

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AJ'S EVOLUTION CABLE SERVICE LLC	)	
	)	
_____	)	CASE NO.
	)	2025-00093
ALLEGED VIOLATION OF UNDERGROUND	)	
FACILITY DAMAGE PREVENTION ACT	)	

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

(Se proporciona la traducción al español de este documento como anexo/apéndice B.)

AJ's Evolution Cable Service, LLC (AJ's Evolution Cable Service) 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 A hearing in this case shall take place on July 24, 2025.

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

¹ KRS 367.4901 through KRS 367.4917.

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, 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 AJ's Evolution Cable Service for violation of the following provision of the Act:

KRS 367.4911(10) – When excavation or demolition is necessary within the tolerance zone, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility, except that mechanized equipment may be used:

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that AJ's Evolution Cable Service 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. AJ's Evolution Cable Service shall submit to the Commission, via email sent to 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. AJ's Evolution Cable Service shall appear on July 24, 2025, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at 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 24, 2025 hearing shall be conducted via video conferencing.

4. AJ's Evolution Cable Service shall attend the hearing by using the following

link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2Q4ZDM3ZjQtZTc3ZS00YzBiLTgwMDUtODU2ZTVhNTViNTk4%40thread.v2/0?context=%7b%22Tid%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22Oid%22%3a%220a598c1f-a179-47d5-a86f-480337c1709c%22%7d

Meeting ID: 275 502 115 509

Passcode: Wo2gW2yB

5. AJ's Evolution Cable Service shall notify the Commission at least ten days prior to the hearing if AJ's Evolution Cable Service 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 55335, attached to this Order as Appendix A, is made a part of the record in this case.

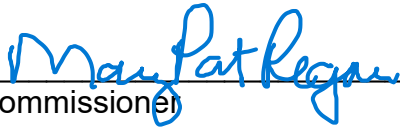
9. The July 24, 2025 hearing shall be recorded by video only.

10. **Please note 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. 2025-00093 DATED APR 24 2025

FIFTY-SEVEN PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 55335 **Investigation** 12035
Incident Date 11/23/2022 10:21:00 AM **Report Submitted** 12/19/2022

Operator Information

Operator Louisville Gas and Electric Company (LG&E) **Reported By** Chad Seewer
Phone (502) 364-8459 **Email** chad.seewer@lge-KU.com

Incident Location 6602 Terry Rd.
Louisville KY 40258 **Locate Ticket Number** 223190600

County Jefferson

Excavator Information

Excavator Anthony Trucios **Organization ID** 000-641-199
AJS Evolution Cable Service LLC
Phone 240-479-1742 **Email**
Address 6447 S. Chalkville Rd. **Locate Ticket Number** 223190600
Trussville AL 35173

Damage Report (DR) Summary

Excavation Within 24" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
Yes	Yes	Yes	Mechanized/Excavator	\$246.00	\$0.00

The Operator reports that the Excavator damaged a correctly marked ½-inch gas service, with an excavator, potholing, to installing fiber inter-duct. The Operator suggest hard surfaces, "rocky/hard", may have been a factor in this damage.

The DR is included as Attachment 1.

Locate Ticket (LT) Summary

Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from initial date)	Incident Date	# of Days Expired	Within Scope of Excavation
223190600	Yes	11/21/22	12/12/22	11/23/22	N/A	Yes

The LT is included as Attachment 2.

INVESTIGATION

On 09/13/24, the Operator, LG&E's Amber Hildebrand, provided the following documents:

- Incident Field Investigation Report & Facts-Based Investigation: Outlined in the DR Summary and Attachment 1.
- Twenty-Three Photographs: Indicating the damage occurred within the tolerance zone of 24-inches and with no hard surface visible.
- Invoice: Indicating the Operator billed the Excavator \$245.52 for the damage repair and Ms. Hildebrand indicates this invoice has not been paid, it is with collections.

LG&E's documents are included as Attachment 3.

PIPELINE DAMAGE INVESTIGATION REPORT

On 11/07/24, Anthony Trucios of AJS Evolution Cable Service stated that he received no Notices and requested them to be emailed to atrucios@ajsevolution.com and sblake@ajsevolution.com.

VIOLATIONS¹

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

of Offences Within 365 Days

(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1 st Offence Date (Last Offence Date +366 Days)
1 st	See above	11/23/22	11/24/23

¹ A revision of the Underground Facility Damage Prevention Act took effect on January 1, 2022. All incidents of damage dated prior to January 1, 2022 will be reviewed under the former version of the Act

Attachment 1

Gas Excavation Damage Report

Louisville Gas and Electric Company

Submitted 12/19/2022 Incident ID: 55335

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=55335\)](#)

Reported By:

Name: Chad Seewer
Phone: (502) 364-8459
Email: chad.seewer@lge-KU.com

Gas Line Incident Occured:

Date: 11/23/2022
Time: 10:21 AM

Details:

Reported Date: 12/19/2022 12:14 PM

Incident Location Address:

Location:
Address: 6602 Terry Rd.
City: Louisville
State: KY
County: Jefferson
Zip: 40258
Confirm Code:

Number of Customers out:

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

* 3/2020

Was gas or hazardous liquids released
into the atmosphere? ☒

Locate Request Ticket No.: 223190600

Type of equipment involved: Select Detail

Distance from the nearest communication
terminal: Feet Inches

Depth of damage from the surface: Feet Inches

Excavator: Contractor

Excavator Address:

First Name: Anthony

Last Name: Trucios

Organization ID:

Company: AJS Evolution Cable Service

Phone: 240-479-1742

Email:

Address: 6447 S. Chalkville Rd.

City: Trussville

State: AL

Zip: 35173

Confirm Code:

Excavation Damage: Failure to use hand tools where required

Description of Incident ?AJS damaged an accurately marked, 1/2" plastic gas service.

Summary Information

12/19/2022

Full details such as the cause

AJS Evolution Cable Services (AJS) was contracted by Verizon Wireless to bore fiber interduct along Terry Rd as well as several other streets in Louisville. AJS has been working in various sections of the city installing interduct for Verizon's 5G mobile network. While potholing, AJS damaged an accurately marked 1/2" plastic gas service. The damaged gas service feeds the home at 6602 Terry Rd, which sits on the west side of the road: this long side service was damaged on the company side of the line at an approximate depth of 19". AJS didn't have any English-speaking workers on-site when I arrived for my damage investigation, so I called Anthony Trucios, who is the general foreman for AJS to discuss what caused the gas damage. Anthony stated that his guys told him that they damaged a gas service while hand digging. I sent Anthony a picture thru text that clearly shows the service was damaged with an excavator. Once I finished my damage investigation, & left the site, Anthony texted me stating that he was now on-site. I drove back to the site and met with Anthony & AJS's non-English speaking crew leader (didn't catch his name), we went over all the details regarding this damage. AJS did admit to damaging the service while potholing with mechanized equipment, stating the ground was too rocky/hard to hand dig at that point. I explained the 811 laws that pertained to digging within the tolerance zone while on-site to Anthony & he translated my words to crew members on-site.

Extent of the damage

1/2" Plastic gas line

Cost of the damage

\$246.00

Steps taken to prevent re-occurrence

AJS- I met on-site with Anthony Trucios, as well as a non-English speaking crew leader to review the damage following my investigation. I went over the 811 laws that pertained to this damage and asked that Anthony's crew hand dig to pothole any marked gas utility. Anthony stated that their vacuum truck was getting repaired right now so they were taking off the first 1' or so with equipment because how hard the compacted gravel was. I asked that they only remove the roadbed (with a spotter) with equipment and then transition into using hand tools quickly.

Amount billed to excavator

\$0.00

Attachment 2

Kentucky 811

Ticket no	223190600	Type	NORMAL NXT
Updated by	223391227		
Request date	11/21/22 10:30 am		
Start date	11/23/22 12:00 am		
Expiration date	12/12/22 11:59 pm		

Excavator information

Excavator name	AJS EVOLUTIONI CABLE SERVICES		
Address	6447 CHALKVILLE RD TRUSSVILLE, AL 35173		
Company phone	240-479-1742		
Requested by	JACQUELYN HAMPTON	Phone	618-751-0823
On-site name	JAY IZAGUIRRE	On-site phone	667-802-9573
Contact email	jacquelyn@nextchapterbookkeeper.onmicrosoft.com		

Excavation information

Type of work	DIRECTIONAL DRILLING		
Depth (ft)	10	Explosives	N
Area marked	Y		
Job name/number			
Work done for	VERIZON		

Location information

County	JEFFERSON	City	LOUISVILLE
Address/street	TERRY RD		
Nearest intersecting street	MEMORY LN		
Location of work	FROM THE CENTERLINES OF TERRY RD AND MEMORY LN, HEAD NORTH-NORTHEAST ON TERRY RD FOR 86 FT. THEN FROM THE CENTERLINE OF TERRY RD, HEAD WNW FOR 35 FEET TO THE BEGINNING OF THE ROUTE MARK 15 FEET EITHER SIDE OF THE ROUTE MARKED IN WHITE PAINT. MARK FOLLOWING THE ROUTE SSW FOR 2783 FEET. ROUTE COORDINATES: BEGIN LAT:38.156916, LON:-85.8681072 TO LAT:38.1566534, LON:-85.8681837 TO LAT:38.1563634, LON:-85.8682682 TO LAT:38.1560049, LON:-85.8683755 TO LAT:38.1550052, LON:-85.8686759 TO LAT:38.1542754, LON:-85.8688851 TO LAT:38.1526303, LON:-85.8693625 TO LAT:38.1511833, LON:-85.8697809 TO LAT:38.1495837, LON:-85.8702578 TO LAT:38.1494917, LON:-85.8702852 END.		
Comments	PLEASE MARK AND IF CLEAR MARK CLEAR. THE FOLLOWING UTILITIES HAVE NOT RESPONDED: LOUISVILLE WATER CO, MSD,		
Map Coord			
NW Lat 38.1570312	Lon -85.8704316	SE Lat 38.1493761	Lon -85.8679613

Members notified

Company name	District	Type	Status
LOUISVILLE GAS & ELECTRIC -GAS	0002	G	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate. (Locator: Zackary Prather Due Date Extension Comment 2022-11-15: Project tickets over 2000' Ticket Comments: LGE-G - Waiting on access for one ticket and still have a few to find the stop boxes but)
LOUISVILLE GAS & ELECTRIC ELEC	0002_E	E	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate. (Locator: Zackary Prather Due Date Extension Comment 2022-11-15: Project tickets over 2000' Ticket Comments: LGE-E - James sanders located the primaries in the scope of ticket)
LOUISVILLE WATER CO	0004	W	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate.
MSD	0006	S	Delay - Marking delayed due to excavator agreeing to a new deadline. File a 2ND NOTICE with KY811 to dispute this delay.
SPECTRUM	0007	TV	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate.
MCI	0054	FO	No Conflict - The KY811 member has no facilities in the area of excavation described.
AT&T DISTRIBUTION	0139	COMMUNICATIONS	No Conflict - The KY811 member has no facilities in the area of excavation described.

Map



Attachment 3

Tout, Eric V (PSC)

From: Hildebrand, Amber <Amber.Hildebrand@lge-ku.com>
Sent: Friday, September 13, 2024 11:39 AM
To: Tout, Eric V (PSC)
Subject: RE: 55335, 11/23/2022, 6602 Terry Rd., Louisville, AJS Evolution Cable Service
Attachments: DigTix_Incident_Report.pdf; SKM_C300i22120807590.pdf; 2022120803Invoice.pdf; digtix_attachments_1726161881.zip

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

This Message Originated from Outside the Organization

This Message Is From an External Sender.

Report Suspicious

Happy Friday, Eric!

Please see attached documentation for the 11/23/2022 damage at 6602 Terry Road in Louisville, Kentucky. Please note that this invoice was not paid and sent to collections.

Have a great weekend!

Amber Hildebrand

Group Leader | Gas Regulatory Services | Louisville Gas and Electric Company
6900 Enterprise Drive, Louisville, KY 40214
O: 502-364-8378 | M: 502-439-4282
lge-ku.com

Business Use

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Thursday, September 12, 2024 9:47 AM
To: Hildebrand, Amber <Amber.Hildebrand@lge-ku.com>
Subject: 55335, 11/23/2022, 6602 Terry Rd., Louisville, AJS Evolution Cable Service

EXTERNAL email. STOP and THINK before responding, clicking on links, or opening attachments.

Hello Amber,

Please send reports, photos pre & post, invoices and payment info (copy of check) if paid.

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

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Incident Field Investigation Report — Gas



a PPL company

Damage report # 2022/20803
 Is this related to a capital project? ☐ Yes ☒ No
 G# 0001108374

Project/task OTPD419 / MAINT
 Resp. ctr. AOE

Damage to company facilities			
Date of incident	<u>11/23/22</u>	Time	<u>10:00</u> ☒ a.m. ☐ p.m.
Address/location of damage	<u>6602 Terry Rd</u>		Police report # <u>40258</u>
Subdivision name			
Time dispatched	☐ a.m. ☐ p.m.	Time of completion	☐ a.m. ☐ p.m.
Who caused damage?	<u>AJS Evolution Cable Services</u> (Name of contractor, utility, individual, etc.)		
Address of party causing damage	<u>6447 Chalkville Rd</u> (Street)	<u>Trussville</u> (City)	<u>AL 35173</u> (State) (ZIP)
Phone number of party causing damage	<u>(240) 479-1742</u> (Area code) (Number)		
Was party causing damage still on the job?	☒ Yes ☐ No	If yes, who was in charge? <u>*crew left as I arrived, called + s police w/ Anthony Truitt</u>	
If no, how did you obtain name of party causing damage?			
What was damaged?	☐ Company main ☒ Customer service ☒ Company service ☐ Other		
What type of work was being performed?	<u>installing fiber optics for Verizon wireless</u>		
Party's explanation for damage	<u>appears crew was using an excavator to pothole/expose gas</u>		
What repairs were made?	<u>Repair broken "1/2" co. svc.</u> <u>service</u>		
Any additional work to be performed?	☐ Yes ☒ No	If yes, by whom?	Number of customers out <u>1</u>

Possible damage to others			
Date of incident		Time	☐ a.m. ☐ p.m.
What was damaged?			
What was LG&E doing at this location?			
Description of damage			
Owner of property		Phone (	(Area code) (Number)
Owner's address	(Street)	(City)	(State) (ZIP)
To whom was damage reported?			
Was an LG&E contractor notified?	☐ Yes ☐ No	If yes, name of contractor	
Is the LG&E contractor responsible for the damage?	☐ Yes ☐ No		
Were photos taken?	☐ Yes ☐ No	If yes, from whom can the photos be obtained?	
Were there any injuries?	☐ Yes ☐ No	If yes, name of injured party	
Were there any witnesses to the incident?	☐ Yes ☐ No		
Name	Address	Phone	

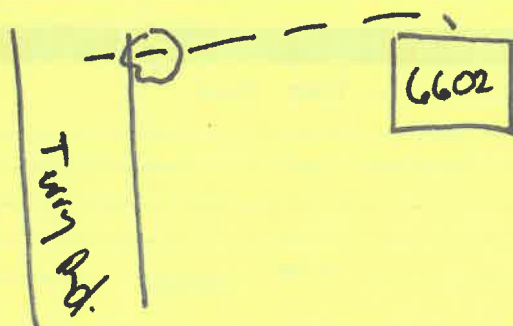
BUD/KY 811/VA 811 information	
BUD number and requesting party's name	<u>223190600</u>
Were facilities marked?	☒ Yes ☐ No Did excavator agree? ☒ Yes ☐ No
If yes, were facilities properly marked?	☒ Yes ☐ No Did excavator agree? ☒ Yes ☐ No
If no, how were they mismarked? (be specific)	
Was line locating contractor on the job?	☒ Yes ☐ No

(Date of report) BRANDEN LAMAR 28997
(Signature of employee) (Employee number)
 Approved Eric Miller Date Dec 2 2022
 Put any additional comments on back ph 12-6-22 245.52

Comments Repaired broken 1/2" IPS co. svc.

Crew Personnel	Employee #	ST Hours	OT Hours	DT Hours	Unit #	Equipment
Lander, Brynden	28997	1.5			4953	☐ Backhoe ☒ Kubota
Bryant, Chris	29389	1.5				☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota
						☐ Backhoe ☐ Kubota

Please provide a sketch of the damage location, including any locate markings.



Material Used			IIN#
Qty.	Material		
1	ft. Pipe PE 2406: 1/2" IPS		1170051
	ft. Pipe PE 2406: 1" CTS		1170078
	ft. Pipe PE 2406: 1-1/4" IPS		0434843
	ft. Pipe PE 2406: 2" IPS		0459060
	ft. Pipe PE 2406: 4" IPS		0395160
ea.	1/2" IPS Permasert coupling		0394943
ea.	1" CTS Permasert coupling		0394935
ea.	2" IPS Electrofusion CPL		0394894
ea.	4" IPS Electrofusion CPL		0394901
ea.	1" Prefab Meterloop w/reg.		0532951
ea.	Flex Riser 1" male by 1/2" IPS		0530927
ea.	Flex Riser 1" male by 1" CTS		0530935
ea.	Farm tap (w/o regulator)		ARM WR 5695012
ea.	Farm tap regulator (Fischer 627 with 1/8" diameter orifice)		
2	1/2" IPS socket collars		0394986



Facts-Based Investigation

Internal Claim ID: INC-20221123-001 Customer Claim ID: _____
Site Investigator: Steve Delap Notified At: 11/23/22 10:47:00
Notified By: Gas Operations Dispatch 5025891444
Damage Location: 6602 Terry Rd Louisville, KY 40258
Incident Time: 11/23/22 10:15:00
Initial Call Notes: _____

Original Locate Request: 223190600 Assigned Locator: ELM Locating
Locate Request Due: 11/22/22 23:59:59 Locate Request Completed: 11/16/22 16:30:31
Photos Taken Before Damage? N
Photos Taken of Damage Site? Y

Type and Size of Damaged Utility: Natural Gas Service/Drop 0.5"

Depth: 18" to < 36" (0.5 to < 1m)"

Incident Description: AJS Evolution Cable Servces (AJS) was contracted by Verizon Wireless to bore fiber interduct along Terry Rd as well as several other streets in Louisville. AJS has been working in various sections of the city installing interduct for Verizon's 5G mobile network. While potholing, AJS damaged an accurately marked, 1/2" plastic gas service. The gas damaged gas service feeds the home at 6602 Terry Rd, which sits on the west side of the road: this long side service was damaged on the company side of the line at an approximate depth of 19". AJS didn't have any English-speaking workers on-site when I arrived for my damage investigation, so I called Anthony Trucios, who is the general foreman for AJS to discuss what caused the gas damage. Anthony stated that his guys told him that they damaged a gas service while hand digging. I sent Anthony a picture thru text that clearly shows the service was damaged with an excavator. Once I finished my damage investigation, & left the site, Anthony texted me stating that he was now on-site. I drove back to the site and met with Anthony & AJS's non-English speaking crew leader (didn't catch his name), we went over all the details regarding this damage. AJS did admit to damaging the service while potholing with mechanized equipment, stating the ground was too rocky/hard to hand dig at that point. I explained the 811 laws that pertained to digging within the tolerance zone while on-site to Anthony & he translated my words to crew members on-site.

Facility Owner: LG&E

Equipment Used: Backhoe/Trackhoe

Excavation Company Name: AJS EVOLUTION CABLE SERVICE

Company Address: 6447 S CHALKVILLE RD, TRUSSVILLE AL 35173

Phone: 2404791742 Contact Name: ANTHONY TRUCIOS

Working For: VERIZON

Repair Company: LGE

Personal Injury: N 3rd Party Property Damage: N Evacuations: N Other: N

Impact Comments: _____



Facts-Based Investigation

Was Locate requested?: Y Locate Request Completed?: Y
Locate Accurate (Within Tolerance Zone): N
If No, Distance Markings Off: _____
Marks Visible at Time of Damage: Y Damage Within Scope of Ticket: Y



Facts-Based Investigation

Repair Contact Name: AOC Phone: 5025891444

Repair Comments: Electric fusion, added small piece of pipe. Marker ball also added.

Witness: _____ Phone: _____

Comments: _____

Witness: _____ Phone: _____

Comments: _____

Root Cause Explanation: _____

Responsible Party: AJS Evolution Cable Services

Responsible Party Comments: Anthony Trucios (1-240-49-1742) email-
ATRUCIOS@AJSEVOLUTION.COM

ELM- Joshua Newland and Nathan Ellis were on-site during my damage investigation.

Date of Investigation: 11/23/22 Investigation Time (Hours): _____

Site Investigator's Name: Steve Delap Phone: 5029911135

Site Investigator's Signature: Steve Delap Date: 11/25/2022

Damage Status: Excavation Issue

Cause Code: Failure to use hand tools within tolerance zone

Damage Claims Manager: _____



Facts-Based Investigation

Original Locate Request

Kentucky 811
NORMAL

SECOND NOTICE
SECOND NOTICE

0002
158
<https://ky.itic.occinc.com/THAA-RHW-Q2G-48M>

0

WEB
11/21/22 10:32

11/21/22 10:32

11/23/22 0:00
12/12/22 23:59

JACQUELYN HAMPTON
(618)751-0823

AJS EVOLUTIONI CABLE SERVICES
(240)479-1742

6447
CHALKVILLE RD
TRUSSVILLE
AL
35173

jacquelyn@nextchapterbookkeeper.onmicrosoft.com

JAY IZAGUIRRE



Facts-Based Investigation

(667)802-9573

DIRECTIONAL DRILLING

VERIZON

10

FROM THE CENTERLINES OF TERRY RD AND MEMORY LN, HEAD NORTH-NORTHEAST ON TERRY RD FOR 86 FT. THEN FROM THE CENTERLINE OF TERRY RD, HEAD WNW FOR 35 FEET TO THE BEGINNING OF THE ROUTE MARK 15 FEET EITHER SIDE OF THE ROUTE MARKED IN WHITE PAINT. MARK FOLLOWING THE ROUTE SSW FOR 2783 FEET.

ROUTE COORDINATES: BEGIN LAT:38.156916, LON:-85.8681072 TO LAT:38.1566534, LON:-85.8681837 TO LAT:38.1563634, LON:-85.8682682 TO LAT:38.1560049, LON:-85.8683755 TO LAT:38.1550052, LON:-85.8686759 TO LAT:38.1542754, LON:-85.8688851 TO LAT:38.1526303, LON:-85.8693625 TO LAT:38.1511833, LON:-85.8697809 TO LAT:38.1495837, LON:-85.8702578 TO LAT:38.1494917, LON:-85.8702852 END.

PLEASE MARK AND IF CLEAR MARK CLEAR. THE FOLLOWING UTILITIES HAVE NOT RESPONDED:

LOUISVILLE WATER CO, MSD,

N

Y

TERRY RD

MEMORY LN

LOUISVILLE

JEFFERSON

KY

38.1566318

-85.868065

38.1563416

-85.8681496

38.1559828

-85.868257

38.1549835

-85.8685573

38.1542541

-85.8687664

38.1526089



Facts-Based Investigation

-85.8692438

38.1511616
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38.156675
-85.8683024



Facts-Based Investigation

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38.1570312
-85.8681986

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0002
LG&E GAS
G

0002_E
LG&E ELECTRIC
E

0004
LOUISVILLE WATER CO
W

0006
MSD
S

0007
INSIGHT COMMUNICATIONS
TV

0054
MCI
FO

0139
AT&T DISTRIBUTION
COMMUNICATIONS



Facts-Based Investigation

WINKY
WINDSTREAM KENTUCKY INC
TEL



2022-11-23 11:27:00

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Local Timestamp: 2022-11-23 11:27:00



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Local Timestamp: 2022-11-23 11:27:02



2022-11-23 11:27:02

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Local Timestamp: 2022-11-23 11:27:02



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2022-11-23 11:27:56

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2022-11-23 11:28:17

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Local Timestamp: 2022-11-23 11:28:28



Latitude, Longitude: 38.1552520, -85.8686423

Local Timestamp: 2022-11-23 11:28:32

NOTE: Only 10 most recent photos shown. To view all 23 attachments, please view the ticket within DigTix.



2022-11-23 11:27:00
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2022-11-23 11:27:02
38.1552520, -85.8686423



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2022-11-23 11:32:47
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2022-11-23 11:47:23

106 CEO



Invoice
Louisville Gas and Electric Company
820 West Broadway
Louisville, KY 40202
Attn: Remittance and Collection
800-928-1340

INVOICE DATE: 12/28/2022

REFERENCE OTPD419
NO.:
DTS INVOICE 2022120803
NO.:

AMOUNT DUE: **\$245.52**
DUE DATE: **01/27/2023**

AJS EVOLUTION CABLE SERVICE
6447 SOUTH CHALKVILLE ROAD
TRUSSVILLE AL 35173

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT
PLEASE INCLUDE INVOICE NUMBER ON ALL REMITTANCES

COST TO REPAIR: Damaged Company Gas Service
DAMAGE DATE: 11/23/2022
DAMAGE LOCATION: 6602 TERRY RD
Louisville, KY 40258

LABOR HOURS: 3.00

LABOR COST: \$223.67

MATERIAL COST: \$2.23

TRANSPORTATION/EQUIPMENT COST: \$19.62

CONTRACTOR COST: \$0.00

OTHER DAMAGE COSTS: \$0.00

TOTAL DUE: \$245.52

Louisville Gas and Electric Company • Remittance and Collection • 820 West Broadway • Louisville, KY 40202

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00093 DATED APR 24 2025

SIX PAGES TO FOLLOW

ESTADO DE KENTUCKY
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

AJ'S EVOLUTION CABLE SERVICE, LLC	)	
	)	
_____	)	CASO NO.
	)	2025-00093
PRESUNTA INFRACCIÓN DE LA LEY DE	)	
PREVENCIÓN DE DAÑOS EN INSTALACIONES	)	
SUBTERRÁNEAS	)	

ORDEN DE INICIACIÓN POR LA PRESUNTA INFRACCIÓN DE TIPO 811 DE LA LEY
DE PREVENCIÓN DE DAÑOS EN INSTALACIONES SUBTERRÁNEAS DE
KENTUCKY

AJ's Evolution Cable Service, LLC (AJ's Evolution Cable Service) ha sido implicado como parte de una investigación ante la Comisión de Servicios Públicos de Kentucky (Comisión) por la presunta infracción de la Ley de Prevención de Daños a Instalaciones Subterráneas de Kentucky (la Ley).¹ Una audiencia sobre este caso tendrá lugar el 24 de julio 2025.

Conforme a la norma KRS 278.495(2), la Comisión tiene jurisdicción para regular la seguridad de las instalaciones de gas natural en Kentucky y para hacer cumplir las normas federales mínimas de seguridad de las tuberías. En virtud de la Ley, la Comisión tiene autoridad para investigar y evaluar las sanciones civiles por cualquier infracción de la Ley que resulte en daños de excavación a una instalación subterránea utilizada para transportar gas natural o líquidos peligrosos sujetos a las leyes federales de seguridad de tuberías, 49 U.S.C. §. 60101 et seq. Toda persona que infrinja cualquier disposición

¹ KRS 367.4901 a KRS 367.4917.

de la Ley está sujeta a la imposición de una sanción civil por un importe de 250 dólares por la primera infracción, no más de 1,000 dólares por la segunda infracción en el plazo de un año, y no más de 3,000 dólares por la tercera infracción y las siguientes. Además, cualquier persona cuya infracción de la ley provoque daños en una instalación subterránea que contenga cualquier material inflamable, tóxico, corrosivo o peligroso, o que provoque la liberación de cualquier material inflamable, tóxico, corrosivo o peligroso, está sujeta a una sanción adicional de hasta 1,000 dólares.

Tras recibir un informe de daños por excavación en su gasoducto subterráneo por parte de un operador, el personal de la Comisión (el Personal) llevó a cabo una investigación y preparó un Informe de Incidentes, cuya copia se adjunta a esta Orden como Apéndice A. En su Informe de Incidentes, el Personal cita a AJ's Evolution Cable Service por la infracción de la siguiente disposición de la Ley:

KRS 367.4911(10) - Cuando sea necesario excavar o demoler dentro de la ubicación aproximada de la instalación subterránea, el excavador deberá cavar a mano o utilizar medios no intrusivos para evitar daños a la instalación subterránea.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que AJ's Evolution Cable Service violó la Ley de Prevención de Daños a Instalaciones Subterráneas. La Comisión considera, además, que debe llevarse a cabo una investigación formal sobre el incidente de los daños causados por la excavación.

POR LO TANTO SE ORDENA que:

1. AJ's Evolution Cable Service deberá presentar a la Comisión una respuesta por escrito a las alegaciones contenidas en el Informe de Incidencia del Personal en un plazo de 20 días a partir de la recepción de esta Orden a través de un correo electrónico

enviado a PSCED@ky.gov con el número de caso de este procedimiento en el asunto del mensaje.

2. AJ's Evolution Cable Service comparecerá el 24 de julio 2025, a las 9 a.m. Horario de verano del este, en la sala de audiencias Richard Raff de las oficinas de la Comisión en 211 Sower Boulevard en Frankfort, Kentucky, con el fin de presentar pruebas relativas a la supuesta violación de la Ley de Prevención de Daños a Instalaciones Subterráneas.

3. La audiencia 24 de julio 2025 se llevará a cabo por videoconferencia.

4. AJ's Evolution Cable Service deberá asistir a la audiencia utilizando el siguiente enlace:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2Q4ZDM3ZjQtZTc3ZS00YzBiLTgwMDUtODU2ZTVhNTViNTk4%40thread.v2/0?context=%7b%22Tid%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22Oid%22%3a%220a598c1f-a179-47d5-a86f-480337c1709c%22%7d

Meeting ID: 275 502 115 509
Passcode: Wo2gW2yB

5. AJ's Evolution Cable Service notificará a la Comisión, al menos diez días antes de la audiencia, si AJ's Evolution Cable Service no puede comparecer por videoconferencia y, por lo tanto, comparecerá en persona.

6. **Cualquier sociedad, corporación o entidad comercial (incluyendo una sociedad de responsabilidad limitada) debe ser representada por un abogado con licencia para ejercer la abogacía en Kentucky y dicha representación incluye la presentación de documentos y las comparecencias en las audiencias ante la Comisión.**

7. Un individuo puede presentar una respuesta a las alegaciones contenidas en el Informe de Incidentes del Personal sin la representación de un abogado.

8. El Informe de Incidentes del Personal 55335, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia 24 de julio 2025 se grabará únicamente por vídeo.

10. **Tenga en cuenta que las partes que no comparezcan después de la notificación estarán sujetas a que se asiente una sentencia en rebeldía contra ellos.**

COMISIÓN DE SERVICIOS PÚBLICOS

Presidente

Vicepresidente

Comisionado/a

HACE CONSTAR:

Director/a Ejecutivo/a

APÉNDICE A

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS
PÚBLICOS DE KENTUCKY EN EL CASO No. 2025-00093 FECHADO

CINCUENTA Y SIETE PÁGINAS A SEGUIR

*Anthony Trucios
AJS Evolution Cable Services
6447 S Chalkville Road
Trussville, AL 35173