

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RELIANCE CONSTRUCTION SERVICES LLC)	
_____)	
ALLEGED VIOLATION OF UNDERGROUND)	CASE NO.
FACILITY DAMAGE PREVENTION ACT)	2022-00380

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

(Se proporciona la traducción al español de este documento como anexo/apéndice.)

Reliance Construction Services LLC (Reliance Construction Services) 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 January 27, 2023.

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

¹ KRS 367.4901 through KRS 367.4917.

the third and any subsequent offense. Additionally, any person whose violation of the Act 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 Reliance Construction Services for violation of the following provisions 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.

KRS 367.4917(3) – A person that knowingly provides false notice to a utility notification center of an emergency as defined in KRS 367.4903 shall be subject to a fine of one thousand dollars (\$1,000) for each offense.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Reliance Construction Services 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. Reliance Construction Services 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. Reliance Construction Services shall appear on January 27, 2023, at 9 a.m. Eastern Standard 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 January 27, 2023, hearing shall be conducted via video conferencing.

4. Reliance Construction Services shall attend the hearing by using the following link: <https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>; information and instructions are attached to this Order as Appendix B.

5. Reliance Construction Services shall notify the Commission at least ten days prior to the hearing if Reliance Construction Services 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 53883, attached to this Order as Appendix A, is made a part of the record in this case.

9. The January 27, 2023 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner



ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00380 DATED NOV 22 2022

THIRTY-FIVE PAGES TO FOLLOW

PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric V. Tout **Incident ID** 53883 **Investigation** 8764
Incident Date 7/13/2021 1:00:00 PM **Report Submitted** 8/12/2021

Operator Information

Operator Duke Energy Kentucky, Inc. **Reported By** Ronya Nabors
Phone (704) 576-8155 **Email** ronya.nabors@duke-energy.com

Incident Location 47 Sagebrush Ln **Locate Ticket Number** None
 KY 41018
 47 Sagebrush Ln - 467654
County Kenton

Excavator Information

Excavator Reliance Construction Services **Organization ID** 1834271
 LLC
Phone 513-850-0637 **Email** relianceconserv01@yahoo.com
Address 1546 Dixmont Ave **Locate Ticket Number** None
 Cincinnati OH 45207

Damage Report (DR) Summary

Excavation Within 18" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
No call to KY Contact Center (811)	Yes	Yes	Mechanized/Concrete Saw	\$0.00	\$0.00

The Operator reports that the Excavator damaged a one-inch gas service while cutting with a concrete saw and no contact was made with 811.

The DR is included as Attachment 1.

INVESTIGATION

On 05/27/22 811, Carly Dunsmore, conducted a search from 06/01/21 thru 07/15/21 finding one Locate Ticket for the Excavator which is outlined as:

LT Summary						
Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from initial date)	Incident Date	Obtained After Damage	Within Scope of Excavation
2107131896	No	07/13/21 18:07	N/A	07/13/21 13:00	5hrs. 7mins.	Yes

A review of the Emergency LT...1896 revealed that the Excavator obtained it on the incident date five hours seven minutes after the damage occurred. *Note:* The area to be located was for 1,200 feet on both sides of the street, with the LT being obtained five hours seven minutes after the damage occurred and the LT not being for the incident location of 47 Sagebrush Ln. indicates no Emergency LT was warranted.

On 06/09/22 the office manager, Jan Hanson, requested a copy of the DR be emailed to relianceconserv01@yahoo.com.

On 06/15/22 Ms. Hanson stated that research is ongoing and someone would be in contact by 06/16/22.

PIPELINE DAMAGE INVESTIGATION REPORT

On 06/17/22 Ms. Hanson stated that Reliance Construction Services would not contest the above. Ms. Hanson was receptive to attending the Damage Prevention Course and paying the reduced plenty of \$250.00. Ms. Hanson was also made aware an addition \$1,000.00 would be imposed due to the Emergency LT resulting in a penalty totaling \$1,250.00.

VIOLATIONS¹

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.

KRS 367.4917(3) A person that knowingly provides false notice to a utility notification center of an emergency as defined in KRS 367.4903 shall be subject to a fine of one thousand dollars (\$1,000) for each offense.

of Offences Within 365 Days

(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1 st Offence Date (Last Offence Date +366 Days)
1 st	See above	07/13/21	07/14/22

¹ A revision of the Underground Facility Damage Prevention Act took effect on January 1, 2022. All incidents of damage dated prior to January 1, 2022 will be reviewed under the former version of the Act

Attachment 1

Gas Excavation Damage Report

Duke Energy Kentucky, Inc.

Submitted 8/12/2021 Incident ID: 53883

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=53883\)](#)

Reported By:

Name: Ronya Nabors
Phone: (704) 576-8155
Email: ronya.nabors@duke-energy.com

Gas Line Incident Occured:

Date: 7/13/2021
Time: 1:00 PM

Details:

Reported Date: 8/12/2021 3:17 PM

Incident Location Address:

Location: 47 Sagebrush Ln - 467654
Address: 47 Sagebrush Ln
City: Erlanger
State: KY
County: Kenton
Zip: 41018
Confirm Code: Y

Number of Customers out: 1

Was gas or hazardous liquids contained in the underground facility?

* 3/2020

Was gas or hazardous liquids released into the atmosphere?

Locate Request Ticket No.: None

Excavator: Contractor

Excavator Address:

First Name:

Last Name:

Organization ID:

Company: Reliance Construction Services LLC

Phone: 513-850-0637

Email: RELIANCECONSERV01@YAHOO.COM

Address: 1546 Dixmont Ave

City: Cincinnati

State: OH

Zip: 45207

Confirm Code: Y

Excavation Damage: No notification made to the One Call Center

Description of Incident Seth Hinson of Reliance Construction Services LLC was saw cutting and hit the gas

Summary Information

8/12/2021

Full details such as the cause

On July 13th, 2021, Reliance Construction Services LLC was operating a concrete saw at 47 Sagebrush Ln, Erlanger, KY 41018. They failed to notify the One Call System. In doing so, a three-quarter inch plastic main to curb gas service was struck in front of the residence.

Extent of the damage

This was a 1" plastic service hit m-c

Cost of the damage

\$0.00

Steps taken to prevent re-occurrence

**Amount billed to
excavator**

\$0.00

Attachment 2

Tout, Eric V (PSC)

From: Carly Dunsmore <cdunsmore@usa811.org>
Sent: Friday, May 27, 2022 1:56 PM
To: Tout, Eric V (PSC)
Cc: PSCrequest@kentucky811.org
Subject: Re: 53883
Attachments: 2107131896.pdf

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

Good afternoon,

We searched between 6/1/2021 and 7/15/2021 and found one ticket submitted by Reliance Construction Services on Sagebrush Lane in Kenton County. If you have any questions, please do not hesitate to contact us.

Thank you,
Carly Dunsmore, *Member Services*

Office [833-538-0923](tel:833-538-0923) | Fax [317-386-7820](tel:317-386-7820)

Know what's below. 811 before you dig.

[Indiana811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

[Kentucky811](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

On Fri, May 27, 2022 at 11:29 AM Tout, Eric V (PSC) <ericv.tout@ky.gov> wrote:

Please provide locate ticket(s) for:

Incident Date: 7/13/2021 (Provided the date range for the search)

Operator: Duke Energy

Incident Location: 47 Sagebrush Ln., Erlanger

County: Kenton

Excavator: Reliance Construction Services

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

EMERGENCY

Ticket : 2107131896 Date: 07/13/2021 Time: 18:07 Oper: KENTUCKY811 Chan:000

State: KY Cnty: KENTON City: ERLANGER
Subdivision:

Address :

Street : SAGEBRUSH LN

Cross 1 : LINDENWOOD DR

Location: FROM THE ABOVE INTERSECTION LOCATE SOUTH FOR 1200 FEET ON BOTH SIDES
OF SAGEBRUSH LN RIGHT OF WAY TO RIGHT OF WAY

:

Boundary: n 38.996948 s 38.992448 w -84.578408 e -84.575586

Work type : CONCRETE CUTTING

Done for : CITY OF ERLANGER KENTUCKY

Start date: 07/14/2021 Time: 09:00 Hours notice: 15/2 Priority: EMER

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

Duration : N/A Depth: 2 FT

Company : RELIANCE CONSTRUCTION SERVICES LLC Type: CONT

Co addr : 1546 DIXMONT AVENUE

City : CINCINNATI State: OH Zip: 45207

Caller : RICHARD BERNARD Phone: (513)850-0637

Contact : RICHARD BERNARD - CELL Phone:

Mobile : (859)609-3273

Fax : (513)873-3845

Email : RELIANCECONSERV01@YAHOO.COM

Submitted date: 07/13/2021 Time: 18:07

Members: 0122 0130 0416 0516

* Responses are current as of 05/27/2022 01:52 PM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
TIME WARNER CABLE 0122	COMMUNICATIONS	TIME WARNER CABLE CUSTOMER SERVICE (800) 892-2253	Marked - Underground facilities are in conflict. Hand-dig or use non-intrusive means within the tolerance zone to avoid damage to the underground facility. For more information, please visit https://kentucky811.org/homeowners/5-steps-to-safe-digging/ .
CINCINNATI BELL TELEPHONE COMPANY 0130	COMMUNICATIONS	CINCINNATI BELL CUSTOMER SERVICE (513) 566-5050	
DUKE ENERGY KENTUCKY INC 0416	GAS	DUKE ENERGY CUSTOMER SERVICE (800) 544-6900	Marked - Underground facilities are in conflict. Hand-dig or use non-intrusive means within the tolerance zone to avoid damage to the underground facility. For more information, please visit https://kentucky811.org/homeowners/5-steps-to-safe-digging/ .
DUKE ENERGY KENTUCKY INC 0516	ELECTRIC	DUKE ENERGY CUSTOMER SERVICE (800) 544-6900	Marked - Underground facilities are in conflict. Hand-dig or use non-intrusive means within the tolerance zone to avoid damage to the underground facility. For more information, please visit https://kentucky811.org/homeowners/5-steps-to-safe-digging/ .

SUPPLEMENTAL PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric V. Tout **Incident ID** 53883 **Investigation** 8764
Incident Date 7/13/2021 1:00:00 PM **Report Submitted** 8/12/2021

Operator Information

Operator Duke Energy Kentucky, Inc. **Reported By** Ronya Nabors
Phone (704) 576-8155 **Email** ronya.nabors@duke-energy.com

Incident Location 47 Sagebrush Ln **Locate Ticket Number** None
 KY 41018
 47 Sagebrush Ln - 467654
County Kenton

Excavator Information

Excavator Reliance Construction Services **Organization ID** 1834271
 LLC
Phone 513-850-0637 **Email** relianceconserv01@yahoo.com
Address 1546 Dixmont Ave **Locate Ticket Number** None
 Cincinnati OH 45207

SUPPLEMENTAL INVESTIGATION

A Demand Letter dated 06/28/22, a 30 Days Past Due & No Attendance Remedial Measure/Training Letter dated 08/09/22 were mailed and on 08/16/22, the Excavator received a certified copy of the Past Due Letter. **The letters are included as Attachment 3.**

On 08/30/22, the Operator, Duke's Tyler Shelton, provided the following documents:

- Damage Investigation Findings: Which are outlined in the DR Summary and Attachment 1. *Note*: Per Seth Hinson of Reliance Construction Services LLC: "I was saw cutting and hit the gas six-feet off of the locate mark".
- Photographs: Indicating the damage occurred six feet from the locate marks.
- Invoice and Transaction Receipt: Indicating the Excavator paid Duke \$1,144.27 for the damage repair.

Duke's documents are included as Attachment 4.

Note: The above information regarding Mr. Hinson statement and the photographs depicting the locate marks off by six-feet were not indicated in the DR provided by Duke.

On 09/01/22, Mr. Shelton stated that the information omitted from the DR was due to the Excavator not having a Locate Ticket (LT) and the "UNT" marked on the pavement in the photographs stand for unatonable. Mr. Shelton provided a screen shot of completed LT 2107090053 for Jefferson Contracting.

Mr. Shelton's email and the screen shot are included as Attachment 5.

LT Summary

Ticket #	Valid for	Initial Date	Expiration Date <small>(21 calendar days from Initial date)</small>	Incident Date	# of Days Expired	Within Scope of Excavation
2107090053	Jefferson Contracting	07/09/21	07/30/21	07/13/21	0	Yes

A review of LT...0053 revealed Jefferson Contracting obtain it.

The LT is included as Attachment 6.

Attachment 3



Andy Beshear
Governor

Kent A. Chandler
Chairman

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

June 28, 2022

David Chambers
Reliance Construction Services, LLC
1546 Dixmont Ave
Cincinnati OH 45207

Re: Violation of Kentucky Underground Facility Damage Prevention Act
Incident Number: **53883**

DEMAND FOR PENALTY ASSESSMENT AND REMEDIAL MEASURES

Dear Mr. Chambers:

The Kentucky Public Service Commission (Commission) received a report on August 12, 2021, regarding damage to a natural gas or hazardous liquid facility owned and/or operated by the Duke Energy Kentucky, Inc. Under the Kentucky Underground Facility Damage Prevention Act (Act), KRS 367.4901 through KRS 367.4917, the Commission has jurisdiction to investigate and assess civil penalties for any violation of the Act that results in excavation damage to underground facilities used to transport gas or hazardous liquid subject to federal pipeline safety laws, 49 U.S.C. secs. 60101 et seq. The Commission regulates the safety of jurisdictional natural gas pipelines in the Commonwealth pursuant to KRS 278.495 and 49 CFR Parts 190, 191, 192 and 195.

Following receipt of the damage notification, Commission Staff (Staff) performed an investigation of the incident and prepared the attached incident report. Based on its investigation of the incident, Staff has determined that Reliance Construction Services committed the following violation(s) 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.
- **KRS 367.4917(3)** A person that knowingly provides false notice to a utility notification center of an emergency as defined in KRS 367.4903 shall be subject to a fine of one thousand dollars (\$1,000) for each offense.

CIVIL PENALTY

Based on its investigation of this matter, Staff has determined that Reliance Construction Services **should be assessed a penalty in the total amount of \$1,250, first offense, but that \$1,000 of the penalty should be suspended contingent upon Reliance Construction Services' completion of Damage Prevention training and an addition \$1,000.00 would be imposed due to KRS 367.4917(3):**

REMEDIAL MEASURE/TRAINING

A representative of Reliance Construction Services shall participate in a Damage Prevention training course. The Kentucky Public Service Commission will hold these classes online. Class dates have a limited capacity available on a first come-first served basis. To sign up for the class, go to <https://psc.ky.gov/classSignUp>. You will need your incident number: **53883** and assigned key: **8764** to sign-up for one of the available training dates. **Please understand that this training will be required as a contingency for the reduced penalty amount.**

Within **30 days** of the date of this letter the Reliance Construction Services should mail or deliver a cashier's check or money order made payable to the:

"Kentucky State Treasurer"

The check should be in the amount of \$1,250.00 mailed to: 211 Sower Boulevard, Frankfort, Kentucky 40602.

Please include the Incident Number 53883 on the cashier's check or money order submitted for payment.

KRS 367.4917 provides that a person who commits a violation of the Act shall be subject to a civil penalty not to exceed \$250 for the first violation, \$1,000 for the second violation within one year, and \$3,000 for the third and any subsequent violation. If the violation results in damage to an underground pipeline used to transport gas or hazardous liquid, the violator is subject to an additional civil penalty not to exceed \$1,000 per violation.

Payment of the proposed civil penalty and completion of the remedial measure will satisfy and resolve any and all claims against Reliance Construction Services for any violation of the Act arising out of the July 13, 2021 incident. Reliance Construction Services' payment of the proposed civil penalty will not be considered an admission by Reliance Construction Services that it willfully violated any provision of the Act.

If Reliance Construction Services does not pay the proposed civil penalty within 30 days of the date of this letter, the Commission will institute an administrative proceeding against Reliance Construction Services and hold a formal hearing during which Reliance Construction Services will have an opportunity to present evidence.

If you have any questions regarding this demand for remedial measures and penalty assessment, please contact Ashley Rhodes, Division of Inspections at 502-782-2578.

Sincerely,

Nancy J. Vinsel

Nancy J. Vinsel
General Counsel

Attachment



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Kent A. Chandler
Chairman

Mary Pat Regan
Commissioner

August 9, 2022

David Chambers
Reliance Construction Services, LLC
1546 Dixmont Ave
Cincinnati OH 45207

Re: Violation of Kentucky Underground Facility Damage Prevention Act
Incident Number: 53883

30 Days Past Due & No Attendance Remedial Measure/Training

Dear Mr. Chambers:

Attached is the demand letter and investigation report for the above Incident. Our records indicate that a reduced penalty of \$1,250.00 **has not been paid** and **no representative** has attended the Remedial Measure/Training to receive this reduced penalty. Attendance is required for the penalty reduction to apply.

REMEDIAL MEASURE/TRAINING

A representative of Reliance Construction Services shall participate in a Damage Prevention training course. The Kentucky Public Service Commission will hold these classes online. Class dates have a limited capacity available on a first come-first served basis. To sign up for the class, go to <https://psc.ky.gov/classSignUp>. You will need your incident number, **53883** and this key **8764** to sign-up for one of the available training dates. **Please understand that this training will be required as a contingency for the reduced penalty amount.**

If we do not hear from you within 10 days from the date of this letter this matter will be referred to the Commission for an Administrative Hearing to be held at the Commission's offices.

Once a referral to the Commission is made, any partnership, corporation, or business entity (including a limited liability company) must be represented by an attorney licensed to practice law in Kentucky. Thank you for your prompt attention to this matter.

If you have any questions regarding this notice or if you find that these requirements have been met, please contact Ashley Rhodes, Division of Inspections at 502-782-2578.

Sincerely,

Nancy J. Vinsel
General Counsel





Mailer: Kentucky Public Service Commission

Date Produced: 08/22/2022

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8385 9800 29. Our records indicate that this item was delivered on 08/16/2022 at 12:42 p.m. in CINCINNATI, OH 45207. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

DAVID CHAMBERS
RELIANCE CONSTRUCTION SERVICES LLC
1546 DIXMONT AVE
CINCINNATI OH 45207-1410

Customer Reference Number: C3611408.21369122
Return Reference Number incident 53883 30PD



Return address:

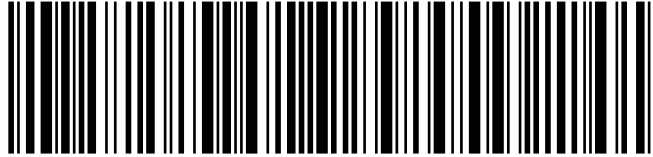
PUBLIC SERVICE COMMISSION
211 SOWER BLVD
FRANKFORT KY 40602

Recipient address:

DAVID CHAMBERS
RELIANCE CONSTRUCTION SERVICES LLC
1546 DIXMONT AVE
CINCINNATI OH 45207-1410

MAILING DATE: 08/11/2022
DELIVERY DATE: 08/16/2022

USPS CERTIFIED MAIL



9214 8901 9403 8385 9800 29

USPS Tracking Label Number: 9214 8901 9403 8385 9800 29

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FRANKFORT,KY 40602	08/11/2022 09:57
ORIGIN ACCEPTANCE	FRANKFORT,KY 40602	08/11/2022 19:45
PROCESSED THROUGH USPS FACILITY	LEXINGTON KY DISTRIBUTION CENTE 40511	08/11/2022 21:00
PROCESSED THROUGH USPS FACILITY	CINCINNATI OH DISTRIBUTION CENT 45234	08/12/2022 09:46
DELIVERED LEFT WITH INDIVIDUAL	CINCINNATI,OH 45207	08/16/2022 12:42

CUSTOM 1:

Attachment 4

Tout, Eric V (PSC)

From: Shelton, Tyler <Tyler.Shelton@duke-energy.com>
Sent: Tuesday, August 30, 2022 9:57 AM
To: Tout, Eric V (PSC)
Subject: RE: [EXTERNAL] 53883, 7/13/2021, 47 Sagebrush Ln - 467654, Reliance Construction Services
Attachments: 467654 - Claim Support Package.pdf; 467654 - Credit Card Payment Receipt.pdf

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

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Thursday, August 25, 2022 12:03 PM
To: Shelton, Tyler <Tyler.Shelton@duke-energy.com>
Subject: [EXTERNAL] 53883, 7/13/2021, 47 Sagebrush Ln - 467654, Reliance Construction Services

***** CAUTION! EXTERNAL SENDER *** STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

Hello Tyler,

Please send all repots, all photos, invoices and payment info (copy of check) if paid. Provide any explanation in advance regarding conflicting information.

*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*

Damage Investigation Findings

PRG CLAIM:	DK-467654	
DATE OF OUTAGE:	07/13/2021	01:00 PM
NOTIFICATION:	07/13/2021	01:09 PM
ARRIVAL:	07/13/2021	02:05 PM
LOCATION:	47 Sagebrush Ln, Erlanger, KY 41018	
LOCATE TICKET:	None	
INVESTIGATOR:	Michael Fields	

SUMMARY

On Tuesday, July 13, 2021, I was notified by Duke Energy about damage at 47 Sagebrush Ln, Erlanger, KY 41018. Duke Energy's Underground Facilities were damaged at the above stated location by a Concrete saw.



STATEMENTS

Per Seth Hinson of Reliance Construction Services LLC: I was saw cutting and hit the gas six feet off of the locate mark.

DETERMINATION

It has been determined that, on July 13th, 2021, Reliance Construction Services LLC was operating a concrete saw at 47 Sagebrush Ln, Erlanger, KY 41018. Reliance Construction Services LLC failed to notify the One Call System. In doing so, they struck a three-quarter inch plastic main to curb gas service in front of the residence.

Law(s): **KRS 367.4911**

Excavator or person responsible for excavation to notify operator of work schedule -- Responsibilities of excavator. (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. Excavator or person responsible for excavation to notify operator of work schedule -- Responsibilities of excavator.



ROOT CAUSE

In closing of this investigation, I have concluded that Reliance Construction Services LLC is responsible for all damages that occurred at this location and is liable for any monies owed to Duke Energy, care of PRG for repairs and replacements.



467654 - Investigator1.JPG



467654 - Investigator2.JPG



467654 - Investigator3.JPG



467654 - Investigator4.JPG



467654 - Investigator5.JPG



467654 - Investigator6.JPG



467654 - Investigator7.JPG



467654 - Investigator8.JPG



467654 - Investigator9.JPG



467654 - Investigator10.JPG



467654 - Investigator11.JPG



467654 - Investigator12.JPG



467654 - Investigator13.JPG



467654 - Investigator14.JPG



467654 - Investigator15.JPG



467654 - Investigator16.JPG



467654 - Investigator17.JPG



467654 - Investigator18.JPG



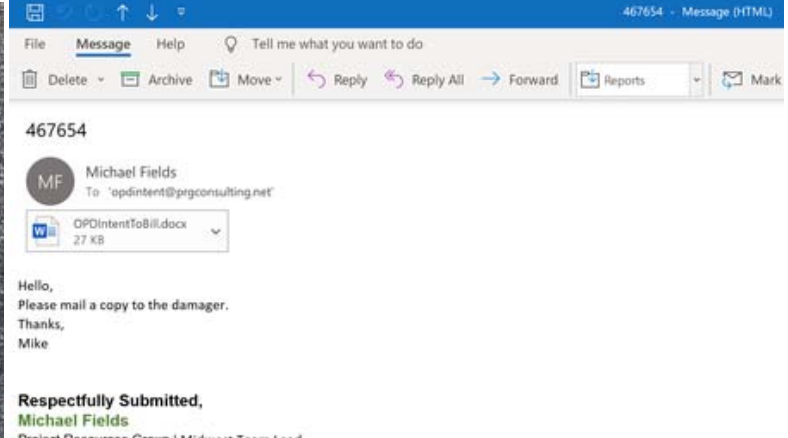
467654 - Investigator19.JPG



467654 - Investigator20.JPG



467654 - Investigator21.JPG



467654 - Investigator22.PNG



INVOICE



Please Make Check Payable to: Project Resources Group

Remit to: Project Resources Group, Inc. Attn. Damage Claims 5690 DTC Blvd, Suite 650 E Greenwood Village, CO 80111 EIN: 84-1576547	Invoice # DK-467654 Date: August 19, 2021 Terms: Due Upon Receipt Conf. Code # YNPAS
---	---

Responsible for Damages: Reliance Construction Services LLC 1546 Dixmont Ave Cincinnati, OH 45207

Date & Address Where Damage Occurred: 7/13/2021 47 Sagebrush Ln Erlanger, KY 41018

<u>Labor and Materials Costs:</u>			<u>Units</u>	<u>Unit Rate</u>	<u>Amount</u>
<i>Internal Labor Costs</i>					
	Mechanic Operator I		2.00	96.68	\$193.36
	Mechanic Iii - C&M (12049)		2.00	46.95	\$93.90
	Service Mechanic B		1.00	75.78	\$75.78
	Supervisor		0.80	123.75	\$99.00
	Emergency Call Out		1.00	250.00	\$250.00
	Drw 15-26K Utility, Stake, Flat, Dump 4X4		2.00	53.04	\$106.08
	Srw Utility, Stake, Flat 4X4		1.00	40.10	\$40.10
	Damage Investigation/Quality Control		1.00		\$229.00
	Sub-Total				\$1,087.22
<i>Material Costs</i>					
	Pipe, 1" Cts, 250' Lg, Plain Ends, Extruded,		1.00	0.56	\$0.56
	Coupling, Pipe, 1" Cts, Electrofusion, Pe 471		2.00	6.83	\$13.66
	Sub-Total				\$14.22
<i>Loss of Gas</i>					
	Sub-Total				\$42.83
	Invoice Total				\$1,144.27

Please Make Check Payable to: Project Resources Group

For questions regarding this invoice, please contact: Maria Mayer, (720) 900-2593 or via email mmayer@prgconsulting.net

Merchant: Project Resources Group, Inc.

5690 DTC Blvd. Suite 650E
Greenwood Village, CO 80111
US

7204586806

Order Information

Description: PRG OPD Claim Payment

Order Number:

P.O. Number:

Customer ID: YNPAS

Invoice Number: 467654

Billing Information

David F Chambers Reliance Construction Services
LLC
1546 Dixmont Ave
Cincinnati, OH 45207

Shipping Information

Shipping: 0.00
Tax: 0.00
Total: USD 1,144.27

Payment Information

Date/Time: 02-Sep-2021 13:23:13 PDT
Transaction ID: 42906861729
Transaction Type: Authorization w/ Auto Capture
Transaction Status: Settled Successfully
Authorization Code: 553653
Payment Method: Visa XXXX7849

Attachment 5

Tout, Eric V (PSC)

From: Shelton, Tyler <Tyler.Shelton@duke-energy.com>
Sent: Thursday, September 1, 2022 10:46 AM
To: Tout, Eric V (PSC)
Cc: Collins, Jim; Norris-Canfield, Jessica D (PSC); Holbrook, Melissa C (PSC)
Subject: RE: [EXTERNAL] 53883, 7/13/2021, 47 Sagebrush Ln - 467654, Reliance Construction Services
Attachments: 2107090053 Ticket Jefferson Contracting.pdf

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

Hello Eric,

Please provided:

1. An explanation regarding the omitted information.

There was not ticket for reliance construction or for saw cutting. The only ticket I could find in this area was for Jefferson Contracting and road reconstruction. This ticket was not included in our internal investigation because it was requested by a separate entity that had not caused an excavation damage.

2. The Locate Ticket associated with these makings.

See attached ticket.

3. The definition of the "UNT" marked in yellow on the pavement.

This means the line in question was untoneable.

Let me know if you have any additional questions.

Thanks!

Tyler

From: Tout, Eric V (PSC) <ericv.tout@ky.gov>
Sent: Thursday, September 1, 2022 6:50 AM
To: Shelton, Tyler <Tyler.Shelton@duke-energy.com>
Cc: Collins, Jim <Jim.Collins@duke-energy.com>; Norris-Canfield, Jessica D (PSC) <jnorriscanfield@ky.gov>; Holbrook, Melissa C (PSC)

<MelissaC.Holbrook@ky.gov>

Subject: [EXTERNAL] 53883, 7/13/2021, 47 Sagebrush Ln - 467654, Reliance Construction Services

***** CAUTION! EXTERNAL SENDER *** STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

Hello Tyler,

After reviewing the DR and Damage Investigation Findings I believe some vital information was omitted from the DR sent to the PSC:

1. Per Seth Hinson of Reliance Construction Services LLC: "I was saw cutting and hit the gas six-feet off of the locate mark".
2. A statement in the DR indicating the damage occurred six feet from the locate marks per the photos.

Please provided:

1. An explanation regarding the omitted information.
2. The Locate Ticket associated with these makings.
3. The definition of the "UNT" marked in yellow on the pavement.

*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*

2107090053 v0

Status: Complete

Agent: KY811

Function: New

Taken: 07/09/2021 05:57 AM - 06:02 AM

Notify By: Manual

Ticket

Text

Service Areas

Responses

Deliveries

Revisions

[Show Confirmation](#)

Excavator Information

Excavator ID: 9977

Company ID: 124885

What is the best phone number to reach you?

(859) 322-0135

Caller or person creating: JOSEPH JEFFERSON

Caller Type: CONTRACTOR

Company digging: JEFFERSON CONTRACTING

Office: AUGUSTA

Mailing address of the person or company digging:

PO BOX 225, AUGUSTA, KY, 41002

Email: JEFFERSONCONTRACTING@YAHOO.COM

Fax:

Work being done for: CITY OF ERLANGER KENTUCKY

Name of the Person Excavating: JOSEPH JEFFERSON

Phone (Cell): (859) 322-0135

Dates & Information

Ticket Type: Normal Notice

Requested Start Date and Time: 07/13/2021 07:00 AM

Hours Notice: 48 Expires on: 07/30/2021 05:00 PM

Update by: 07/28/2021 05:00 PM

Notes/Remarks:

Mandatory Questions

What type of work is being done?

STREET RECONSTRUCTION

At the deepest, how many feet will you be digging?

2 FT

Will there be any explosives or blasting?

No

Dig Site Information

Dig Site Type:

KY KENTON

SAGEBRUSH LN

ERLANGER

Attachment 6

NORMAL NOTICE

Ticket : 2107090053 Date: 07/09/2021 Time: 06:02 Oper: KENTUCKY811 Chan:000

State: KY Cnty: KENTON City: ERLANGER
Subdivision:

Address :

Street : SAGEBRUSH LN

Cross 1 : LINDENWOOD DR

Location: FROM THE ABOVE INTERSECTION LOCATE SOUTH FOR 1200 FEET ON BOTH SIDES
OF SAGEBRUSH LN RIGHT OF WAY TO RIGHT OF WAY

:

Boundary: n 38.996948 s 38.992448 w -84.578408 e -84.575586

Work type : STREET RECONSTRUCTION

Done for : CITY OF ERLANGER KENTUCKY

Start date: 07/13/2021 Time: 07:00 Hours notice: 97/48 Priority: NORM

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

Duration : N/A Depth: 2 FT

Company : JEFFERSON CONTRACTING Type: CONT

Co addr : PO BOX 225

City : AUGUSTA State: KY Zip: 41002

Caller : JOSEPH JEFFERSON Phone: (859)322-0135

Contact : JOSEPH JEFFERSON - CELL Phone:

Mobile : (859)322-0135

Email : JEFFERSONCONTRACTING@YAHOO.COM

Submitted date: 07/09/2021 Time: 06:02

Members: 0122 0130 0416 0516

* Responses are current as of 09/02/2022 07:13 AM

<u>Service Area</u>	<u>Utility Type(s)</u>	<u>Customer Service Contact</u>	<u>Positive Response</u>
TIME WARNER CABLE 0122	COMMUNICATIONS	TIME WARNER CABLE CUSTOMER SERVICE (800) 892-2253	<p>Marked - Underground facilities are in conflict. Hand-dig or use non-intrusive means within the tolerance zone to avoid damage to the underground facility. For more information, please visit https://kentucky811.org/homeowners/5-steps-to-safe-digging/.</p> <p>2021/07/12 17:53 MARKED EVERYTHING CROSSING ROAD, HAVE TO COME BACK TO GET MAIN LINE. THEY ARE DOING SIDEWALKS AS WELL.</p> <p>2021/07/12 17:53 ROAD RECONSTRUCTION</p> <p>2021/07/12 17:53 RESCHEDULE APPROVED BY: JOSEPH JEFFERSON - CELL</p> <p>2021/07/13 14:47 MARKED FROM 47 TO HIDDEN GLEN</p> <p>2021/07/19 11:25 EXTENDED PHONE & CATV MARKS @ #35 TO MATCH WHERE THEY ARE STOPPING.</p> <p>2021/07/20 15:54 MARKED FROM HIDDEN GLEN TO #50 FOR SIDEWALK & APRONS</p> <p>2021/07/28 13:48 MARKED BOTH SIDES FROM HIDDEN GLEN TO LINDEWOOD TO REMOVE SIDEWALKS & APRONS</p>
CINCINNATI BELL TELEPHONE COMPANY 0130	COMMUNICATIONS	CINCINNATI BELL CUSTOMER SERVICE (513) 566-5050	
DUKE ENERGY KENTUCKY INC 0416	GAS	DUKE ENERGY CUSTOMER SERVICE (800) 544-6900	<p>Marked - Underground facilities are in conflict. Hand-dig or use non-intrusive means within the tolerance zone to avoid damage to the underground facility. For more information, please visit https://kentucky811.org/homeowners/5-steps-to-safe-digging/.</p> <p>2021/07/12 17:53 MARKED EVERYTHING CROSSING ROAD, HAVE TO COME BACK TO GET MAIN LINE. THEY ARE DOING SIDEWALKS AS WELL.</p> <p>2021/07/12 17:53 ROAD RECONSTRUCTION</p> <p>2021/07/12 17:53 RESCHEDULE APPROVED BY: JOSEPH JEFFERSON - CELL</p> <p>2021/07/13 14:47 MARKED FROM 47 TO HIDDEN GLEN</p> <p>2021/07/19 11:25 EXTENDED PHONE & CATV MARKS @ #35 TO MATCH WHERE THEY ARE STOPPING.</p> <p>2021/07/20 15:54 MARKED FROM HIDDEN GLEN TO #50 FOR SIDEWALK & APRONS</p> <p>2021/07/28 13:48 MARKED BOTH SIDES FROM HIDDEN GLEN TO LINDEWOOD TO REMOVE SIDEWALKS & APRONS</p>

DUKE ENERGY KENTUCKY INC
0516

ELECTRIC

DUKE ENERGY CUSTOMER SERVICE
(800) 544-6900

Marked - Underground facilities are in conflict. Hand-dig or use non-intrusive means within the tolerance zone to avoid damage to the underground facility. For more information, please visit <https://kentucky811.org/homeowners/5-steps-to-safe-digging/>.

2021/07/12 17:53 MARKED EVERYTHING CROSSING ROAD, HAVE TO COME BACK TO GET MAIN LINE. THEY ARE DOING SIDEWALKS AS WELL.

2021/07/12 17:53 ROAD RECONSTRUCTION

2021/07/12 17:53 RESCHEDULE APPROVED BY: JOSEPH JEFFERSON - CELL

2021/07/13 14:47 MARKED FROM 47 TO HIDDEN GLEN

2021/07/19 11:25 EXTENDED PHONE & CATV MARKS @ #35 TO MATCH WHERE THEY ARE STOPPING.

2021/07/20 15:54 MARKED FROM HIDDEN GLEN TO #50 FOR SIDEWALK & APRONS

2021/07/28 13:48 MARKED BOTH SIDES FROM HIDDEN GLEN TO LINDEWOOD TO REMOVE SIDEWALKS & APRONS

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00380 DATED NOV 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 Andrea Wise, Commission Division of Inspections. Andrea.Wise@ky.gov or 502-782-2656.

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://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>

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

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00380 DATED NOV 22 2022

TEN PAGES TO FOLLOW

ESTADO DE KENTUCKY
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

RELIANCE CONSTRUCTION SERVICES, LLC)	
)	
_____)	CASO NO.
)	2022-00380
PRESUNTA INFRACCIÓN DE LA LEY DE)	
PREVENCIÓN DE DAÑOS EN INSTALACIONES)	
SUBTERRÁNEAS)	

ORDEN DE INICIACIÓN POR LA PRESUNTA INFRACCIÓN DE TIPO 811 DE LA LEY
DE PREVENCIÓN DE DAÑOS EN INSTALACIONES SUBTERRÁNEAS DE
KENTUCKY

Reliance Construction Services, LLC (Reliance Construction Services) ha sido implicado como parte de una investigación ante la Comisión de Servicios Públicos de Kentucky (Comisión) por la presunta infracción de la Ley de Prevención de Daños a Instalaciones Subterráneas de Kentucky (la Ley).¹ Una audiencia sobre este caso tendrá lugar el January 27, 2023.

Conforme a la norma KRS 278.495(2), la Comisión tiene jurisdicción para regular la seguridad de las instalaciones de gas natural en Kentucky y para hacer cumplir las normas federales mínimas de seguridad de las tuberías. En virtud de la Ley, la Comisión tiene autoridad para investigar y evaluar las sanciones civiles por cualquier infracción de la Ley que resulte en daños de excavación a una instalación subterránea utilizada para transportar gas natural o líquidos peligrosos sujetos a las leyes federales de seguridad de tuberías, 49 U.S.C. §. 60101 *et seq.* Toda persona que infrinja cualquier disposición

¹ KRS 367.4901 a KRS 367.4917.

de la Ley está sujeta a la imposición de una sanción civil por un importe de 250 dólares por la primera infracción, no más de 1.000 dólares por la segunda infracción en el plazo de un año, y no más de 3.000 dólares por la tercera infracción y las siguientes. Además, cualquier persona cuya infracción de la ley provoque daños en una instalación subterránea que contenga cualquier material inflamable, tóxico, corrosivo o peligroso, o que provoque la liberación de cualquier material inflamable, tóxico, corrosivo o peligroso, está sujeta a una sanción adicional de hasta 1.000 dólares.

Tras recibir un informe de daños por excavación en su gasoducto subterráneo por parte de un operador, el personal de la Comisión (el Personal) llevó a cabo una investigación y preparó un Informe de Incidentes, cuya copia se adjunta a esta Orden como Apéndice A. En su Informe de Incidentes, el Personal cita a Reliance Construction Services por la infracción de la siguiente disposición de la Ley:

KRS 367.4911(1)(a) Cada excavador, o persona responsable de una excavación, que planifique un trabajo de excavación o demolición deberá notificar a cada operador afectado sobre el trabajo previsto del excavador y el cronograma de trabajo no menos de dos (2) días hábiles completos ni más de diez (10) días hábiles completos antes de comenzar el trabajo. Hacer contacto con los centros de notificación de protección aplicables satisfará este requisito.

Y

367.4917(3) Sanciones -- Pago y prorrateo de las sanciones civiles -- Ejecución por la Comisión de Servicios Públicos - Formulario de acuerdo escrito - Reglamento administrativo.
(3) Una persona que, a sabiendas, proporcione una notificación falsa a un centro de notificación de servicios públicos de una emergencia como se define en KRS 367.4903 estará sujeta a una sanción civil de mil dólares (\$1,000) por cada infracción.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que Reliance Construction Services violó la Ley de Prevención de Daños a Instalaciones Subterráneas. La Comisión considera, además, que debe llevarse a cabo una investigación formal sobre el incidente de los daños causados por la excavación.

POR LO TANTO SE ORDENA que:

1. Reliance Construction Services deberá presentar a la Comisión una respuesta por escrito a las alegaciones contenidas en el Informe de Incidencia del Personal en un plazo de 20 días a partir de la recepción de esta Orden a través de un correo electrónico enviado a PSCED@ky.gov con el número de caso de este procedimiento en el asunto del mensaje

2. Reliance Construction Services comparecerá el January 27, 2023, a las 9 a.m. Eastern Standard Time, en la sala de audiencias Richard Raff de las oficinas de la Comisión en 211 Sower Boulevard en Frankfort, Kentucky, con el fin de presentar pruebas relativas a la supuesta violación de la Ley de Prevención de Daños a Instalaciones Subterráneas.

3. La audiencia January 27, 2023, se llevará a cabo por videoconferencia.

4. Reliance Construction Services deberá asistir a la audiencia utilizando el siguiente enlace: <https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>; la información y las instrucciones se adjuntan a esta Orden como Apéndice B.

5. Reliance Construction Services notificará a la Comisión, al menos diez días antes de la audiencia, si Reliance Construction Services no puede comparecer por videoconferencia y, por lo tanto, comparecerá en persona.

6. **Cualquier sociedad, corporación o entidad comercial (incluyendo una sociedad de responsabilidad limitada) debe ser representada por un abogado con licencia para ejercer la abogacía en Kentucky y dicha representación incluye la presentación de documentos y las comparecencias en las audiencias ante la Comisión.**

7. Un individuo puede presentar una respuesta a las alegaciones contenidas en el Informe de Incidentes del Personal sin la representación de un abogado.

8. El Informe de Incidentes del Personal 53883, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia January 27, 2023, se grabará únicamente por vídeo.

10. **Tenga en cuenta que las partes que no comparezcan después de la notificación estarán sujetas a que se asiente una sentencia en rebeldía contra ellos.**

COMISIÓN DE SERVICIOS PÚBLICOS

Presidente

Vicepresidente

Comisionado/a

HACE CONSTAR:

Director/a Ejecutivo/a

APÉNDICE A

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS
PÚBLICOS DE KENTUCKY EN EL CASO NO. 2022-00380 FECHADO

TREINTA Y CINCO PÁGINAS A SEGUIR

APÉNDICE B

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE KENTUCKY EN EL CASO NO. 2022-00380 FECHADO

DOS PÁGINAS PARA SEGUIR

Información e instrucciones para la audiencia

Se le obliga a asistir a una audiencia formal con la Comisión de Servicios Públicos de Kentucky. Tenga en cuenta que la audiencia está programada en la **huso horario del este**, y que la fecha y la hora de la audiencia figuran en la Orden que acompaña a estas instrucciones.

Se le recomienda encarecidamente que descargue la aplicación GoToMeeting ahora y esté preparado para su audiencia. Si no puede comparecer por vídeo utilizando esta aplicación, debe llamar a las oficinas de la Comisión al número que se indica a continuación al menos diez días antes de la audiencia programada. Recibirá instrucciones para presentarse en persona en la sala de audiencias Richard Raff de las oficinas de la Comisión en el 211 Sower Boulevard en Frankfort, Kentucky, a la hora y fecha de su audiencia programada.

Sírvase dirigir cualquier pregunta a Andrea Wise, División de Inspecciones de la Comisión: Andrea.Wise@ky.gov o 502-782-2656.

Para descargar la aplicación GoToMeeting vaya a:

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

El día de su audiencia utilizando su computadora, tableta o teléfono inteligente con capacidad de vídeo. **Acceda al procedimiento en:**

<https://meet.goto.com/pscformalhearing/psc-damage-prevention-hearing>

Puede encontrar más información sobre el uso de GoToMeeting en
GoToMeeting - Inicio rápido del asistente

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

GoToMeeting - Cómo unirse a una reunión

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

Requisitos técnicos para utilizar GoToMeeting

Sistema operativo:

Windows 7 – Windows 10
Mac OS X 10.9 (Mavericks) – Mac OS Big Sur (11)
Linux/Ubuntu (sólo aplicación web)
Google Chrome OS (sólo aplicación web)
iOS 11 - iOS 13
Android OS 5 (Lollipop) - Android 10

Navegador web: (Sólo se aplica a la aplicación web)

Google Chrome v72 o más reciente
Microsoft Edge v77 o más reciente

Conexión a Internet:

Computadora: 1 Mbps o superior (se recomienda la banda ancha)
Dispositivo móvil y Chromebook: 3G o superior (se recomienda WiFi para VoIP)

Software:

Aplicación de escritorio de GoToMeeting (con JavaScript activado)
La aplicación GoToMeeting de Apple Store, Google Play Store o Windows Store

Hardware:

2 GB de RAM (mínimo), 4 GB o más de RAM (recomendado)
Dispositivo de cámara web*
Micrófono y altavoces** (se recomiendan auriculares USB)

Dispositivo móvil:

iPhone 5 o más reciente
iPad de 3ª generación o más reciente

Nota: * Para comparecer en la audiencia, ES PRECISO tener una cámara en su dispositivo o conectada a él.

** La mayoría de los dispositivos tienen altavoces incorporados, pero obtendrás una mejor calidad de audio mientras estés conectado por VoIP si utilizas unos auriculares.

APÉNDICE C

APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE
KENTUCKY EN EL CASO NO. 2022-00380 FECHADO

DIEZ PÁGINAS PARA SEGUIR

*David F. Chambers
1546 Dixmont Ave.
Cincinnati, OHIO 45207