

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

*ELECTRONICALLY FILED*

In the Matter of:

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

RESPONSES OF CLARK ENERGY COOPERATIVE, INC.  
TO THE COMMISSION'S NOVEMBER 16, 2022 ORDER

Comes Clark Energy Cooperative, Inc. ("Clark Energy"), by counsel, and pursuant to the Commission's Order dated November 16, 2022, files its responses.

Todd Peyton, Vice President of Engineering Services, is the witness responsible for Clark Energy's responses.

2a: 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:

TOTAL	5290
DESIGN	21
EMERGENCY	161
NORMAL	5108

2b: 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:

TOTAL 11  
DESIGN 0  
EMERGENCY 0  
NORMAL 11

2c: 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:

NORMAL AVERAGE RESPONSE TIME IN DAYS 2.04  
EMERGENCY AVERAGE RESPONSE TIME IN DAYS 0.12  
DESIGN AVERAGE RESPONSE TIME IN DAYS 4.87

2d: 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:

NORMAL 169  
EMERGENCY 0  
DESIGN 0

2e: 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:

THIRD PARTY CONTRACTOR

2f: 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:

Locate accuracy is generally only investigated if a facility damage occurs; the data provided below reflects records and statistics of accuracy from damage investigations.

DAMAGES AFTER ACCURATE LOCATE 0

DAMAGES AFTER INACCURATE LOCATE 0

2g: Explain the method used to determine whether an underground facility has been located accurately versus inaccurately;

RESPONSE:

If damage is reported after a locate then an on-site investigation would occur.

2h: 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:

At this time per the data contained in response to 2f, no damages reported, no policies or procedures have been implemented.

Respectfully submitted,


**GRANT, ROSE & PUMPHREY**  
51 South Main Street  
Winchester, Kentucky 40391  
Telephone: (859) 744-6828

By:   
John S. Pumphrey  
jspumphrey@bellsouth.net

ATTORNEYS FOR  
CLARK ENERGY COOPERATIVE, INC.

**VERIFICATION**

I, Todd Peyton, as the person supervising the preparation of these responses on behalf of Clark Energy Cooperative, Inc., certify that these responses are true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.

  
\_\_\_\_\_  
TODD PEYTON

STATE OF KENTUCKY )  
 ) SS  
 COUNTY OF CLARK )

Subscribed and sworn to before me by **TODD PEYTON**, as Vice President of Engineering Services and on behalf of **CLARK ENERGY COOPERATIVE, INC.**, a non-profit Kentucky corporation, on this 22nd day of December, 2022.

My Commission expires: October 24, 2025  
Sheila D White KYNP 38998  
 NOTARY PUBLIC NOTARY ID

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing verified Responses of Clark Energy Cooperative, Inc. to the Commission's Order dated November 16, 2022, have been served upon the Commission by electronic filing on this 27th day of December, 2022.

Ann A. Pumphrey  
 Of Counsel for  
 Clark Energy Cooperative, Inc.