

COMMONWEALTH OF KENTUCKY

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BEFORE THE PUBLIC SERVICE COMMISSION

AUG 30 2019

PUBLIC SERVICE
COMMISSION

In the Matter of:

KENTUCKY FRONTIER GAS, LLC)	Case No. 2019-00280
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

RESPONSE TO ORDER OF AUGUST 27, 2019

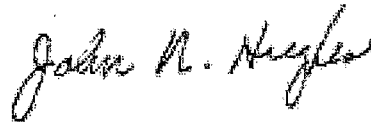
Kentucky Frontier Gas, LLC, (Frontier) by counsel, submits its response to the order of August 27, 2019. It generally accepts the narrative of the incident contained in the Appendix attached to the order. However, Frontier believes that it has taken steps to mitigate the cause of this incident and to minimize the occurrence of future similar incidents. As explained in the letter dated August 23, 2019 to the Commission's Executive Director, Frontier has invested significant funds to acquire additional line locating equipment. A copy of that letter is attached.

Because of the efforts of Frontier to address the problem and the number of currently outstanding incidents under investigation, Frontier believes a hearing dealing with all the current incidents would be a more efficient means of resolving this ongoing issue, rather than potentially fourteen separate hearings. The evidence related to each of these incidents is predicated on the failure of the predecessor owners of the companies acquired by Frontier to install the facilities according to Commission regulations without tracer wire, line markers or adequate mapping. Frontier proposes to present its operations manager to explain each incident, the circumstances causing the

failure to locate the line and describe the on-site procedures to locate pipelines; and its two managing members to explain the financial investment being made and the equipment acquired and to be acquired to facilitate the location of unmarked pipelines, the commitment Frontier has to addressing these incidents and the financial impact of continuing fines on the company's operations.

Frontier moves for an order re-scheduling the hearing currently set for September 27, 2019 to October 9, 10, 16 or 17, which dates are available for all our witnesses or to a date which accommodates the Commission's and the company's schedule.

Submitted by:

A handwritten signature in black ink that reads "John N. Hughes". The signature is written in a cursive style with a large initial "J".

John N. Hughes
124 W. Todd St.
Frankfort, KY 40601
502 227 7270
inhughes@johnnhughespsc.com

Attorney for Kentucky Frontier Gas

JOHN N. HUGHES

Attorney at Law

Professional Service Corporation

124 West Todd Street

Frankfort, Kentucky 40601

Telephone: (502) 227-7270

jnhughes@johnnhughespsc.com

August 23, 2019

Gwen Pinson
Executive Director
Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601

Re: Kentucky Frontier Gas, LLC: Incident Numbers –
21123; 21124; 21125; 21254; 21255; 31325; 31332;
31348; 31384; 31465; 31468; 31516; 31517; 21110

Dear Ms. Pinson:

Kentucky Frontier Gas, LLC has been notified of several pipeline excavation disruptions in the last year. (Notices attached) Frontier had about 3000 requests from contractors and others to locate pipelines through the 811 system in 2018. Frontier suffered 20 pipeline breaks in 2018 and 18 to date in 2019, fourteen of which Frontier was alleged to be at fault. Frontier has about 326 miles of PE mains and 5500 PE services and estimates 2/3 of these are not electronically locatable. Many of these lines were laid with aluminized plastic locate tape, which has now broken, or the metallized coating dissolved, making it useless for electronic continuity.

Additionally, when Frontier acquired these gas systems (12 small dis-functional systems over a period of ten years), there were no or limited maps of the systems. The facilities had not been properly installed or maintained. Both Frontier and the Commission were aware of these problems but given the choice of continued mismanagement or acquisition by Frontier, the choice was clear. Over the years, Frontier has made significant improvements to all the systems it

acquired. It has an ongoing Pipeline Replacement Program that is eliminating the most leak-prone sections of the system. It has replaced approximately 14.5 miles of pipeline so far. However, the number of miles of untraceable pipelines is problematic.

The PSC is now pursuing Frontier for 14 separate incidents for which the fines would be approximately \$60k. Since these intended fines were recently announced, Frontier has purchased several expensive non-traditional locating systems and has completely changed its procedures. It expects to greatly reduce the number of pipeline breaks, but will face greatly increased costs of locating lines, which can never go to zero.

Based on Commission statistics, approximately 45% of all incidents result in fines on the utility. Frontier cannot afford to pay \$4000 fines on 45% of all line hits every year, about \$60,000, nor can it be in continual dispute with the Commission over its liability for every pipeline break. Such an ongoing effort to resolve each individual incident is not cost effective for the company or the Commission and does nothing to address the issue of minimizing future incidents.

These are the technology steps Frontier has taken or will take in the next few months to start to locate "untraceable" lines:

- \$5500: vLoc3 Pro specialized locator purchased in July to find marker balls;
- \$3000: 3M marker balls initial order; these permanent markers are planted 12 to 60" deep at 15-20 ft intervals in the alignment of any pipe we can locate by any means;
- \$8500: Gas Tracker sonic locator system purchased in July; this unit blasts a very loud sound into the pipe at a meter riser, which can then be traced 500-1000 ft away;
- \$40,000: Jameson live main insertion reels & tools, to temporarily trace a line with a metallic tool inside the line; then plant marker balls in the alignment;
- \$35,000: Camera insertion system, to visually find service lines and connections that are not mapped and existence is not known; may identify points of gas theft;
- \$120,000: Hydrovac trailer to excavate untraceable lines without collateral damage;

- \$500,000: We will need 50,000 marker balls spread over 3-5 years to mark all lines.

Frontier will also need ongoing company resources:

- \$70,000: utility trucks for 2 additional workers
- \$80,000 /yr: 2 full time workers 811 locates for 10 months /yr
- \$30,000 /yr: excavation equipment callouts for locates

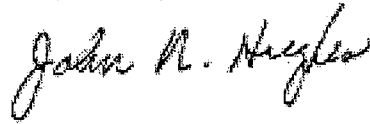
The cost of finding and marking these lines will be a fraction of replacement cost. Yet, Frontier will have to find ways to fund nearly \$300,000 in up-front capital equipment and \$250,000 per year in ongoing costs (including marker balls) to deal with the current level of 811 calls and the lack of easily locatable pipelines. It is determined to address the issues raised in the Commission's notices of violation, but given the financial condition of the company, its inability to absorb ongoing fines and the potential for significant operational impact on the company, some long-term resolution of the issues much be reached. It is counter-productive to fine the company for ongoing issues with a problem that started decades ago under previous owners and commissions and will continue for several years and until several hundred thousand dollars are spent to make pipelines locatable. Investing resources in solving a problem everyone acknowledges will be more effective than depleting limited financial resources through fines. Additional fines will not make Frontier any more aware of the problem or assist in the ongoing resolution of the problem.

Frontier has made substantial investment to deal with the issue and is committed to continue to actively seek solutions to the problem. Yet, every dollar paid in fines diminishes the funds available to improve the company's pipeline tracking and locating efforts.

Frontier requests a hearing to present evidence of the nature of the problems it faces, its actions to address the problems, solutions to future incidents and its efforts to comply with the 811 requirements. Rather than deal with each incident

individually, Frontier believes a “global” solution to the ongoing situation is preferable. . Because Frontier’s managing member, Steve Shute, will have to travel from Colorado for the hearing, a conference call to arrange a hearing date that is convenient for all is requested.

Very truly yours,

A handwritten signature in black ink that reads "John N. Hughes". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

John N. Hughes

Attorney for Kentucky Frontier Gas