

David Brown

AUG 20 2019

From: David Brown [REDACTED]
Sent: Friday, August 09, 2019 4:30 PM
To: Gwen.Pinson@ky.gov; 'Pinney, Jeb E (PSC)'
Cc: Rebecca.Goodman@ky.gov
Subject: FW: Formal Complaint/ Louisville Gas & Electric Company Proposed Industrial High Pressure Bullitt County Natural Gas Pipeline
Attachments: 20190809102207158.pdf; Dear Ms. Pinson.docx; John Snider LG&E Terrorist Threat Pipeline.docx; LG&E Application of Waiver of Reassessment Interval.pdf

PUBLIC SERVICE
COMMISSION

From: David Brown [REDACTED]
Sent: Friday, August 09, 2019 3:15 PM
To: Gwen.Pinson@ky.gov; 'Pinney, Jeb E (PSC)'
Cc: [Tierra Curry \(tcurry@biologicaldiversity.org\)](mailto:tcurry@biologicaldiversity.org); Rebecca.Goodman@ky.gov; Antoinette R COL USARMY (USA) (Antoinette.R.Gant@usace.army.mil); mgreen@wdrb.com; FitzKRC@AOL.COM
Subject: Formal Complaint/ Louisville Gas & Electric Company Proposed Industrial High Pressure Bullitt County Natural Gas Pipeline

Ms. Pinson

This is my formal complaint. Your required form that was sent by Mr. Jeb Pinney to Tierra Curry, Senior Scientist Center for Biological Diversity is completed in full and attached.

Below please read one of the emails below where Monica Braun of Stoll Keenon & Ogden, LG&E's outside counsel refers to LG&E's Industrial High Pressure Natural Gas Pipeline as different. I have another where she goes into detail about the 2 pipelines will have separate reassessment requirements because this new pipeline is a new pipeline. I don't think anyone is calling it an extension anymore.

From: "Braun, Monica" <Monica.Braun@skofirm.com>
Date: August 30, 2018 at 11:35:43 AM EDT
To: "John Cox (jcox@lcgandm.com)" <jcox@lcgandm.com>
Subject: FW: LG&E/ Terrorist Attack Target/ Mid-Valley/Sunoco/Energy Transfer, Louisville Water Company, East Kentucky Power, Salt River Electric

John,
 LG&E would like to bring your attention to one of the misstatements in your client's email copied below. It appears that your client has confused the pipeline at issue in Case No. 2017-00482 with the pipeline LG&E plans to construct in Bullitt County. Please note these are different pipelines; the pipeline at issue in Case No. 2017-00482 is already constructed.

LG&E is not avoiding disclosing facts to Mr. and Mrs. Brown, but as has been explained, has been working to determine the final route for the pipeline. LG&E plans to provide an offer to purchase an easement from IOLA Capital very soon, and is prepared to discuss the details of the needed easement and other questions your client may have.

Best,
 Monica

RECEIVED

AUG 20 2019

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Kimberly Brown)
(Your Full Name))
COMPLAINANT)

VS.)

Louisville Gas & Electric Company)
(Name of Utility))
DEFENDANT)

COMPLAINT

The complaint of Kimberly Brown respectfully shows:
(Your Full Name)

(a) Kimberly Brown
(Your Full Name)

6094 Cedar Grove Road
(Your Address)

(b) Louisville Gas & Electric Company
(Name of Utility)

220 West Main St. Louisville, KY
(Address of Utility)

(c) That: The Original KY Public Service Commission
(Describe here, attaching additional sheets if necessary,

filing with you for permit by Louisville
the specific act, fully and clearly, or facts that are the reason

Gas & Electric Company for their High
and basis for the complaint.)

Pressure Natural Gas Pipeline is

Continued on Next Page

Formal Complaint

Kimberly Brown vs. Louisville Gas + Electric Co.

Page 2 of 2

Erroneous and Fraudulent therefore
this project and any resulting decisions
are arbitrary and capricious.
Please read my attached letter to
Director Pinson.

Wherefore, complainant asks I request that the
(Specifically state the relief desired.)

Public Service Commission rescind the
original permit granted to LG+E for
this project and demand that LG+E
be required to file for an individual 404 as
well as a ^{New} Certificate of Public Convenience
and Necessity.

Dated at Shepherdsville, Kentucky, this 8 day
(Your City)

of August, 2019
(Month)

Kimberly Brown
(Your Signature)

(Name and address of attorney, if any)

Dear Ms. Pinson

John Snider Director of the Bullitt County Economic Development Authority has provided us with a stack of documents, emails, and meeting notes going back to 2016 pertaining to LG&E's proposed pipeline further proving all of our claims of the last two years are valid. Please read the attached letter that was just sent to Mr. William Spence of PPL (parent Company of Louisville Gas & Electric Company).

This new documentation is justification for the Public Service Commission to rescind the initial permit issued to Louisville Gas & Electric Company. I am requesting that Public Service Commission require LG&E to refile with you and be required to obtain an individual 404 permit and Environmental Assessment.

A New Certificate of Public Convenience and Necessity is required. The 12 mile long pipeline is new construction and violates 807 KAR 5:001, Section 15 (2) Rules of Procedure.

In their initial filing with you, LG&E claimed this proposed Industrial High Pressure Natural Gas Pipeline was an extension. No one including Louisville Gas & Electric Company is calling it an extension anymore. Please see the emails attached from Monica Braun Lead outside Counsel for LG&E.

We all know now that this is a new pipeline that will connect with the aged Calvary line that is unable to pass an in-line tool safety inspection.

The original KY PSC filing is Erroneous and Fraudulent therefore this project and any resulting decisions are arbitrary and capricious.

Ms. Pinson, given the devastation seen just two days ago caused by the massive explosion in Lincoln County, Kentucky, I am begging you to require LG&E be forced to play by the rules designed to keep all of us safe. How tragic it will be if people die, children die, are burned, injured all because the people in positions of power look the other way, allowing LG&E to file fraudulent applications to squelch opposition and silence the voices pleading for answers.

This pipeline is not going to service 9,500 people as filed with you. In emails between Lisa Payne LG&E-KU, executives of Jim Beam and John Snider the intended use of this line is now very clear.

This pipeline is meant to create redundancy because LG&E has very serious concerns about the condition of the line running up 44. Jim Dimas, Senior In-House Counsel is on tape admitting that Jim Beam chose this route understandably shifting the very real fear of water contamination away from Jim Beam and onto a poor farming community. I understand that Jim Beam doesn't want to risk contamination of water used to make bourbon. The inequity and injustice of this is that many of us along this proposed pipeline path don't have access to city water. Many of us, me included raise cattle and our very livelihoods are dependent on clean water sources for our cattle not to mention our families. Bernheim will forever be lost if their water is contaminated.

This route was never studied by EnSite USA. Ensite USA's study filed July 29, 2015 with the Public Service Commission now released to the public states; "Of the 10 proposed routes considered, all were contained within Bullitt, Hardin, and Nelson Counties, Kentucky. Due to prohibitive costs and regulatory review a route through neither Fort Knox nor Bernheim Arboretum and Research Forest was considered a viable option".

A local official told me the last time he spoke to LG&E he was told that this pipeline could easily reach \$60 million. How is this being allowed given LG&E's ratepayer obligations?

Chris Whelan, Vice President of Communications for LG&E said in an interview July 2017, "Public Service Commission has consideration oversight in the application for the line". Chris Whelan stated, "Part of the feasibility is that the route chosen must be the least costly to the ratepayers". Clearly according to the EnSite USA study filed with the Public Service Commission it is NOT!!!

John Snider and our local elected officials are claiming they could get no information from Louisville Gas & Electric Company regarding this pipeline. Please read Mr. Sniders email discussing Terrorism and this pipeline route. LG&E also used TERRORISM THREAT in their filing with you to justify your redacting

information regarding this proposed pipeline. That and keeping us landowners from knowing the true value of our lands and to lessen opposition. Please see the letter sent to Kay McIver that LG&E filed with you regarding TERRORISM.

Ms. Pinson, it is an extremely high pressure industrial line (12 inches in diameter) that is intended to service Jim Beam following a conversion of their distillery and possible future industrial growth. Jim Dimas Senior In House Counsel of LG&E has been very clear. Due to the "high pressure" of this line it is for industrial users only. None of the poor family farmers, whose farms this pipeline traverses, will get any benefit from this pipeline. Please note in LG&E's initial filing with you, LG&E promised farm taps to those forced into easement agreements. Along this path many of us have no city water, no cell service, and no internet. We have no hospital. Judge Executive Jerry Summers told me we haven't had an EMS drill in over 3 years because it's not in the budget. If there is an explosion or leak water would have to be trucked in. Our CFO of Bullitt County in an interview a couple of weeks ago said, "Our County is one natural disaster away from financial ruin". So not only do we have to worry about an accident causing an explosion but how will LG&E protect us from the Terror Attack they claim is a real threat.

At the time of LG&E's initial filing with you, John Snider the Director of The Bullitt County Economic Development Authority in an email writes, "We currently have NO heavy gas users!!!!" Now that the world has seen that email, how can the Public Service Commission in any sense of the definition say this pipeline qualified for Public Need or Convenience at the time the permit was granted?

This project in no way shape or form qualifies under the definition of PUBLIC NEED OR CONVENIENCE and now we all have the documentation to prove it. I am hopeful that you will open an investigation in order to protect the ratepayers like me. I am happy to provide you with a mountain of documentation.

I spoke to one of my neighbors tonight who was intimidated into selling an easement to LG&E for four thousand dollars. She begged me to help her. This pipeline will run 30 feet from her bedroom in a sinkhole where you can literally hear running water. I asked her if LG&E engineers were aware of the sinkhole and she said they told her they would just throw a little concrete in there and it would be fine. I too have multiple sinkholes along the pipeline path. Environmental Study is imperative to keep us safe. Caver's with years of experience have now

educated me on the extreme dangers of running pipelines through sinkholes with unstable eroding ground, shifting rock, and running water. Unless you rescind the initial permit you granted to LG&E and require them to obtain a 404 permit LG&E is free from accountability. Utilities are supposed to apply with you for a certificate that a project is safe, reliable and necessary. Please evaluate if it is safe to run a pipeline through rapidly growing sinkholes. On my land if this proposed pipeline explodes it will take with it the aged Mid-Valley/ Sunoco/ Energy Transfer line further fueling an inferno.

Ms. Pinson, you and Mr. Pinney hold the fate of a county in your hands. I understand that I am asking for you to go against the grain. I understand that the safe play would be to just acquiesce to the big Utility Company, but if you do, my little girl, my family, my friends, and neighbors, the United States Veterans of Active Heroes, and Bernheim Forest may suffer the same fate as the people of Lincoln County.

With Great respect for your time and consideration, Kimberly Brown

John Snider

From: John Snider
Sent: Thursday, May 16, 2019 10:24 AM
To: 'Frank Ragg'; 'Jessica Sullivan'; 'Kenny Hester'; 'lisa.lewis@bullitt.kyschools.us'; 'Mark Stout'
Subject: FW: KY DOW: LG & E Calvary Natural Gas Pipeline—Need for Public Disclosure, Detailed Environmental Analysis and Notice And Comment
Attachments: KY DOW Need for Detailed Enviro. Analysis Notice Comment Letter May 2019.docx

I received this last night. They are asserting that BCEDA chose the route and we did not. I have provided a response to the FOIA which states that we only provided a map and legend for the new growth and development in the county. Over the past several years we have been told the route of the line was not our business and that we were not engineers. Many times the term, terrorism was used for protection of information we asked about. All of this was verbal except for the original meeting when we were told that there was a gas problem in the county and several people asked about current lines, routes, etc. and we were told that they could not tell us for national security reasons and we were not engineers. If you have any questions, please give me a call.

From: Cedar Grove [mailto:friendsofcedargrove@gmail.com]
Sent: Wednesday, May 15, 2019 10:03 PM
To: DOWPublicnotice@ky.gov; Peter.Goodman@ky.gov; Ricketts, Michael S CIV USARMY CELRL (US) <Michael.S.Ricketts@usace.army.mil>; Baldrige, David E CIV USARMY CELRL (USA) <David.E.Baldrige@usace.army.mil>; Gant, Antoinette R COL USARMY (USA) <Antoinette.R.Gant@usace.army.mil>; Lengel, Janice E CIV USARMY CELRL (USA) <Janice.E.Lengel@usace.army.mil>; Owen, Gib <Gib.A.Owen.civ@mail.mil>; julie.a.alcorn@usace.army.mil; Bahde, Mette A CIV USARMY CELRL (US) <Mette.A.Bahde@usace.army.mil>; Thrush, Layna E CIV (USA) <Layna.E.Thrush@usace.army.mil>; Julie.Halliday@dot.gov; lrl.regulatorypubliccomment@usace.army.mil; Ruby.L.Brown@usace.army.mil; charles.r.smith567.civ@mail.mil; cindy.s.barger.civ@mail.mil; Alcon, Julie A CIV USARMY CEHQ (US) <julie.a.alcon@usace.army.mil>; kebbly kelley <kebbly.kelley@uscg.mil>; D8DPBALL@uscg.mil; carol_braegelmann@ios.doi.gov; christy_johnsonhughes@fws.gov; lee_andrews@fws.gov; jennifer_garland@fws.gov; leff.karin@epa.gov; rnelson@achp.gov; militscher.chris@epa.gov; usiecr@ecr.gov; ann.miles@ferc.gov; phmsa.hmhzmsafety@dot.gov; auusersupport@hq.doe.gov; ceq-nepa@ceq.eop.gov; press@paul.senate.gov; paul_schedule@paul.senate.gov; myers.dianna@epa.gov; sheckler.kelly@epa.gov; bernadette.dupont@dot.gov; Keith.Melton@dot.gov; ashlee.whisman@ky.gov; Melissa.Duff@ky.gov; Michael.Kennedy@ky.gov; Sara.Anderson@ky.gov; Greg.Goode@ky.gov; Robin.Snider@ky.gov; Amanda.Spencer@ky.gov; Steve.Ross@ky.gov; Daniel.Burgin@ky.gov; Dave.Harmon@ky.gov; Tim.Foreman@ky.gov; Renninger.Steven@epa.gov
Cc: FitzKRC@aol.com; tom.sexton@kentucky.sierraclub.org; dphemister@tnc.org; Kieran Suckling <center@biologicaldiversity.org>; nrdcaction@nrdc.org; headquarters@earthjustice.org; webmaster@conservationfund.org; aiminky@fuse.net; lomcor1@lorettomotherhouse.org; kcc@kycouncilofchurches.org; reservations@monks.org; marlynfarms@gmail.com; harcher@knl.org; Inquirynature@bernheim.org; Ovec Wv <info@ohvec.org>; dvance@commoncause.org; ksec.cara@seac.org; Vanessa Allen <vanessa40165@gmail.com>; Richard Parker <rbparker25@yahoo.com>; Pat Docter <pjdocter@gmail.com>; daltonrocksyoun@yahoo.com; frosebud1@aol.com; aflower2@aol.com; jtalley1029@gmail.com; trn40165@mail.com; David.brown7 <David.brown7@twc.com>; Christophermaisel@gmail.com; Roger Peck <peck907@gmail.com>; gabbie.whitty@gmail.com; Paul Whitworth <mitchrecplans@earthlink.net>; pethomasky@netzero.com; BSHBOARD@gmail.com; dthomas@threadlaunch.com; Roselips@windstream.net; Cedar Grove <FriendsofCedarGrove@gmail.com>; psc.info@ky.gov; psc.consumer.inquiry@ky.gov; craig.potts@ky.gov; jennifer.ryall@ky.gov; KHC-sitedata@ky.gov;

John Snider

From: Payne, Lisa <Lisa.Payne@lge-ku.com>
Sent: Friday, May 6, 2016 9:02 AM
To: John Snider
Cc: Jerry.Summers@beamglobal.com; nickyr@srelectric.com
Subject: FW: Updated
Attachments: Proposed buildings 4 28 16.docx

John, I do understand how difficult it is to figure out the locations in the future. Please know our strategies are based solely on usage needs, reliability and cost to the customer. I agree we can sit down and have asked our gas engineers. Can you give me a several dates through the end of May that I can work with to set up this meeting?

(Nicky – met your brother yesterday at the track! Nice guy-not sure he was a winner though)

Lisa Payne

O: 502-627-4955
lisa.payne@lge-ku.com

From: John Snider [mailto:JSnider@GoBullittKY.Com]
Sent: Thursday, May 05, 2016 3:36 PM
To: Payne, Lisa <Lisa.Payne@lge-ku.com>
Cc: Jerry.Summers@beamglobal.com; nickyr@srelectric.com
Subject: FW: Updated

Here is a preliminary listing of just the building we see coming over the next 4 to 5 years. In addition, we have had rumblings of a distillery in the 245/Chapeze Lane area. Most of the list will be heat only, but we are expecting to gain some manufacturing in the attached buildings just not sure at what level.

This does not account for several other areas in the I65/61/245 corridor which could be easily switched to industrial over the next couple years driven by available water/sewer and electricity.

I think it would be good to sit down and discuss what current limitations may be and how we can plan for the future.
John

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Ms. Pinson

There are so many emails like this one where it appears Lisa Payne is prodding Bullitt County Development Director John Snider into overstating possible growth and growth location. Keep in mind, this was 3 years ago and John Snider has said no one has been turned away yet due to no gas. Ms. Pinson please drive out to

Our area. You will see empty warehouse after
empty warehouse. "Build it and they will come isn't
working!" I seriously question need!

Kimberly Brown

David and Kimberly Brown

Thank you for allowing me to meet with you today August 7, 2019 at your residence 6094 Cedar Grove Rd. Shepherdsville, Kentucky 40165

I am a retired Building Inspector Level II with E.P.S.C. training. I was previously certified through the Kentucky state Office of Housing Building and Construction and MSD. It is my professional opinion based off the terrain of your property as documented through Kentucky Geological Survey as well as visual observation any construction practices on your property would be extremely problematic. I will include the maps from www.uky.edu/kgs recommend by 2019 Kentucky Building Code, that the Kentucky Division of Water uses this mapping for hydrology. Kentucky Division of water must do further testing for the evidence of karst terrain, sinking creeks/streams, watersheds, groundwater testing for the aquifers. This is crucial for compliance and approval 401KAR 5:037 Division of Water. There needs to be a formal onsite inspection for watershed, dye tracing. Kentucky spring Inventory form filed and documented, groundwater testing for the ambient groundwater monitoring program, further expansion of underground waterway caverns. Once those tests and inspections have occurred, a site plan can then be determined. This should occur prior to permits being filed with the Office of Housing Building and Construction for the concrete pad of any substation. Current codes enforced 2018 Krc and Kbc. The fact you will no longer have occupancy to the land and it will be use for business use for LG&E under industry / high hazard on this parcel. The 2018 Kbc 107.3.4.2 requires a registered design professional (also see table 122.1), 201 public works including local government shall be accordance per KRS 322.360, KRS 323.033/ 5. Seismic provision and design 1613.1, earthquake loads 1613.3 1 (Bullitt County Ssb- o.226, Ss10c-o.190, Sib o.114, Si0c o.101), with the entirety of section 1803 Geotechnical Inspections. If you should have further questions with regards to the LIDAR testing please contact the Kentucky Geological Survey and Kentucky Division of Water.

Thank you

Christy M. Collins

