

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

IN THE MATTER OF: )  
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COLUMBIA GAS OF KENTUCKY, INC. ) Case No. 2020- 00185  
ALLEGED VIOLATION OF UNDERGROUND )  
FACILITY DAMAGE PREVENTION ACT. )  
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**COLUMBIA GAS OF KENTUCKY, INC.'S  
RESPONSE TO STAFF INCIDENT REPORT**

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Now comes Columbia of Gas of Kentucky, Inc., (“Columbia”) and hereby submits its response to the allegations contained in the Staff Incident Report attached as an appendix to the Opening Order issued by the Kentucky Public Service Commission (“Commission”) dated June 10, 2020.

According to the Staff Incident Report, on August 16, 2019, Bonzo Excavating (“Bonzo”) was excavating at 50 Bellefonte Rd., Raceland, Kentucky when it struck a 1” plastic service line with mechanized equipment. While Bonzo was working with a locate ticket, the Incident Report alleges that the line was mismarked by Columbia. As such, the Commission issued a notice of an alleged violation of KRS 367.4909(6)(a).

Columbia should not be fined for the damages that occurred on August 16, 2019. First, Columbia could not have reasonably known the location of the damaged portion of the service line. The portion that was damaged was installed by the customer and was “customer owned.” It wasn’t until 1989 that Columbia began to take over ownership of

customer service lines pursuant to the November 10, 1988 Order in Case No. 10127.<sup>1</sup> Per that Order, when Columbia customers needed their service lines replaced, “Columbia shall replace the line at no cost to the customer and *shall thereafter* own, operate and maintain the service lines.”<sup>2</sup> Columbia’s records reflect that it had not replaced this service line since that order was issued and therefore, did not own that line at the time the damage occurred. As such, Columbia would not have an accurate record as to the exact location of that service line that the customer had installed. In fact, the plumber who installed this particular service line ran it past the meter and then looped it backwards. This is an unusual method of installation and Columbia could not have reasonably known this fact.

Additionally, as noted above, because Columbia did not own or install the service line at the time of the locate request, it could only estimate the location of the line. When Columbia was executing the locate request, the signal bled off onto an adjacent water line that ran along the same path that Columbia anticipated the gas service line to be located. While this caused an inaccurate locate, Columbia should not be held responsible for this error.

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<sup>1</sup> *In the Matter of: Application of Columbia Gas of Kentucky, Inc., for an Order Authorizing it to Amend its Tariff and for Authority to Deviate from Commission Regulation 807 KAR 5:022, Section 9 (17)(a), and 807 KAR 5:022, Section 9(17)(a)2, Case No. 10127.*

<sup>2</sup> Order at 4.

WHEREFORE, based on the facts of the case set forth in the Staff Investigation Report and those here within, Columbia respectfully requests that the Commission withdraw the Alleged Violation of the Underground Facility Damage Prevention Act against Columbia and dismiss the case with prejudice.

Respectfully submitted,

**COLUMBIA GAS OF KENTUCKY, INC.**

By:

A handwritten signature in blue ink that reads "Brooke E. Wancheck". The signature is written in a cursive style and is positioned above a thin horizontal line.

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