

Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet



Commonwealth of Kentucky
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Kent A. Chandler
Chairman

Angie Hatton
Vice Chairman

Mary Pat Regan
Commissioner

October 24, 2023

PARTIES OF RECORD

Re: Case No. 2023-00164

Notice is given to all parties that the attached document has been filed into the record of this proceeding.

If you have any comments you would like to make regarding the contents of the document, please do so within five days of receipt of this letter. If you have any questions, please contact Jessica Norris-Canfield, at JNorrisCanfield@ky.gov.

Sincerely,

A handwritten signature in blue ink that reads "Linda C. Bridwell".

Linda C. Bridwell, PE
Executive Director

Attachment: Document

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

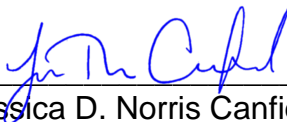
VICTORY GARDENS OF KENTUCKY, LLC)	
)	
_____)	CASE NO.
)	2023-00164
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

MOTION TO DISMISS

This matter was originally established by an Order of the Commission, dated June 5, 2023. The hearing in this matter was reset for October 27, 2023, by an Order of the Commission, dated July 25, 2023. After several attempts, service of process has not been perfected. Staff requests that above-styled case be dismissed without prejudice until further information is acquired as to the location of the above party.

WHEREFORE, Staff respectfully requests that the Commission's investigation of Damage Incident 43501 be dismissed without prejudice, closed, and removed from the Commission's docket. The hearing in this matter scheduled for October 27, 2023, is canceled.

Respectfully submitted,



Jessica D. Norris Canfield
Staff Attorney
KY Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601
jnorriscanfield@ky.gov

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

VICTORY GARDENS OF KENTUCKY, LLC)	
)	
_____)	CASE NO.
)	2023-00164
ALLEGED VIOLATION OF UNDERGROUND)	
FACILITY DAMAGE PREVENTION ACT)	

ORDER OF DISMISSAL

This matter was originally established by an Order of the Commission, dated June 5, 2023. After several attempts, service of process has not been perfected. The Commission finds good cause that above-styled case should be dismissed without prejudice.

IT IS HEREBY ORDERED that the Commission's investigation of Damage Incident 43501 is hereby dismissed without prejudice, closed, and is removed from the Commission's docket.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ATTEST:

Executive Director

Victory Gardens of Kentucky, LLC
PO Box 4085
Louisville, KENTUCKY 40204