

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PUSH UNDERGROUND CONSTRUCTION LLC)	
)	
_____)	CASE NO.
)	2020-00044
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

OPENING ORDER

Push Underground Construction LLC (Push Underground) 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

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 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,

¹ KRS 367.4901 through KRS 367.4917.

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 three reports of excavation damage to its underground gas pipeline from an operator, Commission Staff (Staff) conducted investigations and prepared three Incident Reports, a copy of each is attached to this Order as an Appendix. In its Incident Reports, Staff cites Push Underground for violation of the following provision of the Act:

KRS 367.4911(10) – When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

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

IT IS THEREFORE ORDERED that:

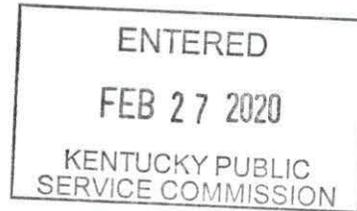
1. Push Underground shall submit to the Commission, at 211 Sower Boulevard, Frankfort, Kentucky 40601, a written response to the allegations contained in the Staff Incident Reports within 20 days of receipt of this Order.
2. Any partnership, corporation, or business entity (including a limited liability 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.
3. The Staff Incident Reports 31649, 32084, and 32255 in Appendix A through Appendix C to this Order are made a part of the record in this case.

4. Please note that notice of a hearing to be held in this matter will be mailed to Push Underground once proof of service is received by the Commission. Parties who fail to appear after service will be subject to entry of a default judgment against them.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission

Commissioner Talina Mathews did not participate in this case.



ATTEST:

A handwritten signature in blue ink, appearing to be "H. C. L.", written over a horizontal line.

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00044 DATED **FEB 27 2020**

EIGHT PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

KY PSC Investigator(s) John E. Gowins	Incident ID 31649
Incident Date 5/11/2019 7:31:00 PM	Report Submitted 6/6/2019 10:57:13 AM

OPERATOR INFORMATION

Operator Louisville Gas and Electric Company	Reported By Mike Jones
Phone (502) 364-8281	Email Mike.Jones@lge-KU.com
Incident Location 4414 Shelbyville Rd Louisville, KY 40207 Jefferson	Locate Ticket Number 1904291592

EXCAVATOR INFORMATION

Name of Excavator Webb, Sonny	Organization ID
Phone 608-370-4412	Email
Excavator Address Push Underground Construction LLC 806 Water St Sauk City, WI 53583	Locate Ticket Number

INCIDENT

Locate Ticket Summary

Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from Initial date)	Incident Date	# of Days Expired	Within Scope of Excavation
1904291592	Yes	5/7/19	5/28/19	5/11/19	N/A	Yes

Excavation Summary

Excavation Within Tolerance Zone	Type Of Equipment Used	Cost of Damage (Per Operator)	Amount Billed (Excavator)
Yes	Mechanized	\$3,242.00	\$0.00

The operator reports that the contractor was boring in fiber ducts when they hit a 1 1/4" plastic company gas service. The service and main were located accurately. Contractor failed to spot with hand tools prior to boring.

INVESTIGATION

All incidents involving Push were assigned to Investigator Gowins. Several have been resolved without Push being found responsible. But there have been numerous attempts to discuss with Push:

- October 25 left a message;
- November 7 left a message;
- November 14 spoke with Amanda Webb, she requested that I send her an email so that she could then send me documentation in return;
- November 18 sent Ms. Webb a reminder email about the documentation;
- December 11 sent a final email outlining the options for resolution.
- December 20, 2019 called Push again in an attempt to discuss the incidents, was sent to voice mail, left a message.
- December 23, 2019 have heard nothing from Push, sent demand letters for approval.

November 27, 2019 email from LG&E indicates that Push was billed for the damage but has not paid.

VIOLATION

KRS 367.4911 (10) When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

Gas Excavation Damage Report

Louisville Gas and Electric Company

Submitted 6/6/2019 Incident ID: 31649

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=31649\)](#)

Reported By:

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

Gas Line Incident Occured:

Date: 5/11/2019
Time: 7:31 PM

Details:

Reported Date: 6/6/2019 10:57 AM

Incident Location Address:

Location:
Address: 4414 Shelbyville Rd
City: Louisville
State: KY
County: Jefferson
Zip: 40207
Confirm Code: D
Number of Customers out: 1
Locate Request Ticket No.: 1904291892
Excavator: Contractor

Excavator Address:

First Name: Sonny
Last Name: Webb
Organization ID:
Company: Push Underground Construction LLC
Phone: 608-370-4412
Email:
Address: 806 Water St
City: Sauk City
State: WI
Zip: 53583

Confirm Code: Y

Excavation Damage: Failure to maintain clearance

Description of Incident ?Excavator damaged service while boring for fiber duct work.

Summary Information

6/6/2019

Full details such as the cause	Contractor was boring in fiber ducts when they hit a 1 1/4" plastic company gas service. The service and main were located accurately. Contractor simply failed to spot with hand tools prior to boring.
Extent of the damage	1 1/4" plastic service
Cost of the damage	\$3,242.00
Steps taken to prevent re-occurrence	Push Underground and their contractors continue to be unreceptive to communication efforts made with training in mind.
Amount billed to excavator	\$0.00

PUSH UNDERGROUND CONSTRUCTION LLC

General Information

Organization Number 1041024
Name PUSH UNDERGROUND CONSTRUCTION LLC
Profit or Non-Profit P - Profit
Company Type FLC - Foreign Limited Liability Company
Status I - Inactive
Standing B - Bad
State FL
File Date 12/6/2018
Authority Date 12/6/2018
Last Annual Report N/A
Principal Office 396 BARABOO STREET
MERRIMAC, WI 53561
Registered Agent UNITED STATES CORPORATION AGENTS, INC.
9900 CORPORATE CAMPUS DRIVE, SUITE 3000
DES MOINES, KY 40223

Current Officers

Individuals / Entities listed at time of formation

Images available online

Documents filed with the Office of the Secretary of State on September 15, 2004 or thereafter are available as scanned images or PDF documents. Documents filed prior to September 15, 2004 will become available as the images are created.

Revocation of Certificate of Authority	10/16/2019	1 page	PDF	
Certificate of Authority (LLC)	12/6/2018	1 page	tiff	PDF

Assumed Names

Activity History

Filing	File Date	Effective Date	Org. Referenced
Rev. of Certificate of Authority	10/16/2019	10/16/2019	
Add	12/6/2018 1:41:34 PM	12/6/2018	

Microfilmed Images

NORMAL NOTICE

Ticket : 1905071149 Date: 05/07/2019 Time: 12:18 Oper: KREED Chan:000

State: KY Cnty: JEFFERSON City: LOUISVILLE
Subdivision:

Address :

Street : SHELBYVILLE RD

Cross 1 : MARSHALL DR

Location: FROM THE SOUTHWEST CORNER OF THE INTERSECTION - LOCATE EAST ON THE SOUTH SIDE OF SHELBYVILLE RD FOR 2000 FEET INCLUDING ALL ROAD RIGHT OF WAYS AND UTILITY EASEMENTS

:

Boundary: n 38.251868 s 38.250042 w -85.635677 e -85.627347

Work type : INSTALL CONDUIT FIBER

Done for : VERIZON/MCI

Start date: 05/09/2019 Time: 12:30 Hours notice: 48/48 Priority: NORM

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

Duration : N/A Depth: 4 FEET

Company : PUSH UNDERGROUND CONSTRUCTION Type: CONT

Co addr : 806 WATER ST

City : SAUK CITY State: WI Zip: 53583

Caller : JACOB BRAXTON Phone: (800)513-7548

Contact : SONNY WEBB - CELL Phone:

Mobile : (608)370-4412

Email : CAITLIN@PUSHUNDERGROUNDCONSTRUCTION.COM

Submitted date: 05/07/2019 Time: 12:18

Members: 0002 0004 0006 0007 0054 0139 0299 0653 0721

Gowins, John E (PSC)

From: Gowins, John E (PSC)
Sent: Wednesday, December 11, 2019 1:44 PM
To: amanda@pushundergroundconstruction.com
Subject: Gas line incidents in Kentucky: 31649, 32084, 32255

Importance: High

Amanda,

The previous case that I asked you about, incident # 31557 has been addressed.

There are three more that I need a response from you on.

The incident numbers, the date of the incident, and the location as well as the information provided to me by the utility are:

Incident # 31649

Excavator: Sonny Webb with Push Underground Construction LLC

Date: 5/11/19

Location: 4414 Shelbyville Rd, Louisville, KY 40207

The operator reports that the contractor was boring in fiber ducts when they hit a 1 1/4" plastic company gas service. The service and main were located accurately. Contractor failed to spot with hand tools prior to boring.

Incident # 32084

Excavator: Sonny with Push Underground Construction LLC

Date: 9/6/19

Location: 12413 Shelbyville Rd, Louisville, KY 40243

The operator reports that the excavator was digging on top of and alongside an accurately marked gas main with mechanized equipment and damaged unmarked service tap on top of main.

Incident # 32255

Excavator: Ross Harris with Push Underground Construction LLC

Date: 11/1/19

Location: 1757 Mellwood Ave, Louisville, KY 40206

The operator reports that the contractor damaged an accurately marked plastic company gas service with a bore machine. Contractor potholed service a foot away from where he ended up damaging the service. Depth of service did not appear to change much from where they potholed to where it was damaged. They struck the underside of the service with the bore head.

Please review and if you wish provide any additional documentation to me regarding these incidents.

The options that we have for resolution of the first violation is:

1. A demand letter with a civil penalty of \$1250, with \$1000 suspended provided someone from Push attends a damage prevention training class held on the first Monday of the month, the next one being held on January 6, 2020;
2. A demand letter with a civil penalty of \$1250, no one has to come to training, but the full amount is due;
3. Push can request a hearing before the Public Service Commission.

There are no options for penalty reduction for the second and third violation, the second violation penalty is \$2000 and the third and any subsequent violations are \$4000.

The option to request a hearing before the commission applies to all three.

If I don't have a response from you by December 18, I will draft three demand letters, one for \$1250, one for \$2000, and one for \$4000.

John E. Gowins
Consumer Complaints Investigator II
Division of Inspections
Kentucky Public Service Commission
502.782.2656

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00044 DATED **FEB 27 2020**

SEVEN PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

KY PSC Investigator(s) John E. Gowins

Incident ID 32084

Incident Date 9/6/2019 12:45:00 PM

Report Submitted 10/2/2019 9:57:00 AM

OPERATOR INFORMATION

Operator Louisville Gas and Electric Company

Reported By Mike Jones

Phone (502) 364-8281

Email Mike.Jones@lge-KU.com

Incident Location
12413 Shelbyville Rd
Louisville, KY 40243

Locate Ticket Number 1908231312

Jefferson

EXCAVATOR INFORMATION

Name of Excavator Sonny, Sonny

Organization ID 1041024

Phone 502-881-3367

Email

Excavator Address
Push Underground Construction LLC
806 Water St
Sauk City, WI 53583

Locate Ticket Number

INCIDENT

Locate Ticket Summary

Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from Initial date)	Incident Date	# of Days Expired	Within Scope of Excavation
1908231312	Yes	8/23/19	9/13/19	9/6/19	N/A	Yes

Excavation Summary

Excavation Within Tolerance Zone	Type Of Equipment Used	Cost of Damage (Per Operator)	Amount Billed (Excavator)
Yes	Mechanized	\$911.00	\$0.00

The operator reports that the excavator was digging on top of and alongside an accurately marked gas main with mechanized equipment and damaged unmarked service tap on top of main.

INVESTIGATION

November 27, 2019 received an email from LG&E which states the excavator was digging on top of the accurately marked main which means they were well within the 18" tolerance zone when they hit the tap. The tap is not more than 7"-9" tall so again, they were well with the tolerance zone when they hit it with mechanized equipment.

All incidents involving Push were assigned to Investigator Gowins. Several have been resolved without Push being found responsible. But there have been numerous attempts to discuss with Push:

- October 25 left a message;
- November 7 left a message;
- November 14 spoke with Amanda Webb, she requested that I send her an email so that she could then send me documentation in return;
- November 18 sent Ms. Webb a reminder email about the documentation;
- December 11 sent a final email outlining the options for resolution.
- December 20, 2019 called Push again in an attempt to discuss the incidents, was sent to voice mail, left a message.
- December 23, 2019 have heard nothing from Push, sent demand letters for approval.

VIOLATION

KRS 367.4911 (10) When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

Gas Excavation Damage Report

Louisville Gas and Electric Company

Submitted 10/2/2019 Incident ID: 32084

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=32084\)](#)

Reported By:

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

Gas Line Incident Occured:

Date: 9/6/2019
Time: 12:45 PM

Details:

Reported Date: 10/2/2019 9:57 AM

Incident Location Address:

Location:
Address: 12413 Shelbyville Rd
City: Louisville
State: KY
County: Jefferson
Zip: 40243
Confirm Code: Y

Number of Customers out: 1

Locate Request Ticket No.: 1908231312

Excavator: Contractor

Excavator Address:

First Name: Sonny
Last Name: Sonny
Organization ID:
Company: Push Underground Construction
Phone: 502-881-3367
Email:
Address: 806 Water St
City: Sauk City
State: WI
Zip: 53583

Confirm Code: Y

Excavation Damage: Failure to use hand tools where required

Description of Incident Excavator damaged service tee digging in tolerance zone.

Summary Information

10/2/2019

Full details such as the cause	Excavator digging on top of and alongside accurately marked gas main with mechanized equipment damaged unmarked service tap on top of main.
Extent of the damage	1/2" plastic service
Cost of the damage	\$911.00
Steps taken to prevent re-occurrence	Push Underground has been educated on numerous occasions about the Dig Laws.
Amount billed to excavator	\$0.00

NORMAL NOTICE

Ticket : 1908231312 Date: 08/23/2019 Time: 16:21 Oper: MICHELLE.YOUNG.K Chan:000

State: KY Cnty: JEFFERSON City: LOUISVILLE
Subdivision:

Address :

Street : SHELBYVILLE RD

Cross 1 : JUNEAU DR

Location: BEGIN LOCATING 1000' E OF THE INTERSECTION OF SHELBYVILLE RD AND
JUNEAU DR CONTINUE HEADING W ALONG THE N SIDE OF SHELBYVILLE RD FOR 2000'
INCLUDING ALL RROW AND UTILITY EASEMENTS

:

Boundary: n 38.248878 s 38.243315 w -85.530522 e -85.521021

Work type : BURY UNDEGROUND CONDUIT FIBER

Done for : MCI/VERIZON

Start date: 08/27/2019 Time: 16:30 Hours notice: 96/48 Priority: NORM

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

Duration : N/A Depth: 4'

Company : PUSH UNDERGROUND CONSTRUCTION Type: CONT

Co addr : 806 WATER ST

City : SAUK CITY State: WI Zip: 53583

Caller : MICHELE YOUNG Phone: (800)513-7548

Contact : BRYAN UNDERWOOD Phone:

Mobile : (502)881-3367

Email : MICHELE@PUSHUNDERGROUNDCONSTRUCTION.COM

Submitted date: 08/23/2019 Time: 16:21

Members: 0002 0004 0006 0007 0054 0139 0299 0653 WINKY

Gowins, John E (PSC)

From: Gowins, John E (PSC)
Sent: Wednesday, December 11, 2019 1:44 PM
To: amanda@pushundergroundconstruction.com
Subject: Gas line incidents in Kentucky: 31649, 32084, 32255

Importance: High

Amanda,

The previous case that I asked you about, incident # 31557 has been addressed. There are three more that I need a response from you on. The incident numbers, the date of the incident, and the location as well as the information provided to me by the utility are:

Incident # 31649

Excavator: Sonny Webb with Push Underground Construction LLC

Date: 5/11/19

Location: 4414 Shelbyville Rd, Louisville, KY 40207

The operator reports that the contractor was boring in fiber ducts when they hit a 1 1/4" plastic company gas service. The service and main were located accurately. Contractor failed to spot with hand tools prior to boring.

Incident # 32084

Excavator: Sonny with Push Underground Construction LLC

Date: 9/6/19

Location: 12413 Shelbyville Rd, Louisville, KY 40243

The operator reports that the excavator was digging on top of and alongside an accurately marked gas main with mechanized equipment and damaged unmarked service tap on top of main.

Incident # 32255

Excavator: Ross Harris with Push Underground Construction LLC

Date: 11/1/19

Location: 1757 Mellwood Ave, Louisville, KY 40206

The operator reports that the contractor damaged an accurately marked plastic company gas service with a bore machine. Contractor potholed service a foot away from where he ended up damaging the service. Depth of service did not appear to change much from where they potholed to where it was damaged. They struck the underside of the service with the bore head.

Please review and if you wish provide any additional documentation to me regarding these incidents.

The options that we have for resolution of the first violation is:

1. A demand letter with a civil penalty of \$1250, with \$1000 suspended provided someone from Push attends a damage prevention training class held on the first Monday of the month, the next one being held on January 6, 2020;
2. A demand letter with a civil penalty of \$1250, no one has to come to training, but the full amount is due;
3. Push can request a hearing before the Public Service Commission.

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The option to request a hearing before the commission applies to all three.

If I don't have a response from you by December 18, I will draft three demand letters, one for \$1250, one for \$2000, and one for \$4000.

John E. Gowins
Consumer Complaints Investigator II
Division of Inspections
Kentucky Public Service Commission
502.782.2656

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00044 DATED **FEB 27 2020**

EIGHT PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

KY PSC Investigator(s) John E. Gowins	Incident ID 32255
Incident Date 11/1/2019 5:11:00 PM	Report Submitted 11/20/2019 11:48:00 AM

OPERATOR INFORMATION

Operator Louisville Gas and Electric Company	Reported By Mike Jones
Phone (502) 364-8281	Email Mike.Jones@lge-KU.com
Incident Location 1757 Mellwood Ave Louisville, KY 40206 Jefferson	Locate Ticket Number 1910181333

EXCAVATOR INFORMATION

Name of Excavator Harris, Ross	Organization ID 1041024
Phone 352-342-7687	Email
Excavator Address Push Underground Construction LLC 806 Water St Sauk City, WI 53583	Locate Ticket Number

INCIDENT

Locate Ticket Summary

Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from Initial date)	Incident Date	# of Days Expired	Within Scope of Excavation
1910181333	Yes	10/18/19	11/8/19	11/1/19	N/A	Yes

Excavation Summary

Excavation Within Tolerance Zone	Type Of Equipment Used	Cost of Damage (Per Operator)	Amount Billed (Excavator)
Yes	Mechanized	\$1,400.00	\$0.00

The operator reports that the contractor damaged an accurately marked plastic company gas service with a bore machine. Contractor potholed service a foot away from where he ended up damaging the service. Depth of service did not appear to change much from where they potholed to where it was damaged. They struck the underside of the service with the bore head.

INVESTIGATION

All incidents involving Push were assigned to Investigator Gowins. Several have been resolved without Push being found responsible. But there have been numerous attempts to discuss with Push:

- October 25 left a message;
- November 7 left a message;
- November 14 spoke with Amanda Webb, she requested that I send her an email so that she could then send me documentation in return;
- November 18 sent Ms. Webb a reminder email about the documentation;
- December 11 sent a final email outlining the options for resolution.
- December 20, 2019 called Push again in an attempt to discuss the incidents, was sent to voice mail, left a message.
- December 23, 2019 have heard nothing from Push, sent demand letters for approval.

VIOLATION

KRS 367.4911 (10) When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

Gas Excavation Damage Report

Louisville Gas and Electric Company

Submitted 11/20/2019 Incident ID: 32255

[Set back to Edit](#) [Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=32255\)](#)

Reported By:

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

Gas Line Incident Occured:

Date: 11/1/2019
Time: 5:11 PM

Details:

Reported Date: 11/20/2019 11:48 AM

Incident Location Address:

Location:
Address: 1757 Mellwood Ave
City: Louisville
State: KY
County: Jefferson
Zip: 40206
Confirm Code: Y
Number of Customers out: 1
Locate Request Ticket No.: 1910181333
Excavator: Contractor

Excavator Address:

First Name: Ross
Last Name: Harris
Organization ID:
Company: Push Underground Construction
Phone: 352-342-7687
Email:
Address: 806 Water St
City: Sauk City
State: WI
Zip: 53583

Confirm Code: Y

Excavation Damage: Other

Description of Incident ?Excavator damaged service with bore head.

Summary Information

11/20/2019

Full details such as the cause	Contractor damaged accurately marked plastic company gas service with a bore machine. Contractor potholed service a foot away from where he ended up damaging the service. Depth of service did not appear to change much from where they potholed to where it was damaged. They struck the underside of the service with the bore head.
Extent of the damage	Broken plastic service
Cost of the damage	\$1,400.00
Steps taken to prevent re-occurrence	PUSH is a frequent offender. They had a new foreman on this job who seemed to take his crew to task for not potholing correctly.
Amount billed to excavator	\$0.00

PUSH UNDERGROUND CONSTRUCTION LLC

General Information

Organization Number 1041024
Name PUSH UNDERGROUND CONSTRUCTION LLC
Profit or Non-Profit P - Profit
Company Type FLC - Foreign Limited Liability Company
Status I - Inactive
Standing B - Bad
State FL
File Date 12/6/2018
Authority Date 12/6/2018
Last Annual Report N/A
Principal Office 396 BARABOO STREET
MERRIMAC, WI 53561
Registered Agent UNITED STATES CORPORATION AGENTS, INC.
9900 CORPORATE CAMPUS DRIVE, SUITE 3000
DES MOINES, KY 40223

Current Officers

Individuals / Entities listed at time of formation

Images available online

Documents filed with the Office of the Secretary of State on September 15, 2004 or thereafter are available as scanned images or PDF documents. Documents filed prior to September 15, 2004 will become available as the images are created.

Revocation of Certificate of Authority	10/16/2019	1 page	PDF	
Certificate of Authority (LLC)	12/6/2018	1 page	tiff	PDF

Assumed Names

Activity History

Filing	File Date	Effective Date	Org. Referenced
Rev. of Certificate of Authority	10/16/2019	10/16/2019	
Add	12/6/2018 1:41:34 PM	12/6/2018	

Microfilmed Images

NORMAL NOTICE

Ticket : 1910181333 Date: 10/18/2019 Time: 14:24 Oper: OWEN.MERGEN.KY Chan:000

State: KY Cnty: JEFFERSON City: LOUISVILLE
Subdivision:

Address :

Street : MELLWOOD AVE

Cross 1 : BROWNSBORO RD

Location: BEGINNING AT THE SW CORNER OF THE INTERSECTION OF BROWNSBORO ROAD AND
MELLWOOD AVENUE LOCATE THE NORTHWESTERN RROW AND UTILITY EASEMENT HEADED
SOUTHWEST ON MELWOOD AVENUE, ENDING AT THE SOUTHWEST CORNER OF THE INTERSECTION
OF FRANKFORT AVENUE & MELWOOD AVENUE.

:

Boundary: n 38.260640 s 38.257185 w -85.720149 e -85.716163

Work type : INSTALLING CONDUIT

Done for : STAR CONSTRUCTION MCI

Start date: 10/22/2019 Time: 14:45 Hours notice: 96/48 Priority: NORM

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

Duration : N/A Depth: 5 FT

Company : PUSH UNDERGROUND CONSTRUCTION Type: CONT

Co addr : 806 WATER ST

City : SAUK CITY State: WI Zip: 53583

Caller : OWEN MERGEN Phone: (608)493-4831

Contact : ANDREW WILLIAMS Phone:

Mobile : (608)477-1322

Email : OWEN@PUSHUNDERGROUNDCONSTRUCTION.COM

Remarks : 1801AFAS.4 - REQUEST 4

:

Submitted date: 10/18/2019 Time: 14:24

Members: 0002 0004 0006 0007 0054 0139 0299 0721

Gowins, John E (PSC)

From: Gowins, John E (PSC)
Sent: Wednesday, December 11, 2019 1:44 PM
To: amanda@pushundergroundconstruction.com
Subject: Gas line incidents in Kentucky: 31649, 32084, 32255

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Location: 4414 Shelbyville Rd, Louisville, KY 40207

The operator reports that the contractor was boring in fiber ducts when they hit a 1 1/4" plastic company gas service. The service and main were located accurately. Contractor failed to spot with hand tools prior to boring.

Incident # 32084

Excavator: Sonny with Push Underground Construction LLC

Date: 9/6/19

Location: 12413 Shelbyville Rd, Louisville, KY 40243

The operator reports that the excavator was digging on top of and alongside an accurately marked gas main with mechanized equipment and damaged unmarked service tap on top of main.

Incident # 32255

Excavator: Ross Harris with Push Underground Construction LLC

Date: 11/1/19

Location: 1757 Mellwood Ave, Louisville, KY 40206

The operator reports that the contractor damaged an accurately marked plastic company gas service with a bore machine. Contractor potholed service a foot away from where he ended up damaging the service. Depth of service did not appear to change much from where they potholed to where it was damaged. They struck the underside of the service with the bore head.

Please review and if you wish provide any additional documentation to me regarding these incidents.

The options that we have for resolution of the first violation is:

1. A demand letter with a civil penalty of \$1250, with \$1000 suspended provided someone from Push attends a damage prevention training class held on the first Monday of the month, the next one being held on January 6, 2020;
2. A demand letter with a civil penalty of \$1250, no one has to come to training, but the full amount is due;
3. Push can request a hearing before the Public Service Commission.

There are no options for penalty reduction for the second and third violation, the second violation penalty is \$2000 and the third and any subsequent violations are \$4000.

The option to request a hearing before the commission applies to all three.

If I don't have a response from you by December 18, I will draft three demand letters, one for \$1250, one for \$2000, and one for \$4000.

John E. Gowins
Consumer Complaints Investigator II
Division of Inspections
Kentucky Public Service Commission
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