

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF DRAKESBORO D/B/A)	
DRAKESBORO NATURAL GAS)	
COMPANY)	
_____)	
ELECTRONIC INVESTIGATION OF ALLEGED)	CASE NO.
FAILURE TO COMPLY WITH)	2019-00065
KRS 278.495, 807 KAR 5:027, AND)	
49 C.F.R. PART 192)	

ANSWER

Comes now, the City of Drakesboro (hereafter the “City”), by counsel, and for its answer to the allegations of the inspection report states as follows:

1. The City denies the allegations of violation 1. The City has at all times had in place a manual of operations and maintenance in compliance with the referenced federal regulation. In order to judge the legal sufficiency of the manual, legal conclusions must be made that the City is unqualified to make. However, the City is undergoing a review of all its policies and procedures to ensure compliance with applicable law and to best serve its customers and constituents. The manual will be produced upon request by any party to this action for inspection or copying.
2. The City is without sufficient information to form a belief as to the truth of the allegations of violation 2 and therefore denies same. The deficiency alleged does not set forth the procedure(s) not included but required. In order to judge the legal sufficiency of the manual, legal conclusions must be made that the City is unqualified

to make. However, the City is undergoing a review of all its policies and procedures to ensure compliance with applicable law and to best serve its customers and constituents. The emergency plan of the City was submitted at the previous hearing to the Commission and to the other parties to this action and is submitted by way of separate filing as part of its first status quo report.

3. The City is without sufficient information to form a belief as to the truth of the allegation of violation 3 with respect to the status at the time of the allegation and therefore denies same. However, the City has developed a prevention plan and are part of the 811 system. Excavations are only performed after a “live locate”
4. The City is without sufficient information to form a belief as to the truth of the allegation of violation 4 with respect to the status at the time of the allegation and therefore denies same. Investigation of the City’s previous records is ongoing. Further, the City is developing a public information communication in which emergency (including 811 systems) contact information is provided to customers. This informational communication will provide information about emergency procedures and necessary information relating to excavation.
5. The City is without sufficient information to form a belief as to the truth of the allegation of violation 5 with respect to the status at the time of the allegation and denies same therefore. The City has established substance abuse plan in compliance with the relevant regulations and this plan is available upon request for copying and inspection.
6. The City is without sufficient information to form a belief as to the truth of the allegation of violation 6 with respect to the status at the time of the allegation and

denies same therefore. The City has established alcohol misuse plan in compliance with the relevant regulations and this plan is available upon request for copying and inspection.

7. The City is without sufficient information to form a belief as to the truth of the allegation of violation 7 with respect to the status at the time of the allegation and denies same therefore. The City has conducted testing according to its plan now in effect and the results of this testing can be provided upon request, except to the extent that other applicable prevents such disclosures.
8. The City has provided a third party contractor RussMar Utility Management that is responsible for such supervision as set forth as violation 8.
9. The City is without sufficient information to form a belief as to the truth of the allegation of violation 9 with respect to the status at the time of the allegation and denies same therefore. The City's policies are contained within the above referenced operation and maintenance manual which can be provided upon request for inspection or copying. The City is also in the process of reviewing and updating its policies to ensure compliance as well as relies upon Russmar's policies as part of its system.
10. The City is without sufficient information to form a belief as to the truth of the allegation of violation 9 with respect to the status at the time of the allegation and denies same therefore. The City's policies are contained within the above referenced operation and maintenance manual which can be provided upon request for inspection or copying. The City is also in the process of reviewing and updating its policies to ensure compliance as well as relies upon Russmar's policies as part of its system.

11. The City is without sufficient information to form a belief as to the truth of the allegation of violation 11 with respect to the status at the time of the allegation and denies same therefore. The City's policies are contained within the above referenced operation and maintenance manual which can be provided upon request for inspection or copying. The City is also in the process of reviewing and updating its policies to ensure compliance as well as relies upon Russmar's policies as part of its system.
12. The City is without sufficient information to form a belief as to the truth of the allegation of violation 12 with respect to the status at the time of the allegation and denies same therefore. However, the City has qualified various employees as operators. Those employees are now receiving on the job training under the supervision of RussMar.
13. The City admits this allegation to the extent that this deficiency is shown by public records.
14. The City is without sufficient information to form a belief as to the truth of the allegation of violation 14 with respect to the status at the time of the allegation and denies same therefore. The City has developed and is in the process of developing a system of providing customer notifications. The City will provide the notifications necessary to customers in compliance with the applicable.
15. The City is without sufficient information to form a belief as to the truth of the allegation of violation 15 with respect to the status at the time of the allegation and denies same therefore. The City has developed and is in the process of developing a system of providing customer notifications. The City will provide the notifications necessary to customers in compliance with the applicable.

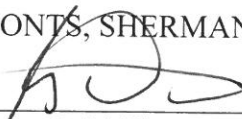
16. The City is without sufficient information to form a belief as to the truth of the allegation of violation 16 with respect to the status at the time of the allegation and denies same therefore. The City has qualified certain individuals for operating the natural gas system and has hired a third party contractor to operate the system.
17. The City is without sufficient information to form a belief as to the truth of the allegation of violation 17 with respect to the status at the time of the allegation and denies same therefore. However, the City has established a relationship and system of communication with local law enforcement and fire departments.
18. The City is without sufficient information to form a belief as to the truth of the allegation of violation 18 with respect to the status at the time of the allegation and denies same therefore. The City does review and update its operation and maintenance plan.
19. The City is without sufficient information to form a belief as to the truth of the allegation of violation 19 with respect to the status at the time of the allegation and denies same therefore. The City does at this time conduct sampling of combustible gases to ensure proper concentration of odorant.
20. The City is without sufficient information to form a belief as to the truth of the allegation of violation 20 with respect to the status at the time of the allegation and denies same therefore. The City and its third party contractor are engaged properly patrolling the distribution mains as required.
21. The City admits this allegation with respect to the time of the allegation but has since conducted the required leak survey and admits the allegations relating to Jordan Shaw.

22. The City is without sufficient information to form a belief as to the truth of the allegation of violation 22 with respect to the status at the time of the allegation and denies same therefore. The City has hired a third party contractor to perform these inspections and will comply with applicable law.
23. The City is without sufficient information to form a belief as to the truth of the allegation of violation 23 with respect to the status at the time of the allegation and denies same therefore. The City has hired a third party contractor to perform the inspection referenced in violation 23.
24. The City is without sufficient information to form a belief as to the truth of the allegation of violation 24 with respect to the status at the time of the allegation and denies same therefore. The City has hired a third party contractor to perform the testing referenced in violation 24.
25. The City is without sufficient information to form a belief as to the truth of the allegation of violation 25 with respect to the status at the time of the allegation and denies same therefore. The City has hired a third party contractor to perform the inspections referenced in violation 25.
26. The City is without sufficient information to form a belief as to the truth of the allegation of violation 26 with respect to the status at the time of the allegation and denies same therefore. The City has hired a third party contractor to perform the inspections referenced in violation 26.
27. The City admits the allegations set forth as violation 27 and has hired a third party contractor to correct this violation.

28. The City admits the allegations set forth as violation 28 to the extent of its allegations concerning qualified individuals performing work and denies the remainder as beyond the scope of its knowledge. The City has hired a third party contractor to handle the necessary operations.
29. The City is without sufficient knowledge to form a belief as to violation 29 and therefore denies same. If additional information is provided relating to the alleged violation, a more detailed response can be given.
30. The City admits violation 30.
31. With respect to violation 31, there is not enough information provided in the allegation to form a belief and therefore denies same.
32. The City admits the allegation set forth as violation 32. The City has purchased and ordered the equipment necessary to provide the customers with valves and will distribute upon receipt.
33. The City admits violation 33 and has hired a third party contractor, as well as obtained training for its own employees, to correct this deficiency.
34. The City is without sufficient information to form a belief as to violation 34 and denies same. There are large amounts of records that the City is reviewing with the hope of finding the required information and documentation.
35. The City is without sufficient information to form a belief as to violation 35 and denies same. There are large amounts of records that the City is reviewing with the hope of finding the required information and documentation.

Respectfully submitted,

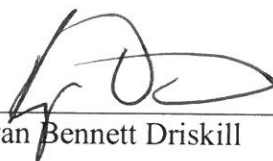
YONTS, SHERMAN & DRISKILL, P.S.C.



Ryan Driskill
P.O. Box 370
Greenville, KY 42345
rdrisk@hotmail.com
Phone: 270.338.0816
Fax: 270.338.0816

CERTIFICATE OF SERVICE

This is to certify that the above motion was filed electronically on this the 22nd day of March, 2019 and served upon the Honorable John Parks by electronic mail at John.Park@ky.gov.



Ryan Bennett Driskill