

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

EATON ASPHALT PAVING CO., INC.)

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ALLEGED VIOLATION OF UNDERGROUND)
FACILITY DAMAGE PREVENTION ACT)

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CASE NO.
2019-00335

ORDER

On September 19, 2019, the Commission ordered Eaton Asphalt Paving Co., Inc. (Easton Asphalt), to submit a written response on or before October 21, 2019, to the allegations contained in the Staff Incident Report for Incident No. 21095, which was attached as an Appendix to the Commission's Order. The Commission further ordered Eaton Asphalt 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, Frankfort, Kentucky 40601.

On September 30, 2019, the Commission received a check in the amount of \$1,000 for payment of Incident No. 21095. A copy of the receipt for that payment is attached to this Order as an Appendix.

The Commission finds that Eaton Asphalt 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. Eaton Asphalt's payment of Staff's proposed penalty is accepted and resolves the alleged violation that was the subject of the Incident Report.

2. Eaton Asphalt's payment of Staff's proposed penalty is not an admission by Eaton Asphalt that it willfully violated any provision of KRS Chapter 367 or any administrative regulation promulgated pursuant thereto.

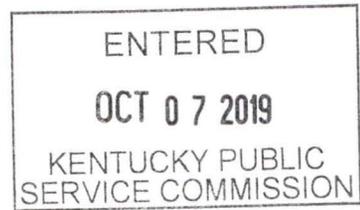
3. The Commission's investigation of this incident is closed and the November 22, 2019 hearing is cancelled.

4. 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. 2019-00335 DATED **OCT 07 2019**

ONE PAGE TO FOLLOW

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RECEIPT OF PAYMENT

This is to acknowledge receipt of check 00338003 for \$1,000.00 payable to Commonwealth of Kentucky on September 30, 2019 from EATON ASPHALT PAVING CO., INC. The check represents payment of penalty as set out in the Demand Letter of June 19, 2019 - Incident #21095.



Gwen R. Pinson
Executive Director
Dated September 30, 2019

Eaton Asphalt Paving Co., Inc.
136 East Frogtown Road
Walton, KENTUCKY 41094

CT Corporation System Register Agent
Kentucky Frontier Gas, LLC
306 W Main Street, Suite 512
Frankfort, KENTUCKY 40601