

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

IN THE MATTER:

ELECTRONIC INVESTIGATION INTO)	
COMPLIANCE WITH EXCAVATOR LOCATE)	CASE
NO. REQUESTS PURSUANT TO KRS 367.4909 AND)	2022-00363
KRS 367.4917(7))	

RESPONSES

Diversified Energy Company (“**DEC**”), AKA Diversified Gas and Oil Corporation, files this response per request of the Kentucky Public Service Commission (“**PSC**”) with reference to Case Number 2022-00363. The PSC’s November 16, 2022 Order was directed at all “jurisdictional utilities”. DEC is not a utility as that term is defined in KRS 278.010(3) and its voluntary compliance with the PSC’s Order should not be construed to imply otherwise.

In response to case number 2022-00363, DEC states as follows:

- a. *Since January 1, 2022, the number of locate requests received in total and broken out into the types of locate requests contained in KRS 367.4909(5);*

Response: From January 1, 2022 to December 15th, 2022, DEC received a total of 4,617 locate requests. Of these 4,617 locate requests the breakdown is as follows:

- | | |
|----------------------------|-------|
| • Normal excavation | 4,217 |
| • Emergency excavation | 221 |
| • Large project | 1 |
| • Design requests | 2 |
| • Damage | 2 |
| • On-site exposed facility | 1 |

b. Since January 1, 2022, the number of second or subsequent requests for the same locate request received in total and broken out into the types of locate requests contained in KRS 367.4909(5);

Response: From January 1, 2022, to December 15th, 2022, DEC received a total of 4,617 locate requests. Of these 4,617 locate requests 159 were normal excavation remark requests and 14 were normal second notice.

c. Since January 1, 2022, the length of time required to respond to each requestor/excavator in total and broken out into the types of locate requests contained in KRS 367.4909(5). Also, provide information showing whether underground facilities are marked within the statutory window, and the average time it takes to respond to a locate request;

Response: DEC responds to routine ticket notifications within two (2) full working days after the locate request was received and as quickly as possible but not exceeding 48 hours after receiving an emergency locate request. The average response time, including all ticket types, received From January 1, 2022 to December 15th, 2022 was approximately 31 hours 11 minutes. DEC's system does not separate response times into the different categories of locate requests. All locate requests were marked within the statutory window.

d. Since January 1, 2022, the number of times an agreement has been reached with an excavator outside of the statutory time limits required by KRS 367.4909, with the aggregate numbers and broken out into the types of locate requests contained in KRS 367.4909(5);

Response: From January 1, 2022 to December 15th, 2022, there has been no need for DEC to reach an agreement with any excavator to complete a locate request outside of the statutory time limits.

e. *Since January 1, 2022, state whether locate requests have been performed by Utility personnel or by a third-party contractor. If the answer is both, provide the number of locate requests performed by Utility personnel and third-party contractors, respectively;*

Response: From January 1, 2022, to December 15th, 2022, all locates have been performed by DEC personnel. No locates were performed by third-party contractors.

f. *State whether records and statistics are kept of the number of underground facilities located accurately versus inaccurately. Provide all records and statistics compiled since January 1, 2022;*

Response: From January 1, 2022, to December 15th, 2022, no records other than damage records noted in section (g) below have been kept to show the number of underground facilities located accurately versus inaccurately.

g. *Explain the method used to determine whether an underground facility has been located accurately versus inaccurately;*

Response: As part of our Damage Prevention program DEC tracks underground facility damages caused during the excavation activities utilizing an internal reporting database that details any damage occurrence. This information also includes a review of 811 activities related to each identified damage event. During the period from January 1, 2022 to December 15th, 2022, no inaccurate locates were identified as contributing to a damage occurrence.

h. *State what policies and procedures have been implemented to reduce the number of inaccurately located facilities. Provide information detailing the efficacy of those procedures on reducing the number of inaccurately located underground facilities.*

Response: To assist in the prevention of inaccurately located facilities, DEC procedurally requires underground facility locate requests be completed utilizing commercially available electromagnetic locating devices, assets be physically marked

following statutory guidance and that excavation activities near or involving DEC facilities be completed using prudent excavation techniques. Additionally, DEC requires that all new or replaced polyethylene pipeline facilities are installed with a tracer wire. Finally, DEC has developed and maintains an integrated GIS mapping application available to all DEC employees.

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ELECTRONIC INVESTIGATION INTO COMPLIANCE)
WITH EXCAVATOR LOCATE REQUESTS) CASE NO.
PURSUANT TO KRS 367.4909 AND KRS 367.4917(7)) 2022-00363

VERIFICATION OF JAMES SHAWN BAILEY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF PIKE)

Shawn Bailey, Vice-President of Midstream Compliance for Diversified Energy Company, a/k/a Diversified Gas and Oil Corporation, being duly sworn, states that he has supervised the preparation of certain responses to the Commission's November 16, 2022 Order in the above-referenced case and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

[Handwritten signature of James Shawn Bailey]
James Shawn Bailey

The foregoing Verification was signed, acknowledged and sworn to before me this 27th day of December 2022, by Shawn Bailey, Vice-President of Midstream Compliance for Diversified Energy Company.

[Handwritten signature of Myra Lynn Baldwin]

Notary Commission No. KYNP 50251

Commission expiration: June 1, 2026

