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PUBLIC SERVICE
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**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

R.E.D.S. LLC)
_____)

ALLEGED VIOLATION OF UNDERGROUND)
FACILITY DAMAGE PREVENTION ACT)

CASE NO.
2021-00441

**RESPONSE OF R.E.D.S. LLC
TO OPENING ORDER/STAFF INCIDENT REPORT**

Comes now the Respondent, R.E.D.S. LLC. (hereinafter "R.E.D.S."), by and through counsel, in compliance with numerical Paragraph 1 of the Order of the Commission entered February 22, 2022, and submits its Response to the allegations contained in Staff Incident Report No. 43153, as follows:

1. On November 15, 2021, the undersigned Counsel for R.E.D.S. was first put on Notice of the allegations within Staff Incident Report No. 43153 by a representative from Project Resources Group (PRG).
2. On December 28, 2021, the same representative from PRG offered to resolve and settle the damages from the allegations within Staff Incident Report No. 43153 for less than what what initially owed or \$1,000.00.
3. On January 4, 2022, the undersigned Counsel for R.E.D.S. mailed a check from the same to PRG for \$1,000.00 not as an admission of liability but rather as a cost saving attorney fee measure to resolve the entire controversy.
4. Upon PRG's receipt of the agreed upon settlement amount, R.E.D.S. was to reasonably believe that this investigation and these allegations were resolved and settled as was promised by the representative of PRG.

5. As of the date of this Response, R.E.D.S. nor the undersigned Counsel have received any further communication from PRG or other entity regarding this investigation or these allegations beyond the filing of the Opening Order under Case No. 2021-00441.
6. As of the date of this Response, R.E.D.S. has received no further communication, indication, or request regarding any further duty or obligation towards this investigation or these allegations that would contradict their belief and understanding that this matter is moot.

WHEREFORE, the Respondent, R.E.D.S. LLC, requests that the Commission dismiss the case and investigation herein.

Respectfully Submitted,




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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was sent via electronic mail on this 7th day of March, 2022 to the following:

PSCED@ky.gov



Donald L. Nageleisen, Esq.