

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BLUEGRASS EXCAVATION & CONTRACTING,) INC.) _____) ALLEGED VIOLATION OF UNDERGROUND) FACILITY DAMAGE PREVENTION ACT))) CASE NO. 2022-00258))))))
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INITIATING ORDER FOR ALLEGED 811 VIOLATION OF THE KENTUCKY
UNDERGROUND FACILITY DAMAGE PREVENTION ACT

(Se proporciona la traducción al español de este documento como anexo/apéndice.)

Bluegrass Excavation & Contracting, Inc. (Bluegrass Excavation) has been named as a party to an investigation before the Kentucky Public Service Commission (Commission) for allegedly violating the Kentucky Underground Facility Damage Prevention Act (Act).¹ A hearing in this case shall take place on January 27, 2023.

Pursuant to KRS 278.495(2), the Commission has jurisdiction to regulate the safety of natural gas facilities in Kentucky and to enforce minimum federal pipeline safety standards. Under the Act, the Commission has authority to investigate and assess civil penalties for any violation of the Act that results in excavation damage to an underground facility used to transport natural gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. § 60101, *et seq.* Any person who violates any provision of the Act is subject to assessment of a civil penalty in the amount of \$250 for the first offense, no more than \$1,000 for the second offense within one year, and no more than \$3,000 for

¹ KRS 367.4901 through KRS 367.4917.

the third and any subsequent offense. Additionally, any person whose violation of the Act results in damage to an underground facility containing any flammable, toxic, corrosive, or hazardous material or results in the release of any flammable, toxic, corrosive, or hazardous material is subject to an additional penalty of up to \$1,000.

Following receipt of a report of excavation damage to its underground gas pipeline from an operator, Commission Staff (Staff) conducted an investigation and prepared an Incident Report, a copy of which is attached to this Order as Appendix A. In its Incident Report, Staff cites Bluegrass Excavation for violation of the following provision of the Act:

KRS 367.4911(1)(a) – Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Bluegrass Excavation violated the Underground Facility Damage Prevention Act. The Commission further finds that a formal investigation into the excavation damage incident shall be conducted.

IT IS THEREFORE ORDERED that:

1. Bluegrass Excavation shall submit to the Commission, via email sent to PSCED@ky.gov with the case number of this proceeding in the subject line of the message, a written response to the allegations contained in the Staff Incident Report within 20 days of receipt of this Order.
2. Bluegrass Excavation shall appear on January 27, 2023, at 9 a.m. Eastern Standard Time, in the Richard Raff Hearing Room of the Commission's offices at

211 Sower Boulevard in Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violation of the Underground Facility Damage Prevention Act.

3. The January 27, 2023 hearing shall be conducted via video conferencing.

4. Bluegrass Excavation shall attend the hearing by using the following link: <https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>; information and instructions are attached to this Order as Appendix B.

5. Bluegrass Excavation shall notify the Commission at least ten days prior to the hearing if Bluegrass Excavation is unable to appear by video conferencing and will therefore appear in person.

6. **Any partnership, corporation, or business entity (including a limited liability company) must be represented by an attorney licensed to practice law in Kentucky, and such representation includes the filing of papers with and appearances at hearings before the Commission.**


7. An individual may submit a response to the allegations contained in the Staff Incident Report without the representation of an attorney.

8. The Staff Incident Report 53775, attached to this Order as Appendix A, is made a part of the record in this case.

9. The January 27, 2023 hearing shall be recorded by video only.

10. **Please note parties who fail to appear after service will be subject to entry of a default judgment against them.**

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner



ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00258 DATED NOV 23 2022

SIXTY-THREE PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 53775 **Investigation** 8701
Incident Date 6/17/2021 9:40:00 AM **Report Submitted** 7/13/2021

Operator Information

Operator Louisville Gas and Electric Company (LG&E) **Reported By** Mike Jones
Phone (502) 364-8281 **Email** Mike.Jones@lge-KU.com

Incident Location 4700 Shepherdsville Rd Louisville KY 40218 **Locate Ticket Number** NA

County Jefferson

Excavator Information

Excavator Marty Hood **Organization ID** 0453311
 Bluegrass Excavation & Contracting, Inc.
Phone 502-643-2871 **Email**
Address PO Box 172 **Locate Ticket Number** NA
 Fishersville KY 40023

Damage Report (DR) Summary

Excavation Within 18" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
No call to 811	Yes	Yes	Mechanized/Non-mechanized/N/A	\$425.00	\$0.00

The Operator reports that the Excavator damaged a one-inch gas service, demolishing existing asphalt, along with site development work and failed to contact the KY Contact Center (811). The Excavator informed the Operator that he was told all underground gas facilities were remove. The Operator reports that the gas service for 4700 Shepherdsville Rd., was removed, but the service damaged feeds 4640 Shepherdsville Rd.

The DR is included as Attachment 1.

INVESTIGATION

On 05/06/22 811, Carly Dunsmore, conducted a search form 05/01/21 thru 06/20/21 providing the following Locate Tickets (LT):

LT Summary

Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from Initial date)	Incident Date	Obtained After Incident Time	Within Scope of Excavation
2106171123	No	06/17/21 at 11:34	N/A	06/17/21 09:40	1hr. 54min.	Yes
2106171098	No	06/17/21 at 11:29			1hr. 49min.	

A review of the LTs revealed the Excavator obtained both on the incident date of 06/17/21, LT... 1123 at 11:34 and LT... 1098 at 11:29, indicating both were obtained 1hr. 54min. and 1hr. 49min. after the incident time of 09:40.

The LT is included as Attachment 2.

On 05/10, 12 & 16/22 an attempt to contact the Excavator resulted in a message stating you have reached Marty Hood wherein the voice mailbox was full.

PIPELINE DAMAGE INVESTIGATION REPORT

On 05/18/22 the Operator, LG&E's Mike Jones, provided the following documents:

- Facts-Based Investigation & Incident Field Investigation Report: Which is outlined in the DR Summary and Attachment 1.
- Photographs - 40: Depicting the incident location.
- Invoice: Indicating the Excavator was bill \$424.94 for the damage repair. *Note*: Per Mr. Jones as of 05/18/22 repair of the damage has not been paid.

LG&E's documents are included as Attachment 1.

Due to the inability to contact Mr. Hood a Demand Letter will be sent requiring the attendance to the Damage Prevention Course and paying the reduced penalty of \$250.00.

VIOLATIONS¹

KRS 367.4911(1)(a) Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

of Offences Within 365 Days

(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1st Offence Date (Last Offence Date +366 Days)
1 st	See above	06/17/21	06/18/22

¹ A revision of the Underground Facility Damage Prevention Act took effect on January 1, 2022. All incidents of damage dated prior to January 1, 2022 will be reviewed under the former version of the Act

Attachment 1

Gas Excavation Damage Report

Louisville Gas and Electric Company

Submitted 7/13/2021 Incident ID: 53775

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=53775\)](#)

Reported By:

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

Gas Line Incident Occured:

Date: 6/17/2021
Time: 9:40 AM

Details:

Reported Date: 7/13/2021 10:43 AM

Incident Location Address:

Location:
Address: 4700 Shepherdsville Rd
City: Louisville
State: KY
County: Jefferson
Zip: 40218
Confirm Code: Y

Number of Customers out: 2

Was gas or hazardous liquids contained in the underground facility?

* 3/2020

Was gas or hazardous liquids released into the atmosphere?

Locate Request Ticket No.: NA

Excavator: Contractor

Excavator Address:

First Name: Marty

Last Name: Hood

Organization ID:

Company: Bluegrass Excavating

Phone: 502-643-2871

Email:

Address: PO Box 172

City: Fisherville

State: KY

Zip: 40023

Confirm Code: Y

Excavation Damage: No notification made to the One Call Center

Description of Incident ?Excavator damaged service digging without locates or locate request.

Summary Information

7/13/2021

Full details such as the cause	Bluegrass Excavation was subcontracted by Cambridge Construction to demolish existing asphalt, as well as to perform other site development work at 4700 Shepherdsville Rd. While removing asphalt and the part of the roadbed leading into the industrial area, Bluegrass Excavation damaged a 1" plastic gas service (SVC#343893). The gas service feeds an industrial warehouse at 4640 Shepherdsville Rd, the gas service is feed from Shepherdsville Rd, running west through 4700 Shepherdsville Rd's property line. I spoke with Marty Hood, who is the project manager for Bluegrass Excavation, via phone directly following the damage. Mr. Hood stated he was told that all gas had been removed from 4700 Shepherdsville Rd 's property. From looking around the site I could see where the gas service that fed 4700 had been removed, but the damaged service actually feeds 4640 Shepherdsville Rd.
Extent of the damage	Broken 1" plastic gas service
Cost of the damage	\$425.00
Steps taken to prevent re-occurance	Bluegrass needs to make sure they call 811 before starting to dig, regardless of whether or not they think any utilities are in the area. I explained several 811 laws with Mr. Hood on 6/17/21.
Amount billed to excavator	\$0.00

Attachment 2

Tout, Eric V (PSC)

From: Carly Dunsmore <cdunsmore@usa811.org>
Sent: Friday, May 6, 2022 10:44 AM
To: Tout, Eric V (PSC)
Cc: PSCrequest@kentucky811.org
Subject: Re: 53775
Attachments: 2106171123.pdf; 2106171098.pdf

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hello,

Attached are copies of the requested tickets. We searched between 5/1/2021 and 6/20/2021. If you have any questions, please don't hesitate to contact us, and we will be happy to assist you.

Thank you,
Carly Dunsmore, *Member Services*

Office [833-538-0923](tel:833-538-0923) | Fax [317-386-7820](tel:317-386-7820)

Know what's below. 811 before you dig.

[Indiana811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

[Kentucky811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

On Fri, May 6, 2022 at 10:26 AM Tout, Eric V (PSC) <ericv.tout@ky.gov> wrote:

Please provide locate ticket(s) for:

Incident Date: 6/17/2021 (Provided the date range for the search)

Operator: Louisville Gas and Electric

Incident Location: 4700 Shepherdsville Rd., Louisville

County: Jefferson

Excavator: Bluegrass Excavating

Thanks,

Eric V. Tout

Kentucky Public Services Commission

Division of Inspections / Damage Prevention

211 Sower Blvd., Frankfort, KY 40601

Office: 502-782-2622

Fax: 502-564-1582

NORMAL NOTICE

Ticket : 2106171123 Date: 06/17/2021 Time: 11:34 Oper: KENTUCKY811 Chan:000

State: KY Cnty: JEFFERSON City: LOUISVILLE
Subdivision:

Address : 4700

Street : SHEPHERDSVILLE RD

Cross 1 : E INDIAN TRL

Location: LOCATE THE ENTIRE FRONT OF THE PROPERTY

:

Boundary: n 38.186521 s 38.178204 w -85.660318 e -85.658712

Work type : DEMOLITION, AND NEW BUILDING SITE

Done for : CAMBRIDGE CONSTRUCTION

Start date: 06/21/2021 Time: 11:45 Hours notice: 96/48 Priority: NORM

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

Duration : N/A Depth: 2 FT

Company : BLUEGRASS EXCAVATION Type: CONT

Co addr : 4361 FISHERVILLE RD

City : SIMPSONVILLE State: KY Zip: 40067

Caller : TERENCE SMITH Phone: (502)341-4378

Contact : BLUEGRASS EXCAVATION - OFFICE Phone:

Mobile : (502)643-2871

Submitted date: 06/17/2021 Time: 11:34

Members: 0002 0004 0006 0007 0139 0299 0683

* Responses are current as of 05/06/2022 10:39 AM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
LOUISVILLE GAS AND ELECTRIC 0002	ELECTRIC, GAS	LOUISVILLE GAS AND ELECTRIC CUSTOMER SERVICE (502) 589-1444	
LOUISVILLE WATER CO 0004	WATER	LOUISVILLE WATER CUSTOMER SERVICE (502) 569-3600	Marked - Underground facilities are in conflict.
MSD 0006	SEWER	MSD CUSTOMER SERVICE (502) 587-0603	Clear - No conflict
INSIGHT COMMUNICATIONS 0007	CABLE TV	INSIGHT COMMUNICATIONS CUSTOMER SERVICE (502) 357-4400	Clear - No conflict
AT&T DISTRIBUTION 0139	COMMUNICATIONS	AT&T DISTRIBUTION CUSTOMER SERVICE (888) 757-6500	
CENTURYLINK 0299	FIBER OPTIC		Clear - No conflict
LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT 0683	FIBER OPTIC		Clear - No conflict

NORMAL NOTICE

Ticket : 2106171098 Date: 06/17/2021 Time: 11:29 Oper: KENTUCKY811 Chan:000

State: KY Cnty: JEFFERSON City: LOUISVILLE
Subdivision:

Address : 4700

Street : SHEPHERDSVILLE RD

Cross 1 : E INDIAN TRL

Location: LOCATE ENTIRE PROPERTY

:

Boundary: n 38.186420 s 38.178149 w -85.660360 e -85.658717

Work type : DEMOLITION- SITE CLEARING

Done for : CAMBRIDGE CONSTRUCTION

Start date: 06/21/2021 Time: 11:30 Hours notice: 96/48 Priority: NORM

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

Duration : N/A Depth: 8 FT

Company : BLUEGRASS EXCAVATION Type: CONT

Co addr : PO BOX 172

City : FISHERVILLE State: KY Zip: 40023

Caller : MARTY HOOD Phone: (502)643-2871

Contact : MARTY HOOD - CELL Phone:

Mobile : (502)643-2871

Email : DUNDEE643@YAHOO.COM

Submitted date: 06/17/2021 Time: 11:29

Members: 0002 0004 0006 0007 0139 0299 0683

* Responses are current as of 05/06/2022 10:41 AM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
LOUISVILLE GAS AND ELECTRIC 0002	ELECTRIC, GAS	LOUISVILLE GAS AND ELECTRIC CUSTOMER SERVICE (502) 589-1444	
LOUISVILLE WATER CO 0004	WATER	LOUISVILLE WATER CUSTOMER SERVICE (502) 569-3600	Clear - No conflict
MSD 0006	SEWER	MSD CUSTOMER SERVICE (502) 587-0603	Clear - No conflict
INSIGHT COMMUNICATIONS 0007	CABLE TV	INSIGHT COMMUNICATIONS CUSTOMER SERVICE (502) 357-4400	Clear - No conflict
AT&T DISTRIBUTION 0139	COMMUNICATIONS	AT&T DISTRIBUTION CUSTOMER SERVICE (888) 757-6500	
CENTURYLINK 0299	FIBER OPTIC		Clear - No conflict
LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT 0683	FIBER OPTIC		Clear - No conflict

Attachment 3

Tout, Eric V (PSC)

From: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Sent: Wednesday, May 18, 2022 7:45 AM
To: Tout, Eric V (PSC)
Subject: RE: 53775, 6/17/2021, 4700 Shepherdsville Rd., Louisville, Bluegrass Excavation & Contracting
Attachments: DigTix_Incident_Report (1).pdf; 4700 Shepherdsville Rd - Yellow Report.pdf; 2021061807.pdf; digitix_attachments_1652809835.zip

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

This has been billed but not yet paid.

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Monday, May 16, 2022 12:11 PM
To: Jones, Mike (Auburndale) <Mike.Jones@lge-ku.com>
Subject: 53775, 6/17/2021, 4700 Shepherdsville Rd., Louisville, Bluegrass Excavation & Contracting

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

Hello Mike,

Please send repots, photos, invoices and payment info (copy of check) if paid.

Thanks,
Eric V. Tout
Kentucky Public Services Commission
Division of Inspections / Damage Prevention
211 Sower Blvd., Frankfort, KY 40601
Office: 502-782-2622
Fax: 502-564-1582

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taking of any action in reliance upon, this information by persons or entities other than the intended recipient is not allowed. If you received this message and the information contained therein by error, please contact the sender and delete the material from your/any storage medium.



Facts-Based Investigation

Internal Claim ID: INC-20210617-003 Customer Claim ID: _____
Site Investigator: Steve Delap Notified At: 06/17/21 09:56:00
Notified By: Gas Operations Dispatch 5025891444
Damage Location: 4640 Shepherdsville Rd Louisville KY 40218
Incident Time: 06/17/21 09:41:00

Original Locate Request: None found Assigned Locator: _____
Locate Request Due: _____ Locate Request Completed: _____
Photos Taken Before Damage? N
Photos Taken of Damage Site? Y

Type and Size of Damaged Utility: Natural Gas Service/Drop 1
Depth: < 18" (0.5m) Embedded in Pavement

Description and Extent of Damage: Bluegrass Excavation was subcontracted by Cambridge Construction to demolish existing asphalt, as well as to perform other site development work at 4700 Shepherdsville Rd. While removing asphalt and the part of the roadbed leading into the industrial area, Bluegrass Excavation damaged a 1" plastic gas service (SVC#343893). The gas service feeds an industrial warehouse at 4640 Shepherdsville Rd, the gas service is feed from Shepherdsville Rd, running west through 4700 Shepherdsville Rd's property line.
I spoke with Marty Hood, who is the project manager for Bluegrass Excavation, via phone directly following the damage. Mr. Hood stated he was told that all gas had been removed from 4700 Shepherdsville Rd 's property. From looking around the site I could see where the gas service that fed 4700 had been removed, but the damaged service actually feeds 4640 Shepherdsville Rd.

Equipment Used: Backhoe/Trackhoe
Excavation Company Name: BLUEGRASS EXCAVATION
Company Address: 4361 FISHERVILLE RD, Simpsonville, KY 40067
Phone: 5026432871 Contact Name: MARTY HOOD

Working For: _____
Repair Company: LG&E

Personal Injury: N 3rd Party Property Damage: N Evacuations: N Other: N

Impact Comments: _____

Was Locate requested?: N Locate Request Completed?: N
Locate Accurate (Within Tolerance Zone): N/A If No, Distance Markings Off: N/A
Marks Visible at Time of Damage: _____ Damage Within Scope of Ticket: N



Facts-Based Investigation

Repair Contact Name: Brayden Lander **Phone:** 5022164211

Repair Comments: Approximately 10' of pipe replaced, electrical fusion connectors, tracer wire repaired.

Witness: _____ **Phone:** _____

Comments: _____

Witness: _____ **Phone:** _____

Comments: _____

Root Cause Explanation: _____

Responsible Party: Bluegrass Excavation

Responsible Party Comments: Bluegrass Excavation Operator on-site, at the time of the gas damage, was Terrance Smith 502-643-2871

Date of Investigation: 06/17/21 **Investigation Time (Hours):** _____

Site Investigator's Name: Steve Delap **Phone:** 5029911135

Site Investigator's Signature: Steve Delap **Date:** 06/17/2021

Damage Status: One Call Notification Issue

Cause Code: No notification made to One-Call Center / 811

Damage Claims Manager: _____





NOTE: Only 12 most recent photos shown. To view all 40 attachments, please view the ticket within DigTix.

Incident Field Investigation Report — Gas



Damage report # 2021 061807

Is this related to a capital project? Yes No

Project/task CTP0419 / CAPITAL

G# 001025920

Resp. ctr. AOG

Damage to company facilities

Date of incident 6-17-21 Time 9:30 a.m. p.m. Police report # _____

Address/location of damage 4700 Shepherdsville Rd. (4640) ZIP code 40218

Subdivision name _____

Time dispatched 9:40 a.m. p.m. Time of completion 1:00 a.m. p.m.

Who caused damage? Bluegrass Excavating - Marty Hood
(Name of contractor, utility, individual, etc.)

Address of party causing damage PO Box 172 Fishersville KY 40023
(Street) (City) (State) (ZIP)

Phone number of party causing damage (502) 643-2871
(Area code) (Number)

Was party causing damage still on the job? Yes No If yes, who was in charge? Marty Hood

If no, how did you obtain name of party causing damage? _____

What was damaged? Company main Customer service 1" CTS Company service Other _____

What type of work was being performed? Excavating for road bed.

Party's explanation for damage Told everything on property was inactive.

What repairs were made? Repair 1" CTS service

Any additional work to be performed? Yes No If yes, by whom? _____ Number of customers out 2

Possible damage to others

Date of incident _____ Time _____ a.m. p.m.

What was damaged? _____

What was LG&E doing at this location? _____

Description of damage _____

Owner of property _____ Phone (_____) _____
(Area code) (Number)

Owner's address _____
(Street) (City) (State) (ZIP)

To whom was damage reported? _____

Was an LG&E contractor notified? Yes No If yes, name of contractor _____

Is the LG&E contractor responsible for the damage? Yes No

Were photos taken? Yes No If yes, from whom can the photos be obtained? _____

Were there any injuries? Yes No If yes, name of injured party _____

Were there any witnesses to the incident? Yes No

Name	Address	Phone

BUD/KY 811/VA 811 information

BUD number and requesting party's name No Buds

Were facilities marked? Yes No Did excavator agree? Yes No

If yes, were facilities properly marked? Yes No Did excavator agree? Yes No

If no, how were they mismarked? (be specific) No Buds

Was line locating contractor on the job? Yes No ELM

6-17-21 (Date of report)

[Signature] (Signature of employee)

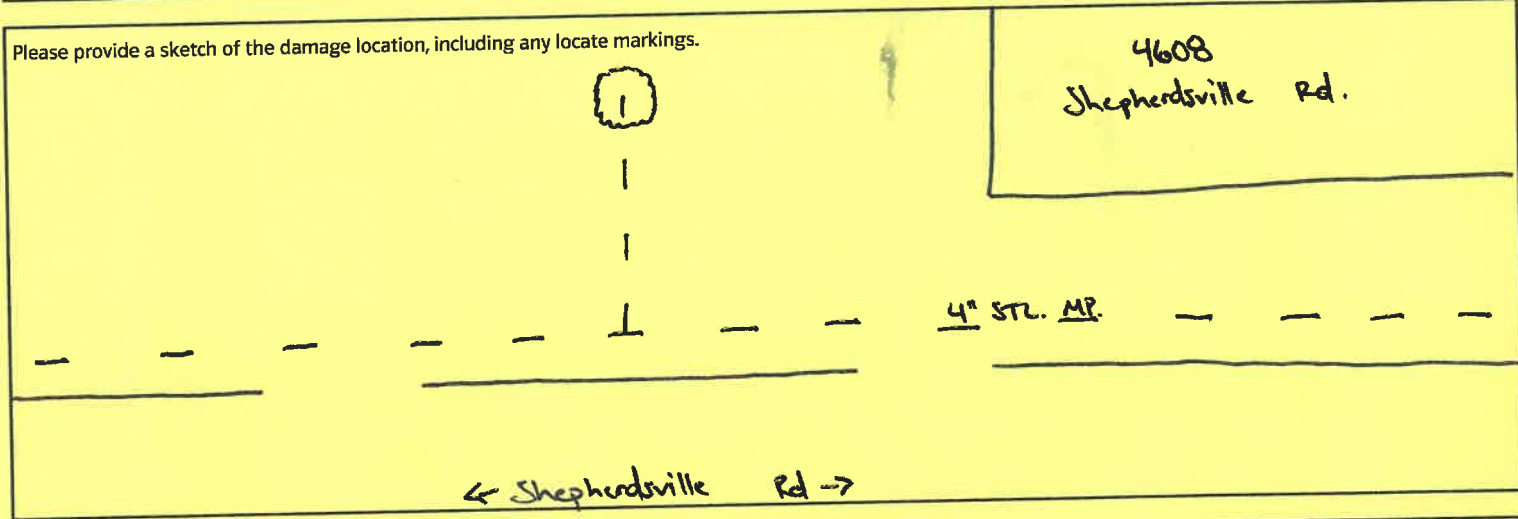
ED28997 (Employee number)

Approved [Signature] Date 6-18-21

Put any additional comments on back

Comments Repaired damaged 1" CTS PE customer service. Tested service @ 100psig for 10mins-OK. Soaped out tie-in and squeeze off area- both OK. Squeeze off tag on squeeze off area. Marker balls @ socket collars

Crew Personnel	Employee #	ST Hours	OT Hours	DT Hours	Unit #	Equipment
Lander, Brayden	E028997	3			4953	<input type="checkbox"/> Backhoe <input checked="" type="checkbox"/> Kubota
Lile, Joshua	E029390	3				<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota
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						<input type="checkbox"/> Backhoe <input type="checkbox"/> Kubota



Material Used		
Qty.	Material	IIN#
	ft. Pipe PE 2406: 1/2" IPS	1170051
5	ft. Pipe PE 2406: 1" CTS	1170078
	ft. Pipe PE 2406: 1-1/4" IPS	0434843
	ft. Pipe PE 2406: 2" IPS	0459060
	ft. Pipe PE 2406: 4" IPS	0395160
	ea. 1/2" IPS Permasert coupling	0394943
	ea. 1" CTS Permasert coupling	0394935
	ea. 2" IPS Electrofusion CPL	0394894
	ea. 4" IPS Electrofusion CPL	0394901
	ea. 1" Prefab Meterloop w/reg.	0532951
	ea. Flex Riser 1" male by 1/2" IPS	0530927
	ea. Flex Riser 1" male by 1" CTS	0530935
	ea. Farm tap (w/o regulator)	ARM WR 5695012
	ea. Farm tap regulator (Fischer 627 with 1/8" diameter orifice)	
2	1" socket collar	



2021-06-17 11:04:21
38.1651572,-85.6884234



2021-06-17 11:04:24
38.4831572,-85.6884234

LORE
a PPL company

U.S. DOT 216306
LOUISVILLE, KY



9031-88-17 11:04:27
98.1631572,-85.6594234



2021-06-17 11:04:34
38.1831572,-85.6604234



2021-09-17 11:04:33
38.4831572,-85.9884234



2021-06-17 11:04:36
38.1861572,-85.6804234



2021-06-17 11:04:36
38.1831573, -85.6684234



2021-06-17 11:04:46
38.1831572, -65.6684234



2021-06-17 11:05:39
38.1831572, -85.6684234



2021-06-17 11:05:46
38.1891579, -85.6684234



2021-06-17 11:05:41
38.1831572,-85.6604234



2021-06-17 11:05:43
38.1831572, -85.6604238



2021-06-17 11:05:45
36.4831572,-85.6604234



2021-06-17 11:05:50
38.3891572, -85.6684234



2023-06-17 11:05:51
38.1631572,-85.6604234



2021-06-17 11:05:54
06.1831572,-86.1604234



2021-06-17 11:05:55
38.4831572, -85.6604234



2021-06-17 11:06:00
38.1291572,-85.6604234



2021-06-17 11:00:05
38.1831572, -85.6604234



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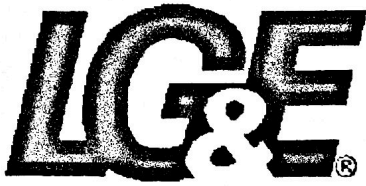
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2021-06-17 11:18:04
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Invoice
 Louisville Gas and Electric Company
 820 West Broadway
 Louisville, KY 40202
 Attn: Remittance and Collection
 800-928-1340

INVOICE DATE: 03/22/2022

REFERENCE: OTPD419
 NO.:
 DTS INVOICE: 2021061807
 NO.:

AMOUNT DUE: \$424.94
 DUE DATE: 04/21/2022

BLUEGRASS EXCAVATING
 PO BOX 172
 FISHERVILLE KY 40023

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT
 PLEASE INCLUDE INVOICE NUMBER ON ALL REMITTANCES

COST TO REPAIR: Damaged Customer Gas Service DAMAGE DATE: 06/17/2021 DAMAGE LOCATION: 4700 Shepherdsville Rd Louisville, KY 40218		
LABOR HOURS:	6.00	
LABOR COST:		\$383.30
MATERIAL COST:		\$2.40
TRANSPORTATION/EQUIPMENT COST:		\$39.24
CONTRACTOR COST:		\$0.00
OTHER DAMAGE COSTS:		\$0.00
TOTAL DUE:		\$424.94

Louisville Gas and Electric Company · Remittance and Collection · 820 West Broadway · Louisville, KY 40202

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00258 DATED NOV 23 2022

TWO PAGES TO FOLLOW

Information and Instructions for Hearing

You are required to attend a formal hearing with the Kentucky Public Service Commission. Please note the hearing is scheduled in the **Eastern Time Zone**, and the hearing date and time are on the Order that accompanied these instructions.

You are **strongly encouraged** to download the GoToMeeting app now and be ready for your hearing. If you cannot appear via video using this app, at least ten days prior to your scheduled hearing you must call the Commission's offices at the number provided below. You will receive instructions on appearing in person in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky at the time and date of your scheduled hearing.

Please direct any questions to Andrea Wise, Commission Division of Inspections. andrea.wise@ky.gov or 502-782-2656.

To download the GoToMeeting app go to:

<https://global.gotomeeting.com/install/258846301>

On the day of your hearing using your computer, tablet, or video enabled smartphone. **Access the proceeding at:**

<https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>

More information about using GoToMeeting can be found at:

GoToMeeting - Attendee Quick Start

<https://www.youtube.com/embed/8VaHHVP0FCU?autoplay=1&showinfo=0&controls=0&rel=0>

GoToMeeting - How to Join a Meeting

https://www.youtube.com/embed/Ojl1q_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0

Technical Requirements for Using GoToMeeting

Operating System:

Windows 7 – Windows 10
Mac OS X 10.9 (Mavericks) – mac OS Big Sur (11)
Linux/Ubuntu (Web App only)
Google Chrome OS (Web App only)
iOS 11 – iOS 13
Android OS 5 (Lollipop) – Android 10

Web Browser: (Applies to Web App only)

Google Chrome v72 or newer
Microsoft Edge v77 or newer

Internet Connection:

Computer: 1 Mbps or better (broadband recommended)
Mobile device and Chromebook: 3G or better (WiFi recommended for VoIP)

Software:

GoToMeeting desktop app (JavaScript enabled)
GoToMeeting app from the Apple Store, Google Play Store, or Windows Store

Hardware:

2GB of RAM (minimum), 4GB or more of RAM (recommended)
Webcam device*
Microphone and speakers** (USB headset recommended)

Mobile Device:

iPhone 5 or newer
iPad 3rd gen or newer

Note: * You MUST have a camera on your device or connected to your device to appear at the hearing.

** Most devices have built-in speakers, but you will get better audio quality while connected via VoIP if you use a headset

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00258 DATED NOV 23 2022

TEN PAGES TO FOLLOW

ESTADO DE KENTUCKY
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

BLUEGRASS EXCAVATION & CONTRACTING, INC.)	
)	
_____)	CASO NO.
)	2022-00258
)	
PRESUNTA INFRACCIÓN DE LA LEY DE PREVENCIÓN DE DAÑOS EN INSTALACIONES SUBTERRÁNEAS)	

ORDEN DE INICIACIÓN POR LA PRESUNTA INFRACCIÓN DE TIPO 811 DE LA LEY
DE PREVENCIÓN DE DAÑOS EN INSTALACIONES SUBTERRÁNEAS DE
KENTUCKY

Bluegrass Excavation & Contracting, Inc. (Bluegrass Excavation) ha sido implicado como parte de una investigación ante la Comisión de Servicios Públicos de Kentucky (Comisión) por la presunta infracción de la Ley de Prevención de Daños a Instalaciones Subterráneas de Kentucky (la Ley).¹ Una audiencia sobre este caso tendrá lugar el January 27, 2023.

Conforme a la norma KRS 278.495(2), la Comisión tiene jurisdicción para regular la seguridad de las instalaciones de gas natural en Kentucky y para hacer cumplir las normas federales mínimas de seguridad de las tuberías. En virtud de la Ley, la Comisión tiene autoridad para investigar y evaluar las sanciones civiles por cualquier infracción de la Ley que resulte en daños de excavación a una instalación subterránea utilizada para transportar gas natural o líquidos peligrosos sujetos a las leyes federales de seguridad

¹ KRS 367.4901 a KRS 367.4917.

de tuberías, 49 U.S.C. §. 60101 *et seq.* Toda persona que infrinja cualquier disposición de la Ley está sujeta a la imposición de una sanción civil por un importe de 250 dólares por la primera infracción, no más de 1.000 dólares por la segunda infracción en el plazo de un año, y no más de 3.000 dólares por la tercera infracción y las siguientes. Además, cualquier persona cuya infracción de la ley provoque daños en una instalación subterránea que contenga cualquier material inflamable, tóxico, corrosivo o peligroso, o que provoque la liberación de cualquier material inflamable, tóxico, corrosivo o peligroso, está sujeta a una sanción adicional de hasta 1.000 dólares.

Tras recibir un informe de daños por excavación en su gasoducto subterráneo por parte de un operador, el personal de la Comisión (el Personal) llevó a cabo una investigación y preparó un Informe de Incidentes, cuya copia se adjunta a esta Orden como Apéndice A. En su Informe de Incidentes, el Personal cita a Bluegrass Excavation por la infracción de la siguiente disposición de la Ley:

KRS 367.4911(1)(a) Cada excavador, o persona responsable de una excavación, que planifique un trabajo de excavación o demolición deberá notificar a cada operador afectado sobre el trabajo previsto del excavador y el cronograma de trabajo no menos de dos (2) días hábiles completos ni más de diez (10) días hábiles completos antes de comenzar el trabajo. Hacer contacto con los centros de notificación de protección aplicables satisfará este requisito.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que Bluegrass Excavation violó la Ley de Prevención de Daños a Instalaciones Subterráneas. La Comisión considera, además, que debe llevarse a cabo una investigación formal sobre el incidente de los daños causados por la excavación.

POR LO TANTO SE ORDENA que:

1. Bluegrass Excavation deberá presentar a la Comisión una respuesta por escrito a las alegaciones contenidas en el Informe de Incidencia del Personal en un plazo de 20 días a partir de la recepción de esta Orden a través de un correo electrónico enviado a PSCED@ky.gov con el número de caso de este procedimiento en el asunto del mensaje

2. Bluegrass Excavation comparecerá el January 27, 2023, a las 9 a.m. Eastern Standard Time, en la sala de audiencias Richard Raff de las oficinas de la Comisión en 211 Sower Boulevard en Frankfort, Kentucky, con el fin de presentar pruebas relativas a la supuesta violación de la Ley de Prevención de Daños a Instalaciones Subterráneas.

3. La audiencia January 27, 2023 se llevará a cabo por videoconferencia.

4. Bluegrass Excavation deberá asistir a la audiencia utilizando el siguiente enlace: <https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>; la información y las instrucciones se adjuntan a esta Orden como Apéndice B.

5. Bluegrass Excavation notificará a la Comisión, al menos diez días antes de la audiencia, si Bluegrass Excavation no puede comparecer por videoconferencia y, por lo tanto, comparecerá en persona.

6. **Cualquier sociedad, corporación o entidad comercial (incluyendo una sociedad de responsabilidad limitada) debe ser representada por un abogado con licencia para ejercer la abogacía en Kentucky y dicha representación incluye la presentación de documentos y las comparecencias en las audiencias ante la Comisión.**

7. Un individuo puede presentar una respuesta a las alegaciones contenidas en el Informe de Incidentes del Personal sin la representación de un abogado.

8. El Informe de Incidentes del Personal 53775, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia January 27, 2023 se grabará únicamente por vídeo.

10. **Tenga en cuenta que las partes que no comparezcan después de la notificación estarán sujetas a que se asiente una sentencia en rebeldía contra ellos.**

COMISIÓN DE SERVICIOS PÚBLICOS

Presidente

Vicepresidente

Comisionada

HACE CONSTAR:

Directora Ejecutiva

APÉNDICE A

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS
PÚBLICOS DE KENTUCKY EN EL CASO No. 2022-00258 FECHADO

SESENTA Y TRES PÁGINAS A SEGUIR

APÉNDICE B

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE
KENTUCKY EN EL CASO No. 2022-00258 FECHADO

DOS PÁGINAS PARA SEGUIR

Información e instrucciones para la audiencia

Se le obliga a asistir a una audiencia formal con la Comisión de Servicios Públicos de Kentucky. Tenga en cuenta que la audiencia está programada en la **huso horario del este**, y que la fecha y la hora de la audiencia figuran en la Orden que acompaña a estas instrucciones.

Se le recomienda encarecidamente que descargue la aplicación GoToMeeting ahora y esté preparado para su audiencia. Si no puede comparecer por vídeo utilizando esta aplicación, debe llamar a las oficinas de la Comisión al número que se indica a continuación al menos diez días antes de la audiencia programada. Recibirá instrucciones para presentarse en persona en la sala de audiencias Richard Raff de las oficinas de la Comisión en el 211 Sower Boulevard en Frankfort, Kentucky, a la hora y fecha de su audiencia programada.

Sírvase dirigir cualquier pregunta a Andrea Wise, División de Inspecciones de la Comisión: Andrea.Wise@ky.gov o 502-782-2656.

Para descargar la aplicación GoToMeeting vaya a:

<https://global.gotomeeting.com/install/258846301>

El día de su audiencia utilizando su computadora, tableta o teléfono inteligente con capacidad de vídeo. **Acceda al procedimiento en:**

<https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>

Puede encontrar más información sobre el uso de GoToMeeting en
GoToMeeting - Inicio rápido del asistente

<https://www.youtube.com/embed/8VaHHVP0FCU?autoplay=1&showinfo=0&controls=0&rel=0>

GoToMeeting - Cómo unirse a una reunión

https://www.youtube.com/embed/Ojl1q_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0

Requisitos técnicos para utilizar GoToMeeting

Sistema operativo:

Windows 7 – Windows 10
Mac OS X 10.9 (Mavericks) – Mac OS Big Sur (11)
Linux/Ubuntu (sólo aplicación web)
Google Chrome OS (sólo aplicación web)
iOS 11 - iOS 13
Android OS 5 (Lollipop) - Android 10

Navegador web: (Sólo se aplica a la aplicación web)

Google Chrome v72 o más reciente
Microsoft Edge v77 o más reciente

Conexión a Internet:

Computadora: 1 Mbps o superior (se recomienda la banda ancha)
Dispositivo móvil y Chromebook: 3G o superior (se recomienda WiFi para VoIP)

Software:

Aplicación de escritorio de GoToMeeting (con JavaScript activado)
La aplicación GoToMeeting de Apple Store, Google Play Store o Windows Store

Hardware:

2 GB de RAM (mínimo), 4 GB o más de RAM (recomendado)
Dispositivo de cámara web*
Micrófono y altavoces** (se recomiendan auriculares USB)

Dispositivo móvil:

iPhone 5 o más reciente
iPad de 3ª generación o más reciente

Nota: * Para comparecer en la audiencia, ES PRECISO tener una cámara en su dispositivo o conectada a él.

** La mayoría de los dispositivos tienen altavoces incorporados, pero obtendrás una mejor calidad de audio mientras estés conectado por VoIP si utilizas unos auriculares.

APÉNDICE C

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE
KENTUCKY EN EL CASO No. 2022-00258 FECHADO

DIEZ PÁGINAS PARA SEGUIR

*Bluegrass Excavation & Contracting, Inc. c/o
4361 Fisherville Rd
Simpsonville, KENTUCKY 40067