

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LUXURY GARDEN CENTER, INC.)	
)	
_____)	CASE NO.
)	2021-00437
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

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

Luxury Garden Center, Inc. (Luxury Garden Center) 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 September 30, 2022.

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 the third and any subsequent offense. Additionally, any person whose violation of the Act

¹ KRS 367.4901 through KRS 367.4917.

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 Luxury Garden Center for violation of the following provision of the Act:

KRS 367.4911(1)(a) – Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Luxury Garden Center 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. Luxury Garden Center 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. Luxury Garden Center shall appear on September 30, 2022, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room of 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 September 30, 2022 hearing shall be conducted via video conferencing.

4. Luxury Garden Center shall attend the hearing by using the following link: <https://global.gotomeeting.com/join/308551245>; information and instructions are attached to this Order as Appendix B.

5. Luxury Garden Center shall notify the Commission at least ten days prior to the hearing if Luxury Garden Center 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.

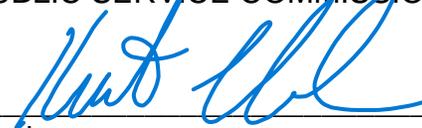
7. An individual may submit a response to the allegations contained in the Staff Incident Report without the representation of an attorney.

8. The Staff Incident Report 42892, attached to this Order as Appendix A, is made a part of the record in this case.

9. The September 30, 2022 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

ENTERED
AUG 22 2022
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00437 DATED AUG 22 2022

TWENTY-FOUR PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

KY PSC Investigator(s) Eric V. Tout Incident Date 8/12/2020 1:05:00 PM	Incident ID 42892 Report Submitted 9/9/2020 6:18:09 AM	Key 7693
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OPERATOR INFORMATION

Operator Atmos Energy Corporation Phone (270) 779-4849 Incident Location 1473 Drakes Ridge Ln, Bowling Green 1473 Drakes Ridge Ln Bowling Green, KY 42103 Warren	Reported By Anthony Stallins Email anthony.stallins@atmosenergy. Locate Ticket Number 2008101973
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EXCAVATOR INFORMATION

Name of Excavator Kerr, Lacey Phone 270-678-5555/270-427-6404 Excavator Address Luxury Garden Center Inc. 1757 W Main St Glasgow, KY 42141	Organization ID 0841286 Email luxurygardencenter@outlook.co Locate Ticket Number
--	---

Damage Report (DR) Summary

The Operator reports that the Excavator damaged an unmarked ¾ inch gas service with a trencher. The Operator stated that the incident location was not marked due to the Excavator not waiting two days before excavating.

The DR is included as Attachment 1.

DR Summary

Excavation Within 18" (Approximate Location)	Gas / Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
No 2 day wait	Yes	Yes	Mechanized / Trencher	\$500.00	\$500.00

Locate Ticket (LT) Summary

Ticket #	Valid	Initial Date	Two Day Wait Expiration	Incident Date	Early Excavation	Within Scope of Excavation
2008101973	No	08/10/20 17:52	08/12/20 17:52	08/12/20 13:05	4hrs. 47 min.	Yes

The Locate Ticket(s) is/are included as Attachment 2.

INVESTIGATION

A review of LT...1973 revealed that the Excavator obtained the ticket on 08/10/20 at 17:54 and began excavation on 08/12/20 at 13:05, 4hrs. 47min before the two day wait expiration date of 08/12/20 at 17:52.

On 06/28/21 an attempt to contact the Excavator at 270-427-6404 resulted in a message stating you have reached Luxury Garden Center, Lacey, wherein a message was left.

The following occurred on 06/29/21:

An attempt to contact the Excavator at 270-678-5555 resulted in a message stating you have reached Luxury Garden Center wherein a message was left.

Kevin Kerr (270-427-6509) of Luxury Garden Center stated that the area was marked and due to the markings he began to dig.

Via telephone the Operator, Atmos's Anthony Stallins stated that no markings were place prior to the damage, any markings present were placed after the damage occurred.

A call back to Mr. Kerr resulted in Mr. Kerr stating the markings were present before the damage occurred.

On 07/12/21 Mr. Stallins provided the following:

- Show Compliance/Construction Order Details report: Indicating the Excavator damaged an unmarked ¾ inch service, with a trencher, while landscaping and was excavating during the two day wait period. Ticket not ready until 08/12/20 at 5pm.
- 3 Photographs: Depicting a trencher, the unmarked line and the damaged pipe. Note: On the incident date white paint was used to identify the path of the unmarked service.

Atmos's report and photographs are include as Attachment 3.

On 07/13/21 a follow up call to Mr. Kerr resulted in a voice message being left.

On 07/15/21, via email, Mr. Stallins stated that the Excavator paid Atmos \$499.84 for the damage associated with this incident. Mr. Stallins also provided the Invoice and the Third Party Damage Claims Recovery letter.

The Email, Invoice & Letter are include as Attachment 4.

On 07/19/21 a follow up call to Mr. Kerr resulted in a voice message stating he was out until 07/27/21 and to call 270-678-5555. A call to 270-678-5555 resulted in a voice message being left informing the forthcoming Demand Letter imposing the penalty of \$250.00 and the Damage Prevention course.

VIOLATION
KRS 367.4911

(1)(a) Each excavator, or person responsible for an excavation, planning excavation or demolition work shall, not less than two (2) full working days nor more than ten (10) full working days prior to commencing work, notify each affected operator of the excavator's intended work and work schedule. Contacting the applicable protection notification centers shall satisfy this requirement.

(b) An excavator may commence work before the two (2) full working days provided for in paragraph (a) of this subsection have elapsed if all affected operators have notified the person that the location of all the affected operators' facilities have been marked or that they have no facilities in the area of the proposed excavation, demolition, or timber harvesting.

of Offences
(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1st Offence Date (Last Offence Date +365 Days)
1 st	N/A	N/A	N/A

Attachment 1

Gas Excavation Damage Report

Atmos Energy Corporation

Submitted 9/9/2020 Incident ID: 42892

[Set back to Edit](#)[Staff Edit](#)[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=42892\)](#)

Reported By:

Name: Anthony Stallins
Phone: (270) 779-4849
Email: anthony.stallins@atmosenergy.com

Gas Line Incident Occured:

Date: 8/12/2020
Time: 1:05 PM

Details:

Reported Date: 8/13/2020 6:15 AM

Incident Location Address:

Location: 1473 DRAKES RIDGE LN, BOWLING GREEN
Address: 1473 Drakes Ridge Ln
City: Bowling Green
State: KY
County: Warren
Zip: 42103
Confirm Code: Y

Number of Customers out: 1

Was gas or hazardous liquids contained in the underground facility?

Was gas or hazardous liquids released into the atmosphere? *

3/2020

Locate Request Ticket No.: 2008101973

Excavator: Contractor

Excavator Address:

First Name: Lacey
Last Name: Kerr
Organization ID:
Company: Luxury Garden Center and Landscaping
Phone: 270-678-5555/270-427-6404
Email: luxurygardencenter@outlook.com

Address: 1757 W Main St
City: Glasgow
State: KY
Zip: 42141
Confirm Code: Y
Excavation Damage: One Call notification practices not sufficient

Description of Incident Cut 3/4" PE Service. Locate ticket invalid. Two customers off. No injuries.

Summary Information

9/9/2020

Full details such as the cause Luxury Garden Center and Landscaping, doing landscaping at 1473 Drakes Ridge Ln, cut a 3/4" PE service with a trencher. Luxury Garden Center called in a locate ticket (2008101973) on 8/10/20 at 5:52 PM. The ticket would be valid 8/12/20 at 6:00PM. Luxury Garden Center would start excavating and cut the 3/4" PE service on 8/12/20 at 1:05 pm before the line was marked and the ticket was valid.

Extent of the damage The damage PE was repaired and service restored to the two affected customers.

Cost of the damage \$500.00

Steps taken to prevent re-occurrence Luxury Garden Center advised that an operator has two working days excluding weekends and holidays to mark their lines. Also the date and time a ticket is valid in noted on their locate ticket.

Amount billed to excavator \$500.00

Attachment 2

NORMAL NOTICE

Ticket : 2008101973 Date: 08/10/2020 Time: 17:52 Oper: LCARTER Chan:000

State: KY Cnty: WARREN City: BOWLING GREEN
Subdivision: OLD STONE

Address : 1473

Street : DRAKES RIDGE LN

Cross 1 : VILLAGE WAY

Location: LOCATE ENTIRE LOT

:

Boundary: n 36.911792 s 36.909872 w -86.387493 e -86.384709

Work type : LANDSCAPING

Done for : BRIAN SHIRLEY

Start date: 08/12/2020 Time: 18:00 Hours notice: 48/48 Priority: NORM

Ug/Oh/Both: U Blasting: NO Emergency: N

Duration : N/A Depth: 3 FEET

Company : LUXURY GARDEN CENTER, INC Type: CONT

Co addr : 1757 W MAIN ST

City : GLASGOW State: KY Zip: 42141

Caller : TAYLOR DAVIDSON Phone: (270)678-5555

Contact : LACEY KERR - CELL Phone:

Mobile : (270)427-6404

Email : LUXURYGARDENCENTER@OUTLOOK.COM

Submitted date: 08/10/2020 Time: 17:52

Members: 0125 0136 0139 0423

Attachment 3

Atmos Energy Corporation - Show Compliance/Construction Order Details

Business: 3404 40 Ky - eAM	Asset: LEAK709651	Order# - Done - Status - Type: 18615529 - 08/12/2020 - C - LKRP	Job Code: LKRP
----------------------------------	----------------------	--	-------------------

Run Time: 07/12/2021 11:42

Display Normal
Display Debug
ReSet

Job Details

Status Complete	Office: BOWLING GREEN	Done: 08/12/2020	Source: Ok
Type:	SubRegion: South Ky	District: Bowling Green	In MA:
Region: NORTHERN			

Schedule Data

Start Date: 08/13/2020	Base Date:	Interval: 0	Printed:	Print Date:
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Asset Description

Asset Group: LEAKS	Asset#: LEAK709651	Parent Asset#: LKS (2734)
Asset Description: 1473 DRAKES RIDGE LN 0890200 BOWLING GREEN		Activity: LEAK REPAIR 1 2734
Owning Department: EB2734	Child Assets:	Status: InActive

Location Physical Information

GPS 36.91034	GPS Longitude: -86.3849	GPS Altitude: 0
Latitude:		State: KY
Address: 1473 DRAKES RIDGE LN	Time Zone:	DST:
Town/City: 0890200 BOWLING GREEN	Cross Street: Village Way	
In/Outside: INSIDE		
City Limits:		
Other Location Information:		
Map Number: E38-04A		Class Location: 3
County: 21227 WARREN		Control Code:
Property Tax Code: 93602 WARREN,BOWLING GREEN,BOWLING GREEN CTY & COM SCH		
School District:		
Land Description:		
City Inspection Required:		Certificate of Occupancy Required:

Location Additional Information

WorkArea/SubArea: KYBWLG_C	PipeLine #:	Read Sequence:
Station Number:	Printer Name: noprnt	Corrosion Section:
System Number:		Project Number:
Pipeline Balance Code:		Task Number:
Operation Area: KYBGR	Rate Division: 009	Facilities Classification: DIST
Retirement Unit Name: Non Utilized Retirement Unit		Zip:
Related SAP SO Number: 100018079683		

Leak Data

Date Found: 2020/08/12 13:20	Time Classified: 13:35:27	Leak Grade: 1
Leak Grade By: 18191 Rodriguez, Adrian	Grade 2 Interval:	CGI Reading: 100
Apparent Location: SERVICE	Population Density: RES	Unit of Measure: % GAS
Ft To Building: 16	Surface Type: DIRT	
Leak Location: N/A	Leak Repaired: N	Leak Located (LKFD - 2): 2 - Below Ground
Comments: Contractor hit .75" service with trencher while landscaping , BUD # 2008101973, Ticket was not ready until 5pm today 8-12-20 , not sufficient time		

(LKRP) Leak Repair Completion Data

Atmos Energy Corporation - Show Compliance/Construction Order Details

Business: 3404
40
Ky - eAM

Asset:
LEAK709651

Order# - Done - Status - Type:
18615529 - 08/12/2020 - C - LKRP

Job Code:
LKRP

Display Normal | Display Debug | ReSet

Run Time: 07/12/2021 11:42

Leak Found (Yes/No): Reason Not Repaired: Initial Cause: EXCAVATION GROUP Condition of Coating: Corrosion 0 Pit Depth (in): Coating Type: Repaired Date: 08/12/2020 Residual Gas Follow-Up: Welder ID:

Facility Involved: 2 - Service

Project: [BowlinL](#)

Wall Thickness: 0

Internal Corrosion: NA

Test Pressure: 150

Soap Test (Y/N/NA): Y

Test Medium: AIR

Welding Performed:

Origin of Leak: 2 - Body of Pipe

Type of Pipe: 8 - High Density Polyethylene

Ferc Acct: 8740

External Corrosion: NA

PS Reading: 0

Test Duration: 5

Info Chg Req: N

Addit. Maint. Req: N

	Installed 1	Length Units:	Task:	Size:	Type:
	Removed 1	Length Units:	Task:	Size: 0	Type:
	Installed 2	Length Units:	Task:	Size:	Type:
	Removed 2	Length Units:	Task:	Size: 0	Type:

Leak 2 - Below Ground

Located: Other Leak Cause: Pipe Size: 3rd Party Y Damage:

Cause Code: 22 - Other Third Party Excavators

Fitting Type:

Pipe Mfg Code: DC1 - Driscopipe

Compr Coupling Data: N

Repair Method: 6 - Pipe Replaced

Astm Code: PE4 - Polyethylene PE 3408

Joint Type: Other Mfg:

(LK3P) Leak 3rd Party Data

Completion Data

Activity: LEAK REPAIR 1 2734

Asset Num:

Task ID:

Damage Date: 2020/08/12

Leak Area Sq. IN: 0

Locate ID #: Y

3rd Party Name: Luxury Garden Center & Landscaping

Locate Ticket #: 2008101973

3rd Party Address: 1757 W. Main St

Leak 6

Located By: CONTRACTLOC

Project: [BowlinL](#)

Duration Minutes:

Injuries or Deaths OnSite: 0

Damage to Property: Y

Date Located2:

Locate Mark within State Law: N

Repair Total:

3rd Party Phone #: 2704276404

Reason Damage Occurred: INSUFCALL

Type of 3rd Party Work: LANDSCAPING

Date Locate Requested:

Locate Priority:

Ferc Acct:

Equipment Causing Damage: TRENCHER

Date Located:

Date Locate Requested: 2020/08/10

3rd Party Contact: Lacey Kerr

Ins Agent:

Agent Phone:

Company Type: CONTRACTOR

Damage Where:

City: Glasgow

Excavator Facility Involved: DISTRIBUTION

Num Cust Effected: 2

State: KY

Time Billed:

Zip: 42141

Atmos Energy Corporation - Show Compliance/Construction Order Details

Business: 3404
40
Ky - eAM

Asset:
LEAK709651

Order# - Done - Status - Type:
18615529 - 08/12/2020 - C - LKRP

Job Code:
LKRP

Display Normal Display Debug ReSet

Run Time: 07/12/2021 11:42

Located:		
Damage	Damage By: THIRDPPTY	Title 16: N
Location:		
FAC Material BODYOFPIPE	FAC Release Plan: Y	One Call Code: 811
Damage:		
FAC 911 N	FAC Locate Code: INTRA	FAC Pipe Diameter: 0
Damage		
Call:		
Excavator Y	Excavator Ticket: 2008101973	Excavator Notify Oper: Y
Call:		
Pipeline IS: ACTIVE	Pipeline Material: POLYPLAS	Pipeline Year:
Prod Trans	Fire Comments:	Type of Injury:
Code:		
Mark ::	Mark 2nd Call Rsn:	Mark 2nd Call Oth:
Positive		
Response:		
Mark 2nd	Mark 2nd Call Date:	Mark 2nd Call Resp:
Call Ticket:		
Mark ::	Mark Why and Rsn:	Mark Why Other:
Positive		
Response:		
Mark 0	Locator Other Explain:	
Variance		
Inches:		
SubDivision:	Incident Address: 1473 Drakes Ridge Ln	Incident Time: 12:0:AM
Lat Long DECIMAL	Latitude: 36.91034	Longitude: -86.3849
LkUp:		

(LK3P) RRC Leak 3rd Party

Data Completion Data		
Activity: LEAK REPAIR 1 2734	Asset Num:	Task ID:
Date of Damage: 2020/08/12	Excavator Name: Luxury Garden Center & Landscaping	Excavator Address: 1757 W. Main St
Excavator Glasgow	Excavator State: KY	Excavator Zip: 42141
City: Lacey Kerr	Excavator Phone: 2704276404	Excavator Fax:
Excavator Contact Name:	Excavator Type Code: CONTRACTOR	Excavation Type: TRENCHER
Excavator EMail:	Excavator Depth Ft: 0	Excavator Depth In: 0
Work LANDSCAPING		
Performed Code:		
Was Called: N	Incident NO:	Country: US
State: KY	City: Bowling Green	Address: 1473 Drakes Ridge Ln
Intersection: Village Way	RightOfWay Type: LANDDOWN	Fac Damaged Code:
Fac Affected DISTRIBUTION	Fac Damaged Depth Ft: 4	Fac Damaged Depth In: 0
Code:	OneCall Member: Y	Locate Request: Y
Joint Y	OneCall Ticket#: 2008101973	OneCall Ctr Notified Date: 2020/08/10
Trench:		
OneCall 811		
Center Code:	Locator Name: Heath Locators	Fac Marks Visible: N
Locate Org CONTRACTLOC		
Code:	Marked Variance Ft: 0	Marked on Time:
Fac Marks Correct:	Marked Loc. Meth Oth:	Marked by Paint:
Marked Locate Method:		
Marked by Flags:	Marked by Other: N	Marked by Other Comnt:
Marked By N	Marked Spec Instruction: U	Marked Using Maps: U
White Lining:		
Marked 48 U	Marked Loc Met with Exc: U	Marked Reps OnSite: U
HR Notice:		
Marked N	Marked Procedure Used: U	Marked Positive Response: U
Second Call:		
Excavator Y	Excavator Down Time: 2	Excavator Down Cost:







Attachment 4

Tout, Eric V (PSC)

From: Stallins, Anthony A <Anthony.Stallins@atmosenergy.com>
Sent: Thursday, July 15, 2021 12:59 PM
To: Tout, Eric V (PSC)
Cc: Stallins, Anthony A; Whitney, Lisa S
Subject: FW: [EXT] 42892, 8/12/2020, 1473 Drakes Ridge Ln, Bowling Green, Luxury Garden Center
Attachments: 1473 Drakes Ridge Ln Invoice & Letter.pdf

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

Good afternoon Eric,

Shows the invoice was paid.

Thanks, Anthony

From: Whitney, Lisa S <Lisa.Whitney@atmosenergy.com>
Sent: Wednesday, July 14, 2021 1:53 PM
To: Stallins, Anthony A <Anthony.Stallins@atmosenergy.com>
Subject: RE: [EXT] 42892, 8/12/2020, 1473 Drakes Ridge Ln, Bowling Green, Luxury Garden Center

Here's what you need on this. It shows they paid it. I have also attached the invoice.

Display Notification: Excavation. Gas LOSS

Partner Object Notification Order Action Log Document Flow

Notification 3 Excavation. Gas LOSS
 Notific. Status

Incident Information Oracle Invoice Information Oracle Invoice Status

Key Values

Source Doc # Loss Date
 Source Received Date

Oracle Invoice Status

Claim Resolution

Collection Agency Date To Agency

Claim Disputed

Suspend Collections Letter 30 Day Approved By

Suspend Collections Letter 50 Day Approved By

Invoice History

Invoice No	Inv Amt	Inv.Status	Cncl Reas	Claim Re..	Outst Bal	Claim Disp
296992	499.84	Closed			.00	

Lisa S Whitney

Operations Assistant
Atmos Energy Corporation
Kentucky-Mid-States Division
270-901-1711 Office
270-842-0228 Fax
Lisa.Whitney@atmosenergy.com

From: Keen, Jan R <Jan.Keen@atmosenergy.com>

Sent: Monday, July 12, 2021 3:34 PM

To: Stallins, Anthony A <Anthony.Stallins@atmosenergy.com>

Cc: Whitney, Lisa S <Lisa.Whitney@atmosenergy.com>; Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>

Subject: RE: [EXT] 42892, 8/12/2020, 1473 Drakes Ridge Ln, Bowling Green, Luxury Garden Center

Good Afternoon Anthony: Please see attachments.

Thanks, Jan

Transaction

Source: ATM MANUAL INVOICE Date: 27-AUG-2020
 Number: [] 296992 GL Date: 27-AUG-2020
 Class: Invoice Currency: USD
 Type: Third Party Damages Document Num: []
 Reference: [] [Additional Information Yes]
 Legal Entity: Atmos Energy Corporation Complete

Balance Due

Line	0.00
Tax	0.00
Freight	0.00
Charges	0.00
Total	0.00

Main **More** **Notes** **Commitment** **Reference Information**

Ship To

Name: []
 Number: []
 Location: []
 Address: []
 Contact: []

Bill To

LUXURY GARDEN CENTER & LANDSC
 159609
 185508
 1757 W MAIN ST.
 GLASGOW, KY 42141 United States

Sold To

Name: LUXURY GARDEN CENTER & LANDSC
 Number: 159609

Paying Customer

Name: LUXURY GARDEN CENTER & LANDSC
 Number: 159609
 Location: 185508

Payment Details

Receipt Method: []
 Payment Method: []
 Instrument Number: []

Commitment: []
 Payment Term: NET10
 Due Date: 06-SEP-2020

Class	Type	Number	Apply Date	Allocated Recei	Currency	Amount Applied	D
Payment	Atmos Lockbo	2788	26-SEP-2020	(499.84)	USD	(499.84)	

From: Stallins, Anthony A <Anthony.Stallins@atmosenergy.com>
Sent: Monday, July 12, 2021 1:20 PM
To: Keen, Jan R <Jan.Keen@atmosenergy.com>
Cc: Whitney, Lisa S <Lisa.Whitney@atmosenergy.com>; Bledsoe, Jonathon T <Jonathon.Bledsoe@atmosenergy.com>; Stallins, Anthony A

<Anthony.Stallins@atmosenergy.com>

Subject: FW: [EXT] 42892, 8/12/2020, 1473 Drakes Ridge Ln, Bowling Green, Luxury Garden Center

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>

Sent: Tuesday, June 29, 2021 11:40 AM

To: Stallins, Anthony A <Anthony.Stallins@atmosenergy.com>

Subject: [EXT] 42892, 8/12/2020, 1473 Drakes Ridge Ln, Bowling Green, Luxury Garden Center

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Anthony,

Please send report, photographs, billing invoice and proof of payment if damages were paid. The Excavator is saying this was marked prior to damage.

*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*



INVOICE

LUXURY GARDEN CENTER & LANDSCAPING
1757 W MAIN ST.
GLASGOW KY 42141

Page: 1
Claim Number 000200045169
Invoice No: 296992
Invoice Date: 27-AUG-20
Customer No: 159609
Sales Rep: Douglas L.Bower
Payment Terms: NET10
Due date: 06-SEP-20

For billing questions, please call: 270-901-1704

Total Amount Due 499.84 USD

LINE	DESCRIPTION	QUANTITY	UNIT	UNIT AMT	NET AMT
1	Material	1	Job	33.71	33.71
2	Tools and Equipment	1	Job	62.00	62.00
3	Labor	1	Job	333.83	333.83
4	Gas Loss	23	mcf	3.0566	70.30

PAGE TOTAL

499.84

Please include Remittance Slip to ensure timely application of your Payment

CHECK REMITTANCE TO:

ATMOS ENERGY CORP
P. O. BOX 841425
Dallas TX 75284-1425

ELECTRONIC REMITTANCE TO:

ATMOS ENERGY CORP
Bank of America
ACH Routing# 111000012
Bank Wire Routing# 026009593
Acct# 3756617812
Ref: 296992



BILL TO:

LUXURY GARDEN CENTER & LANDSCAPING
1757 W MAIN ST.
GLASGOW KY 42141

Customer No: 159609
Invoice No: 296992
Total Amount Due: 499.84 USD



Third Party Damage Claims Recovery

LUXURY GARDEN CENTER & LANDSCAPING
1757 W MAIN ST.
GLASGOW KY 42141

Date of Loss: 12-AUG-20 **Invoice#** 296992
Damages: \$499.84
Location of Damage: 1473 Drakes Ridge Ln Bowling Green Ky
Description of Damage: Contractor Hit 3/4" Service With Trencher Working On
Landscaping. Called 811 But Not Sufficient.
Claim #: 000200045169

Dear Sir/ Madam

The enclosed invoice is for reimbursement of damages to Atmos Energy company property. Our investigation indicates that you are responsible for the damages resulting from the incident referenced above. Payment in full of the enclosed invoice is due upon receipt. **Do not send this Payment with your gas bill.**

You may contact me as shown below if you have any questions. Also, if you are covered by liability insurance, please ask your carrier to contact me so that any further correspondence may be handled with the adjuster. **Any disputes must be submitted in writing within 10 days of the invoice date to the email or mailing address noted below.**

Sincerely,

Douglas L.Bower
Phone :270-901-1704
Fax :N/A
Douglas.Bower@atmosenergy.com
Para informacion en espanol, por favor llamar al 270-901-1704

2850 Russellville Rd
Bowling Green KY 42101



PRINT BATCH CONTROL

Control Count : 1
Control Amount : \$499.84

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00437 DATED AUG 22 2022

TWO PAGES TO FOLLOW

Information and Instructions for Hearing

You are required to attend a formal hearing with the Kentucky Public Service Commission. Please note the hearing is scheduled in the **Eastern Time Zone**, and the hearing date and time are on the Order that accompanied these instructions.

You are **strongly encouraged** to download the GoToMeeting app now and be ready for your hearing. If you cannot appear via video using this app, at least ten days prior to your scheduled hearing you must call the Commission's offices at the number provided below. You will receive instructions on appearing in person in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky at the time and date of your scheduled hearing.

Please direct any questions to Ashley Rhodes, Commission Division of Inspections. AshleyB.Rhodes@ky.gov or 502-782-2578.

To download the GoToMeeting app go to:

<https://global.gotomeeting.com/install/258846301>

On the day of your hearing using your computer, tablet, or video enabled smartphone. **Access the proceeding at:**

<https://global.gotomeeting.com/join/308551245>

More information about using GoToMeeting can be found at:

GoToMeeting - Attendee Quick Start

<https://www.youtube.com/embed/8VaHHVP0FCU?autoplay=1&showinfo=0&controls=0&rel=0>

GoToMeeting - How to Join a Meeting

https://www.youtube.com/embed/Ojl1q_sPrP0?autoplay=1&showinfo=0&controls=0&rel=0

Technical Requirements for Using GoToMeeting

Operating System:

Windows 7 – Windows 10
Mac OS X 10.9 (Mavericks) – mac OS Big Sur (11)
Linux/Ubuntu (Web App only)
Google Chrome OS (Web App only)
iOS 11 – iOS 13
Android OS 5 (Lollipop) – Android 10

Web Browser: (Applies to Web App only)

Google Chrome v72 or newer
Microsoft Edge v77 or newer

Internet Connection:

Computer: 1 Mbps or better (broadband recommended)
Mobile device and Chromebook: 3G or better (WiFi recommended for VoIP)

Software:

GoToMeeting desktop app (JavaScript enabled)
GoToMeeting app from the Apple Store, Google Play Store, or Windows Store

Hardware:

2GB of RAM (minimum), 4GB or more of RAM (recommended)
Webcam device*
Microphone and speakers** (USB headset recommended)

Mobile Device:

iPhone 5 or newer
iPad 3rd gen or newer

Note: * You MUST have a camera on your device or connected to your device to appear at the hearing.

** Most devices have built-in speakers, but you will get better audio quality while connected via VoIP if you use a headset

*Luxury Garden Center Inc.
1757 W. Main St.
Glasgow, KENTUCKY 42141