

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

B & C CONSTRUCTION, LLC)	
)	
_____)	CASE NO.
)	2019-00332
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

ORDER

On September 17, 2019, the Commission ordered B & C Construction, LLC (B & C), to submit a written response on or before October 21, 2019, to the allegations contained in the Staff Incident Report for Incident No. 21231, which was attached as an Appendix to the Commission's Order. The Commission further ordered B & C to appear at a hearing to be held in this matter on November 22, 2019, at 9 a.m. Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard.

On November 4, 2019, the Commission received a check in the amount of \$250 for payment of Incident No. 21231. A copy of the receipt for that payment is attached to this Order as an Appendix. Further, a representative of B & C attended Damage Prevention training on November 4, 2019, at the Commission's offices.

The Commission finds that B & C has addressed to its satisfaction the probable violation cited by Staff in the Incident Report. The Commission further finds the Commission's investigation of this incident should be closed.

IT IS THEREFORE ORDERED that:

1. B & C's payment of Staff's proposed penalty, and attendance at Damage Prevention training is accepted and resolves the alleged violation that was the subject of the Incident Report.
2. B & C's payment of Staff's proposed penalty is not an admission by B & C that it willfully violated any provision of KRS Chapter 367 or any administrative regulation promulgated pursuant thereto.
3. The Commission's investigation of this incident is closed.
4. The November 22, 2019 hearing is canceled.
5. This case is closed and removed from the Commission's docket.

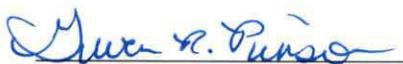
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By the Commission

Commissioner Talina Mathews did not participate in this case.



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00332 DATED **NOV 08 2019**

ONE PAGE TO FOLLOW

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RECEIPT OF PAYMENT

This is to acknowledge receipt of check 1016 for \$250.00 payable to Kentucky State Treasurer on November 4, 2019 from B&C Construction LLC. The check represents payment of penalty as set out in the Demand Letter of July 12, 2019 Incident #21231.



Gwen R. Pinson
Executive Director
Dated November 4, 2019

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