

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CCC CONSTRUCTION CO, INC	)	
	)	
_____	)	CASE NO.
	)	2022-00166
ALLEGED VIOLATION OF UNDERGROUND	)	
FACILITY DAMAGE PREVENTION ACT	)	

INITIATING ORDER FOR ALLEGED 811 VIOLATION OF THE KENTUCKY  
UNDERGROUND FACILITY DAMAGE PREVENTION ACT

CCC Construction Co, Inc (CCC Construction) 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).<sup>1</sup> A hearing in this case shall take place on July 29, 2022.

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

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<sup>1</sup> KRS 367.4901 through KRS 367.4917.

results in damage to an underground facility containing any flammable, toxic, corrosive, 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 a report of excavation damage to its underground gas pipeline from an operator, Commission Staff (Staff) conducted an investigation and prepared an Incident Report, a copy of which is attached to this Order as Appendix A. In its Incident Report, Staff cites CCC Construction for violation of the following provision of the Act:

KRS 367.4911(1)(a) – Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

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

IT IS THEREFORE ORDERED that:

1. CCC Construction shall submit to the Commission, via email sent to [PSCED@ky.gov](mailto:PSCED@ky.gov) with the case number of this proceeding in the subject line of the message, a written response to the allegations contained in the Staff Incident Report within 20 days of receipt of this Order.

2. CCC Construction shall appear on July 29, 2022, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violation of the Underground Facility Damage Prevention Act.

3. The July 29, 2022 hearing shall be conducted via video conferencing.
4. CCC Construction shall attend the hearing by using the following link: <https://global.gotomeeting.com/join/308551245>; information and instructions are attached to this Order as Appendix B.
5. CCC Construction shall notify the Commission at least ten days prior to the hearing if CCC Construction is unable to appear by video conferencing and will therefore appear in person.
6. **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.**
7. An individual may submit a response to the allegations contained in the Staff Incident Report without the representation of an attorney.
8. The Staff Incident Report 43221, attached to this Order as Appendix A, is made a part of the record in this case.
9. The July 29, 2022 hearing shall be recorded by video only.
10. **Please note that notice of a hearing to be held in this matter will be mailed to CCC Construction 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.**

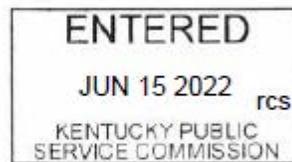
PUBLIC SERVICE COMMISSION



Chairman

\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_  
Commissioner



ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2022-00166 DATED JUN 15 2022

TWENTY-FIVE PAGES TO FOLLOW

# PIPELINE DAMAGE INVESTIGATION REPORT

## Investigation Information

**Investigator** Eric Tout **Incident ID** 43221 **Investigation** 8163  
**Incident Date** 11/5/2020 8:20:00 AM **Report Submitted** 11/23/2020

## Operator Information

**Operator** Duke Energy Kentucky, Inc. **Reported By** Laura Mate  
**Phone** (859) 206-4639 **Email** Laura.Mate@duke-energy.com

**Incident Location** 7190 Warsaw Rd **Locate Ticket Number** No Ticket  
 Dry Ridge KY 41035  
 7190 Warsaw Rd  
**County** Grant

## Excavator Information

**Excavator** Tim Campbell **Organization ID**  
 CCC Construction Co., Inc.  
**Phone** 859-547-6465 **Email**  
**Address** 790 Kenton Station Rd **Locate Ticket Number** No Ticket  
 Alexandria KY 41001

## Damage Report (DR) Summary

Excavation Within 18" (Approximate Location)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
No call to 811	Yes	Yes	Mechanized/ Mini Excavator	\$973.00	\$973.00

The Operator reports that the Excavator damaged a gas service with a mini excavator installing a drain and failed to contact the KY Contact Center (811).

**The DR is include as Attachment 1.**

## INVESTIGATION

On 11/05/21 the Operator, Duke's Ronya Nabors, provided the following documents:

- Invoice: Billing the Excavator \$1,217.48 for the damage. Per Ms. Nabors no payment has been received.
- Damage Investigation Findings w/ Photographs: Indicating no call was made to 811.

**Duke's documents are include as Attachment 2.**

On 11/08, 10 & 15/21 an attempt to contact the Excavator resulted in a message stating you have reached 859-547-6465 wherein a voice message was left.

On 11/15/21 a Letter to Contact was sent to the Excavator.

**The Letter to Contact is included as Attachment 3.**

On 12/02/21 the US Postal Office Tracking service revealed that the 11/15/21 Letter to Contact was delivered to an address in Broadhead KY, but no certified hard copy has been returned. Administrative Assistant Ashley Rhodes conducted searches with Accurint, Facebook, etc. and she was unable to find anything that links the name Tim Campbell, the company, or the address given together. Ms. Rhodes stated that CCC Construction Inc. is in Accurint, but they are based out of Crestwood KY and the Registered Agent is in Utah. Ms. Rhodes stated that a search for the spelling of Triple C Construction reveled a company from Russell KY. Staff conducted a search of the KY Secretary of State web site and was unable to match the two company's spellings with the address provide by the Operator. A second

## PIPELINE DAMAGE INVESTIGATION REPORT

attempt to make contact with the Excavator will be attempted by sending a Letter to Contact to the Alexandria KY address.

**The Second Letter to Contact is included as Attachment 4.**

On 12/03/21:

- Via email Ms. Nabors stated that Duke spoke to Eddie Hounshell (855-547-6465, eddiehounshell48@gmail.com) on 11/18/20 & 12/21/20 with no other contact after those dates.

**Ms. Nabors's email is include as Attachment 5.**

- An attempt to contact Mr. Houndshell at 855-547-6465 resulted in the call failing.
- An email to [eddiehounshell48@gmail.com](mailto:eddiehounshell48@gmail.com) was sent requesting contact be made.

**Email to Mr. Hounshell is included as Attachment 6.**

On 01/04/22 a review of the U.S. Postal Web Tracking system revealed that the 12/03/21 Letter to Contact was delivered/picked up on 12/16/21 and as of today's date no contact has been made by the excavator. With the failed attempts to contact the Excavator a Demand Letter requiring the attendance to the Damage Prevention Course and imposing the penalty of \$250.00 will be sent.

**A copy of the Postal Tracking web page is included as Attachment 7.**

### VIOLATIONS

**KRS 367.4911 (1)(a)** Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

#### # of Offences

(Including this incident)

<b>Excavator</b>	<b>Last Offence Incident #</b>	<b>Last Offence Incident Date</b>	<b>Revert to 1<sup>st</sup> Offence Date</b> (Last Offence Date +365 Days)
1 <sup>st</sup>	N/A	N/A	N/A

# Attachment 1

# Gas Excavation Damage Report

## Duke Energy Kentucky, Inc.

Submitted 11/23/2020 Incident ID: 43221

[Set back to Edit](#)[Staff Edit](#)[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=43221\)](#)

### Reported By:

**Name:** Laura Mate  
**Phone:** (859) 206-4639  
**Email:** Laura.Mate@duke-energy.com

### Gas Line Incident Occured:

**Date:** 11/5/2020  
**Time:** 8:20 AM

### Details:

**Reported Date:** 11/23/2020 10:19 AM

### Incident Location Address:

**Location:** 7190 Warsaw Rd  
**Address:** 7190 Warsaw Rd  
**City:** Dry Ridge  
**State:** KY  
**County:** Grant  
**Zip:** 41035  
**Confirm Code:** Y

**Number of Customers out:** 1

**Was gas or hazardous liquids contained in the underground facility?**

**Was gas or hazardous liquids released into the atmosphere?**  \*

3/2020

**Locate Request Ticket No.:** No Ticket

**Excavator:** Contractor

### Excavator Address:

**First Name:** Tim  
**Last Name:** Campbell  
**Organization ID:** 0336547  
**Company:** CCC CONSTRUCTION CO., INC.  
**Phone:** 859-547-6465  
**Email:**

**Address:** 790 Kenton Station Rd  
**City:** Alexandria  
**State:** KY  
**Zip:** 41001  
**Confirm Code:** Y  
**Excavation Damage:** No notification made to the One Call Center

**Description of Incident** Per Tim Campbell of Triple C Construction: I was digging out for a drain with a mini. I hit the gas line with a tooth on the bucket. Gas service was damaged.

### Summary Information

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11/23/2020

**Full details such as the cause** Triple C Construction failed to notify the One Call System. In doing so, they struck a one inch plastic curb to meter gas service in front of the residence.  
**Extent of the damage** Gas service required repair.  
**Cost of the damage** \$973.00  
**Steps taken to prevent re-occurrence**  
**Amount billed to excavator** \$973.00

# Attachment 2

## Tout, Eric V (PSC)

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**From:** Nabors, Ronya K <Ronya.Nabors@duke-energy.com>  
**Sent:** Friday, November 5, 2021 11:05 AM  
**To:** Tout, Eric V (PSC)  
**Cc:** Collins, Jim  
**Subject:** RE: [EXTERNAL] 43221, 11/5/2020, 7190 Warsaw Rd., Dry Ridge, CCC Construction Co.  
**Attachments:** 452954ClaimSupportPackage7190 Warsaw Rd.pdf

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**\*\*CAUTION\*\* PDF attachments may contain links to malicious sites. Please contact the COT Service Desk [ServiceCorrespondence@ky.gov](mailto:ServiceCorrespondence@ky.gov) for any assistance.**

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Good morning.

Please see the claim support package above as requested. After viewing it myself, it appears that the tooth on the bucket of the mini excavator hit the gas line & there was no ticket with 811. Also, Eddie Houndhell was contacted and acknowledged liability for the damaged line. There has been no payment made.

Thanks.

Ronya Nabors

NGBU Damage Prevention

DESK 704-731-4522 CELL 704-576-8155

[ronya.nabors@duke-energy.com](mailto:ronya.nabors@duke-energy.com)



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**From:** Tout, Eric V (PSC) <ericv.tout@ky.gov>  
**Sent:** Thursday, November 4, 2021 8:04 AM  
**To:** Nabors, Ronya K <Ronya.Nabors@duke-energy.com>  
**Cc:** Collins, Jim <Jim.Collins@duke-energy.com>  
**Subject:** [EXTERNAL] 43221, 11/5/2020, 7190 Warsaw Rd., Dry Ridge, CCC Construction Co.

**\*\*\* CAUTION! EXTERNAL SENDER \*\*\* STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

Hello Ronya,

Please send all repots, all photos, invoices and payment info. (copy of check) if paid. Provided any explanation in advance regarding conflicting information.

*Thanks,*

*Eric V. Tout*

*Kentucky Public Services Commission*

*Division of Inspections / Damage Prevention*

*211 Sower Blvd., Frankfort, KY 40601*

*Office: 502-782-2622*

*Fax: 502-564-1582*



# INVOICE



Please Make Check Payable to: Project Resources Group

<b>Remit to:</b> Project Resources Group, Inc. Attn. Damage Claims 5340 S. Quebec St., Suite 250S Greenwood Village, CO 80111  EIN: 84-1576547	<b>Invoice #</b> DK-452954 <b>Date:</b> November 17, 2020 <b>Terms:</b> Due Upon Receipt <b>Conf. Code #</b> HKMGW
---	---

<b>Responsible for Damages:</b> Triple C Construction 790 Kenton Station Road Alexandria, KY 41001
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<b>Date &amp; Address Where Damage Occurred:</b> 11/5/2020 7190 Warsaw Rd Dry Ridge, KY 41035
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<b>Labor and Materials Costs:</b>		<u>Units</u>	<u>Unit Rate</u>	<u>Amount</u>
<i>Internal Labor Costs</i>				
	Mechanic Operator I	3.00	\$73.70	\$221.11
	Mechanic III - C&M (12049)	3.00	\$35.79	\$107.38
	Service Mechanic A	3.00	\$77.08	\$231.24
	Emergency Call Out	1.00	\$250.00	\$250.00
	UtilityTruck / Tandem Axle	1.00	\$54.30	\$54.30
	SRW Utility, Stake, Flat 4x4	1.00	\$40.10	\$40.10
	Damage Investigation/Quality Control			<u>\$244.00</u>
	Sub-Total			\$1,148.13
<i>Other Costs</i>				
	Loss of Gas	1.00	\$33.47	<u>\$33.47</u>
	Sub-Total			\$33.47
<i>Material Costs</i>				
	Coupling; Pipe	1.00	\$6.84	\$6.84
	Riser; Gasline	1.00	\$29.05	<u>\$29.05</u>
	Sub-Total			\$35.89
<b>Invoice Total</b>				<u>\$1,217.48</u> =====

Please Make Check Payable to: Project Resources Group

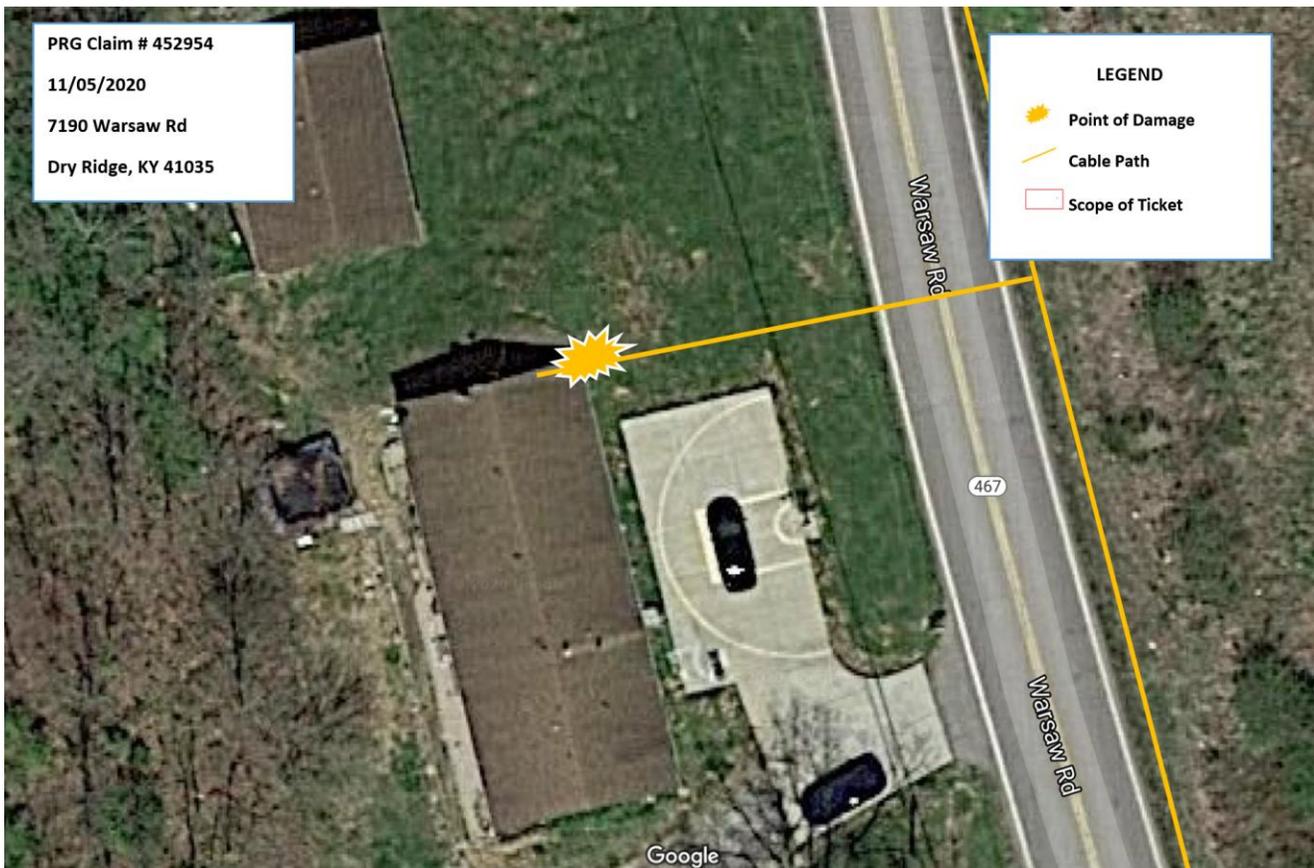
For questions regarding this invoice, please contact: Tracey Foushi, (720) 250-9834 or via email [tfoushi@prgconsulting.net](mailto:tfoushi@prgconsulting.net)

## Damage Investigation Findings

<b>PRG CLAIM:</b>	DK-452954	
<b>DATE OF OUTAGE:</b>	11/05/2020	08:10 AM
<b>NOTIFICATION:</b>	11/05/2020	08:19 AM
<b>ARRIVAL:</b>	11/05/2020	09:39 AM
<b>LOCATION:</b>	7190 Warsaw Rd, Dry Ridge, KY 41035	
<b>LOCATE TICKET:</b>	None	
<b>INVESTIGATOR:</b>	Michael Fields	

### SUMMARY

On Thursday, November 5, 2020, I was notified by Duke Energy about damage at 7190 Warsaw Rd, Dry Ridge, KY 41035. Duke Energy's Underground Facilities were damaged at the above stated location by a mini excavator.



## STATEMENTS

Per Tim Campbell of Triple C Construction: I was digging out for a drain with a mini. I hit the gas line with a tooth on the bucket.

## DETERMINATION

It has been determined that, on November 5th, 2020, Triple C Construction was operating a mini excavator at 7190 Warsaw Rd, Dry Ridge, KY 41035. Triple C Construction failed to notify the One Call System. In doing so, they struck a one inch plastic curb to meter gas service in front of the residence.

### Law(s): **KRS 367.4911**

Excavator or person responsible for excavation to notify operator of work schedule -- Responsibilities of excavator. (1) (a) Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement. Excavator or person responsible for excavation to notify operator of work schedule -- Responsibilities of excavator.



## ROOT CAUSE

In closing of this investigation, I have concluded that Triple C Construction is responsible for all damages that occurred at this location and is liable for any monies owed to Duke Energy, care of PRG for repairs and replacements.



452954 - Investigator1.JPG



452954 - Investigator2.JPG



452954 - Investigator3.JPG



452954 - Investigator4.JPG



452954 - Investigator5.JPG



452954 - Investigator6.JPG



452954 - Investigator7.JPG



452954 - Investigator8.JPG



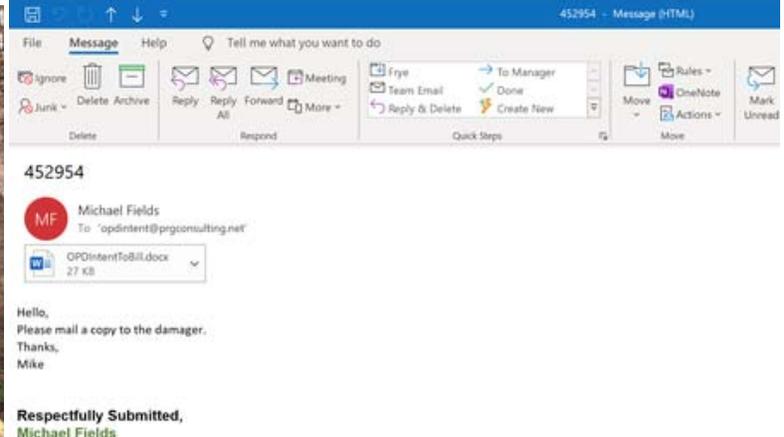
452954 - Investigator9.JPG



452954 - Investigator10.JPG



452954 - Investigator11.JPG



452954 - Investigator12.PNG

# Attachment 3



Andy Beshear  
Governor

Rebecca W. Goodman  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Kent A. Chandler  
Chairman

Amy D. Cabbage  
Vice Chairman

Marianne Butler  
Commissioner

November 15, 2021

Tim Campbell  
CCC Construction Co., Inc.  
790 Kenton Station Rd.  
Alexandria KY 41001

Re: Violation of Kentucky Underground Facility Damage Prevention Act  
Incident Number: **43221**

Dear Mr. Campbell:

The Kentucky Public Service Commission (Commission) received a report of damage occurring on November 5, 2020 to a natural gas or hazardous liquid facility located at 7190 Warsaw Rd., Dry Ridge, KY owned and/or operated by Duke Energy Kentucky, Inc.. Under the Kentucky Underground Facility Damage Prevention Act (Act), KRS 367.4901 through KRS 367.4917, the Commission has jurisdiction to investigate any violation of the Act that results in excavation damage to underground facilities used to transport gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. secs. 60101 et seq. The Commission regulates the safety of jurisdictional natural gas pipelines in the Commonwealth pursuant to KRS 278.495 and 49 CFR Parts 190, 191, 192 and 195.

Following receipt of the damage notification, Commission Staff (Staff) attempted to contact you at 859-547-6465 which has been disconnected, is out of service, not accepting calls and/or the mailbox is full. To obtain all information regarding this matter it is imperative that contact is made. If there is no contact a penalty of \$1,250.00 could be imposed, therefore please contact me at 502-782-2622.

Respectfully,

A handwritten signature in blue ink, appearing to read "Eric V. Tout", written over a white rectangular background.

Eric V. Tout  
Consumer Complaint Investigator  
Division of Inspections / Damage Prevention

7020 3160 0001 8129 6334

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®

OFFICIAL USE

Certified Mail Fee	\$	3.75
Extra Services & Fees (check box, add fees as appropriate)		
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$	5.00
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage	\$	1.36
Total Postage and Fees	\$	2.16

NOV 16 2021  
Postmark Here  
USPS

Tim Campbell  
CCC Construction Co., Inc.  
790 Kenton Station Rd.  
Alexandria KY 41001

Inc 43221

See Reverse for Instructions

# Attachment 4



Andy Beshear  
Governor

Rebecca W. Goodman  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Kent A. Chandler  
Chairman

Amy D. Cabbage  
Vice Chairman

Marianne Butler  
Commissioner

December 3, 2021

Tim Campbell  
CCC Construction Co., Inc.  
790 Kenton Station Rd.  
Alexandria KY 41001

Re: Violation of Kentucky Underground Facility Damage Prevention Act  
Incident Number: **43221**

Dear Mr. Campbell:

The Kentucky Public Service Commission (Commission) received a report of damage occurring on November 5, 2020 to a natural gas or hazardous liquid facility located at 7190 Warsaw Rd., Dry Ridge, KY owned and/or operated by Duke Energy Kentucky, Inc.. Under the Kentucky Underground Facility Damage Prevention Act (Act), KRS 367.4901 through KRS 367.4917, the Commission has jurisdiction to investigate any violation of the Act that results in excavation damage to underground facilities used to transport gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. secs. 60101 et seq. The Commission regulates the safety of jurisdictional natural gas pipelines in the Commonwealth pursuant to KRS 278.495 and 49 CFR Parts 190, 191, 192 and 195.

Following receipt of the damage notification, Commission Staff (Staff) attempted to contact you at 859-547-6465 which has been disconnected, is out of service, not accepting calls and/or the mailbox is full. To obtain all information regarding this matter it is imperative that contact is made. If there is no contact a penalty of \$1,250.00 could be imposed, therefore please contact me at 502-782-2622.

Respectfully,

A handwritten signature in blue ink, appearing to read "Eric V. Tout", written over a white rectangular background.

Eric V. Tout  
Consumer Complaint Investigator  
Division of Inspections / Damage Prevention

# Attachment 5

## Tout, Eric V (PSC)

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**From:** Nabors, Ronya K <Ronya.Nabors@duke-energy.com>  
**Sent:** Friday, December 3, 2021 7:58 AM  
**To:** Tout, Eric V (PSC)  
**Subject:** RE: [EXTERNAL] 43221, 11/5/2020, 7190 Warsaw Rd., Dry Ridge, CCC Construction Co.

Good morning Eric.

Unfortunately, they are unreachable according to the notes I have. We have reached out to them via mail, email and phone calls to no avail. We spoke with someone named Eddie Hounshell on 11/18/20 & 12/21/20 and he admitted they were at fault and he'd sent the payment in already. After that he stopped communicating with us. His contact information is 855-547-6465 and his email is eddiehounshell48@gmail.com.

Thank you.

Ronya Nabors

NGBU Damage Prevention

DESK 704-731-4522 CELL 704-576-8155

[ronya.nabors@duke-energy.com](mailto:ronya.nabors@duke-energy.com)



---

**From:** Tout, Eric V (PSC) <ericv.tout@ky.gov>  
**Sent:** Friday, December 3, 2021 7:30 AM  
**To:** Nabors, Ronya K <Ronya.Nabors@duke-energy.com>  
**Subject:** [EXTERNAL] 43221, 11/5/2020, 7190 Warsaw Rd., Dry Ridge, CCC Construction Co.

**\*\*\* CAUTION! EXTERNAL SENDER \*\*\* STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

Hello Ronya,

We have conducted searches with Accurint (a search engine we use), Facebook, etc. and are unable to find anything that links the name Tim Campbell, the company, or the address given together. CCC Construction Inc. is in Accurint, but they are based out of Crestwood KY and the Registered Agent is in Utah. A

search for the spelling of Triple C Construction revealed a company from Russell KY and a search of the KY Secretary of State web site reveals no matching information.

Do you have anything that would help in locating/connecting the correct company to this incident?

*Thanks,  
Eric V. Tout  
Kentucky Public Services Commission  
Division of Inspections / Damage Prevention  
211 Sower Blvd., Frankfort, KY 40601  
Office: 502-782-2622  
Fax: 502-564-1582*

# Attachment 6

## Tout, Eric V (PSC)

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**From:** Tout, Eric V (PSC)  
**Sent:** Friday, December 3, 2021 8:38 AM  
**To:** eddiehounshell48@gmail.com  
**Subject:** 43221, 11/5/2020, 7190 Warsaw Rd., Dry Ridge, KY, Duke Energy Kentucky, Inc.

Eddie Hounshell  
CCC Construction Co., Inc.  
790 Kenton Station Rd.  
Alexandria KY 41001

Re: Violation of Kentucky Underground Facility Damage Prevention Act Incident Number: 43221

Dear Mr. Hounshell:

The Kentucky Public Service Commission (Commission) received a report of damage occurring on November 5, 2020 to a natural gas or hazardous liquid facility located at 7190 Warsaw Rd., Dry Ridge, KY owned and/or operated by Duke Energy Kentucky, Inc.. Under the Kentucky Underground Facility Damage Prevention Act (Act), KRS 367.4901 through KRS 367.4917, the Commission has jurisdiction to investigate any violation of the Act that results in excavation damage to underground facilities used to transport gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. secs. 60101 et seq. The Commission regulates the safety of jurisdictional natural gas pipelines in the Commonwealth pursuant to KRS 278.495 and 49 CFR Parts 190, 191, 192 and 195.

Following receipt of the damage notification, Commission Staff (Staff) attempted to contact you at 859-547-6465 which has been disconnected, is out of service, not accepting calls and/or the mailbox is full. To obtain all information regarding this matter it is imperative that contact is made. If there is no contact a penalty of \$1,250.00 could be imposed, therefore please contact me at 502-782-2622.

Respectfully,  
*Eric V. Tout*  
*Kentucky Public Services Commission*  
*Division of Inspections / Damage Prevention*  
*211 Sower Blvd., Frankfort, KY 40601*  
*Office: 502-782-2622*  
*Fax: 502-564-1582*

# Attachment 7

43221

16 Dec 2021 10:56	Delivered, Individual Picked Up at Post Office. Your item was picked up at the post office at 10:56 am on December 16, 2021 in ALEXANDRIA, KY 41001. ALEXANDRIA, KY	USPS
10 Dec 2021 16:10	Notice Left (No Authorized Recipient Available) ALEXANDRIA, KY	USPS
09 Dec 2021 20:38	Departed USPS Regional Facility CINCINNATI OH DISTRIBUTION CENTER	USPS
09 Dec 2021 11:42	Arrived at USPS Regional Facility CINCINNATI OH DISTRIBUTION CENTER	USPS
08 Dec 2021 17:54	Departed USPS Regional Facility LEXINGTON KY DISTRIBUTION CENTER	USPS
08 Dec 2021 00:26	Arrived at USPS Regional Facility LEXINGTON KY DISTRIBUTION CENTER	USPS

Tracking number 70203160000181296396

Destination  United States

Found in USPS

Tracked with couriers USPS

Days in transit 8

 Tracking link

<https://parcelsapp.com/en/tracking/70203160000181296396> 

*Bookmark this page to track parcels faster!*

 Share to WhatsApp >

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 Track with official websites

 USPS

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2022-00166 DATED JUN 15 2022

TWO PAGES TO FOLLOW

## Information and Instructions for Hearing

You are required to attend a formal hearing with the Kentucky Public Service Commission. Please note the hearing is scheduled in the **Eastern Time Zone**, and the hearing date and time are on the Order that accompanied these instructions.

You are **strongly encouraged** to download the GoToMeeting app now and be ready for your hearing. If you cannot appear via video using this app, at least ten days prior to your scheduled hearing you must call the Commission's offices at the number provided below. You will receive instructions on appearing in person in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky at the time and date of your scheduled hearing.

Please direct any questions to Ashley Rhodes, Commission Division of Inspections. [AshleyB.Rhodes@ky.gov](mailto:AshleyB.Rhodes@ky.gov) or 502-782-2578.

**To download the GoToMeeting app go to:**

<https://global.gotomeeting.com/install/258846301>

On the day of your hearing using your computer, tablet, or video enabled smartphone. **Access the proceeding at:**

<https://global.gotomeeting.com/join/308551245>

More information about using GoToMeeting can be found at:

GoToMeeting - Attendee Quick Start

<https://www.youtube.com/embed/8VaHHVP0FCU?autoplay=1&showinfo=0&controls=0&rel=0>

GoToMeeting - How to Join a Meeting

[https://www.youtube.com/embed/Ojl1q\\_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0](https://www.youtube.com/embed/Ojl1q_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0)

## Technical Requirements for Using GoToMeeting

### Operating System:

Windows 7 – Windows 10

Mac OS X 10.9 (Mavericks) – mac OS Big Sur (11)

Linux/Ubuntu (Web App only)

Google Chrome OS (Web App only)

iOS 11 – iOS 13

Android OS 5 (Lollipop) – Android 10

### **Web Browser: (Applies to Web App only)**

Google Chrome v72 or newer

Microsoft Edge v77 or newer

### **Internet Connection:**

Computer: 1 Mbps or better (broadband recommended)

Mobile device and Chromebook: 3G or better (WiFi recommended for VoIP)

### **Software:**

GoToMeeting desktop app (JavaScript enabled)

GoToMeeting app from the Apple Store, Google Play Store, or Windows Store

### **Hardware:**

2GB of RAM (minimum), 4GB or more of RAM (recommended)

Webcam device\*

Microphone and speakers\*\* (USB headset recommended)

### **Mobile Device:**

iPhone 5 or newer

iPad 3<sup>rd</sup> gen or newer

Note: \* You MUST have a camera on your device or connected to your device to appear at the hearing.

\*\* Most devices have built-in speakers, but you will get better audio quality while connected via VoIP if you use a headset

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