacre, CandaceInvestigate?11:12:42 AMStaff Atty Norris-Canfield PSC - witness Gowins Note:Sacre, CandaceInvestigation Report Incident 32412, true and accurate copy?11:13:05 AMStaff Atty Norris-Canfield PSC Note:Move marked and entered as DOI Exhibit 1.11:13:11 AMChairman Chandler Note:So ordered.11:13:13 AMPSC DIVISION OF INSPECTIONS EXHIBIT 1 Note:Sacre, Candace11:13:14 AMStaff Atty Norris-Canfield PSC - witness Gowins Note:Sacre, Candace11:13:14 AMStaff Atty Norris-Canfield PSC - witness Gowins Note:Sacre, Candace11:13:14 AMStaff Atty Norris-Canfield PSC - witness Gowins Note:Describe investigation?	11:11:08 AM	Chairman Chandler	
11:12:15 AM Chairman Chandler Note: Sacre, Candace D1 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 Dohn Gowins. 11:12:22 AM Staff Atty Norris-Canfield PSC Note: Sacre, Candace Direct Examination. Familiar with incident of damage that took place on January 7 2020 at 1164 Colorado Road, Lexington, Kentucky? 11:12:42 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? 11:13:13 AM Staff Atty Norris-Canfield PSC - witness Gowins 11:13:13 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1 11:13:13 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace INCIDENT 32412 INVESTIGATION REPORT 11:13:14 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace Note: Sacre, Candace 11:13:14 AM Staff Atty Norr		Note: Sacre, Candace	present, allegation evidence violated Act, (click on link for further
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 Remind still under oath. 11:12:29 AM Staff Atty, Norris-Canfield PSC - witness Gowins Direct Examination. Familiar with incident of damage that took place on January 7 2020 at 1164 Colorado Road, Lexington, Kentucky? 11:12:24 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? 11:13:105 AM Staff Atty, Norris-Canfield PSC - witness Gowins Note: Sacre, Candace Note: Sacre, Candace 11:13:13 AM PSC DIVISION OF INSPECTIONS EXHIBT 1 Note: Sacre, Candace Note: Sacre, Candace Note: Sacre, Candace 11:13:13 AM Staff Atty, Norris-Canfield PSC - witness Gowins Note: Sacre, Candace Note: Sacre, Candace 11:13:14 M Chairman Chandler Suff Atty, Norris-Canfield PSC - witness Gowins Note: Sacre, Candace 11:13:13 AM			comments).
 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 Remind still under oath. 11:12:24 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 Investigate? 11:12:24 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 Investigate? 11:13:05 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace Investigate? 11:13:13 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace So ordered. 11:13:13 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sacre, Candace INCEDENT 32412 INVESTIGATION REPORT 11:13:14 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace Souris Souris-Canfield PSC - witness Gowins Note: Sacre, Candace Souris Souris Souris-Canfield PSC - witness Gowins Note: Sacre, Candace CARE STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS Note: Sacre, Candace Souris Note: Sacre, Candace CARE STAFF ATTY NORRIS-CANFIELD PSC - WITNESS GOWINS Note: Sacre, Candace Who reported damage? 11:13:14 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sacre, Candace CARE CARE SOWINS Note: Sacre, Candace CARE CARE CARE CARE CARE CARE CARE CARE	11:12:15 AM		
Note: Sarer, Candace First witness? 11:12:22 AM Staff Atty Norris-Canfield PSC Note: Note: Sarer, Candace John Gowins. 11:12:24 AM Chairman Chandler Remind still under oath. 11:12:29 AM Staff Atty Norris-Canfield PSC - witness Gowins 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: Sarer, Candace Investigation Report Incident 32412, true and accurate copy? 11:13:05 AM Staff Atty Norris-Canfield PSC Note: Sarer, Candace Move marked and entered as DOI Exhibit 1. 11:13:11 AM Chairman Chandler Note: Sarer, Candace So ordered. 11:13:13 AM PSC DIVISION OF INSPECTIONS EXHIBIT 1 Note: Sarer, Candace Staff Atty Norris-Canfield PSC - witness Gowins 11:13:13 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sarer, Candace INOPENTIONE 11:13:13 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sarer, Candace INOPENTIONE 11:13:13 AM Staff Atty Norris-Canfield PSC - witness Gowins Note: Sarer, Candace INOPENTIONE		-	DOI prepared to move forward?
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11:17:01 AM Staff Atty Norris-Canfield PSC - witness Gowins		-	
	11:17:01 AM	-	
		-	

11:17:24 AM	Staff Atty Norris-Canfield PSC - with	ness Gowins
	Note: Sacre, Candace I	include estimate of cost of damage?
11:17:31 AM	Staff Atty Norris-Canfield PSC - with	ness Gowins
	Note: Sacre, Candace F	Paid operator for damage?
11:17:54 AM	Staff Atty Norris-Canfield PSC - with	ness Gowins
	Note: Sacre, Candace C	Contain natural gas?
11:18:01 AM	Staff Atty Norris-Canfield PSC - with	ness Gowins
	-	Provision violated?
11:18:11 AM	Staff Atty Norris-Canfield PSC - with	ness Gowins
		Demand letter issued?
11:18:18 AM	Staff Atty Norris-Canfield PSC - with	
		Where sent?
11:18:34 AM	Staff Atty Norris-Canfield PSC - with	
111101017.11	-	Any prior violations?
11:18:58 AM	Chairman Chandler - witness Gowin	
11.10.507.11		Examination. Contractor bored through SL, reading (click on link for
	•	Further comments), SL stands for service line?
11:19:26 AM	Chairman Chandler - witness Gowin	
		Who work done for?
11:20:06 AM	Chairman Chandler - witness Gowin	
111201007411		Know at what depth lines supposed to be maintained?
11:20:29 AM	Chairman Chandler - witness Gowin	
11.20.297.11		Depth indicated on pictures page 11, 36-inch ruler, four pictures,
		naybe page 9, the depth there, service line does appear to be in
		excess of 12 inches?
11:22:04 AM	Chairman Chandler - witness Gowin	
		Any indication escape of gas into atmosphere?
11:22:33 AM	Chairman Chandler	,
		Redirect?
11:22:35 AM	Chairman Chandler	
		Additional evidence?
11:22:48 AM	Chairman Chandler	
		Three minute break until 11:25.
11:23:02 AM	Session Paused	
11:29:29 AM	Session Resumed	
11:29:38 AM	Chairman Chandler	
11120100 / 111		Back on the record, next case 2021-00267, L&N Utilities, LLC, (click
		on link for further comments).
11:30:39 AM	Chairman Chandler	
		Prepared to move forward?
11:30:45 AM	Chairman Chandler	
		Call first witness.
11:30:49 AM	Staff Atty Norris-Canfield PSC	
	-	Eric Tout.
11:30:54 AM	Chairman Chandler	
11100101741		Remind still under oath.
11:31:05 AM	Staff Atty Norris-Canfield PSC - with	
11101100741	-	Direct Examination. Familiar with incident of damage took place
		lune 16 2020 at 1000 Samuel Street, Louisville, Kentucky?
11:31:15 AM	Staff Atty Norris-Canfield PSC - with	
	-	investigate?
11:31:18 AM	Staff Atty Norris-Canfield PSC - with	-
		ncident 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
11.24.40 AM	Note: Sacre, Candace Digging with mechanized equipment?
11:34:48 AM	Staff Atty Norris-Canfield PSC - witness Tout
11.25.10 AM	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	Note: Sacre, Candace Moved marked and entered. Chairman Chandler
11.55.15 AM	Note: Sacre, Candace So ordered.
11:35:16 AM	PSC DIVISION OF INSPECTIONS EXHIBIT 2
11.55.10 AM	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
11.001217.11	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 - with	
	Note: Sacre, Candace	Page 7?
11:38:53 AM	Staff Atty Norris-Canfield PSC - wit	
	-	Contained natural gas?
11:39:18 AM	Staff Atty Norris-Canfield PSC - wit	
	-	Speak to excavator during investigation?
11:39:26 AM	Staff Atty Norris-Canfield PSC - wit	
	-	What did they state?
11:40:48 AM	Staff Atty Norris-Canfield PSC - wit	
	Note: Sacre, Candace	Demand letter issued?
11:40:50 AM	Staff Atty Norris-Canfield PSC - wit	
		Who issued to?
11:41:37 AM	Staff Atty Norris-Canfield PSC - wit	
	-	Secretary of State different, send both addresses?
11:41:46 AM	Staff Atty Norris-Canfield PSC - wit	
	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,
11:49:26 AM	Chairman Chandler	(click on link for further comments).
11.49.20 AM	Note: Sacre, Candace	Called case earlier, Lozano not present, DOI prepared to proceed?
11:49:43 AM	Chairman Chandler	Called case earlier, Lozano not present, DOI prepared to proceed:
11.79.75 AM	Note: Sacre, Candace	Call first witness.
11:49:47 AM	Staff Atty Norris-Canfield PSC	Call first withess.
11.15.17 / 11	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 -	
	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 -	
	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	
11.50.51 414	Note: Sacre, Candace	So ordered.
11:50:51 AM	PSC DIVISION OF INSPECTION	
	Note: Sacre, Candace	STAFF ATTY NORRIS-CANFIELD PSC - WITNESS TOUT
11:50:52 AM	Note: Sacre, Candace Staff Atty Norris-Canfield PSC -	INCIDENT 32574 INVESTIGATION REPORT
11.50.52 AM	Note: Sacre, Candace	Describe investigation?
11:51:52 AM	Staff Atty Norris-Canfield PSC -	-
11.51.52 AN	Note: Sacre, Candace	Lozano homeowner, owner of property at 4173 Willow Lane,
	Note: Sucre, cunduce	Lexington?
11:52:17 AM	Staff Atty Norris-Canfield PSC -	-
	Note: Sacre, Candace	
11:52:31 AM	Staff Atty Norris-Canfield PSC -	
	-	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 -	
		Page 6, what this document?
11:54:17 AM	Staff Atty Norris-Canfield PSC -	
	Note: Sacre, Candace	Valid on date of incident?

11:55:02 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Demand letter issued? 11:55:151 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Disead to Lozano? 11:55:151 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Offered training? 11:55:161 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Doffered training? 11:55:20 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Doe either of those things? 11:55:56 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Doe either of those things? 11:56:10 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Did not complete training course? 11:56:11 AM Chairman Chandler - witness Tout Note: Sacre, Candace Examination. Where in record indicate paid penalty? 11:56:49 AM Chairman Chandler - witness Tout Note: Sacre, Candace Demand letter \$100 penalty if attended training? 11:57:208 AM Chairman Chandler - witness Tout Note: Sacre, Candace Demand letter \$100 penalty if attended training? 11:57:51 AM Staff Atty Norris-Canfield PSC Note: Sacre, Candace Note: Sacre, Candace 11:57:208 AM Chairman Chandler Note: Sacre, Candace Demmed letter \$100 penalty if attended tra	11:54:27 AM	Staff Atty Norris-Canfield PSC - wi Note: Sacre, Candace	tness Tout What provision determine violated?
Note: Sacre, Candace Demand letter issued? 11:55:11 AM Staff Atty Norris-Canfield PSC - witness Tout Note:: Sacre, Candace Offered training? 11:55:15 AM Staff Atty Norris-Canfield PSC - witness Tout Note:: Sacre, Candace Offered training? 11:55:16 AM Staff Atty Norris-Canfield PSC - witness Tout Note:: Sacre, Candace Done either of those things? 11:55:16 AM Staff Atty Norris-Canfield PSC - witness Tout Note:: Sacre, Candace Done either of those things? 11:55:17 AM Staff Atty Norris-Canfield PSC - witness Tout Note:: Sacre, Candace Did not complete training course? 11:56:10 AM Staff Atty Norris-Canfield PSC - witness Tout Note:: Sacre, Candace Prior violations? 11:56:14 M Chairman Chandler - witness Tout Note:: Sacre, Candace Examination. Where in record indicate paid penalty? 11:56:49 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sacre, Candace Demand letter \$100 penalty if attended training? 11:57:08 AM Chairman Chandler - witness Tout Note: Sacre, Candace Demand letter \$100 penalty if attended training? 11:57:18 AM Chairman Chandler - witness Tout Note: Sacre, Candace Staff Atty Norris-Canfield PSC - Note: Sacre, Candace 11:57:18 AM Chairman Chandler - witness Tout Note: Sacre, Candace In	11.55.02 AM	•	•
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Note: Sare, Candace Offered training? 11:55:18 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sare, Candace Offered reduced penalty? 11:55:20 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sare, Candace Did not complete training course? 11:55:00 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sare, Candace Did not complete training course? 11:55:00 AM Staff Atty Norris-Canfield PSC - witness Tout Note: Sare, Candace Examination. Where in record indicate paid penalty? 11:56:11 AM Chairman Chandler - witness Tout Note: Sare, Candace Yes. 11:56:49 AM Staff Atty Norris-Canfield PSC Note: Sare, Candace Demand letter \$100 penalty if attended training? 11:56:52 AM Chairman Chandler - witness Tout Note: Sare, Candace Demand letter \$100 penalty if attended training? 11:57:08 AM Chairman Chandler - witness Tout Note: Sare, Candace Recommendation, Lozano was excavator and 4173 Willow Mr. Lozano's address? 11:57:28 AM Chairman Chandler Note: Sare, Candace \$100 penalty and attend training course. 11:57:51 AM Staff Atty Norris-Canfield PSC Note: Sare, Candace In record soon what Lozano paid to date? 11:58:02 AM Chairman Chandler Note: Sare, Candace Nothin record soon what Lozano	11.55.15 AM	•	
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 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. 	11:59:11 AM	Chairman Chandler	
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12:00:38 PM Chairman Chandler Note: Sacre, Candace Hearing adjourned.			Anything else?
Note: Sacre, Candace Hearing adjourned.	12:00:38 PM	-	, 3
	-		Hearing adjourned.
	12:00:48 PM	-	

*J WITT PROPERTIES LLC 361 Reges Road Irvine, KENTUCKY 40336