

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FAST FLOW PLUMBING, LLC	)	
	)	
_____	)	CASE NO.
	)	2024-00045
ALLEGED VIOLATION OF UNDERGROUND	)	
FACILITY DAMAGE PREVENTION ACT	)	

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 C.)

Fast Flow Plumbing, LLC (Fast Flow Plumbing) 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).<sup>1</sup> A hearing in this case shall take place on April 26, 2024.

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

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<sup>1</sup> 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 Fast Flow Plumbing for violation of the following provision of the Act:

KRS 367.4911(10) – When excavation or demolition is necessary within the approximate location of the underground facility, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Fast Flow Plumbing violated the Underground Facility Damage Prevention Act. The Commission further finds that a formal investigation into the excavation damage incident shall be conducted.

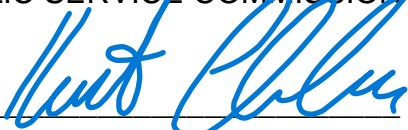
IT IS THEREFORE ORDERED that:

1. Fast Flow Plumbing shall submit to the Commission, via email sent to [PSCED@ky.gov](mailto: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. Fast Flow Plumbing shall appear on April 26, 2024, 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 April 26, 2024 hearing shall be conducted via video conferencing.
4. Fast Flow Plumbing 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. Fast Flow Plumbing shall notify the Commission at least ten days prior to the hearing if Fast Flow Plumbing 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 54638, attached to this Order as Appendix A, is made a part of the record in this case.
9. The April 26, 2024 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  
MAR 04 2024 bsb  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director



APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2024-00045 DATED MAR 04 2024

TWENTY-SIX PAGES TO FOLLOW

# PIPELINE DAMAGE INVESTIGATION REPORT

## Investigation Information

**Investigator** Eric Tout **Incident ID** 54638 **Investigation** 10489  
**Incident Date** 5/5/2022 6:00:00 PM **Report Submitted** 6/2/2022

## Operator Information

**Operator** Atmos Energy Corporation **Reported By** Jonathon Bledsoe  
**Phone** (270) 925-6312 **Email** jonathon.bledsoe@atmosenergy.com

**Incident Location** 709 Tenikat **Locate Ticket Number** 2205042103  
Danville KY 40422  
709 Tenikat Danville  
**County** Boyle

## Excavator Information

**Excavator** Austin Morris **Organization ID** 1012807  
Fast Flow Plumbing, LLC  
**Phone** 859-756-3508 **Email**  
**Address** 1095 Majuan Rd. **Locate Ticket Number** 2205042103  
Lexington KY 40511

## Damage Report Summary

Excavation Within 24" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
Yes	Yes	Yes	Mechanized/Excavator	\$870.00	\$870.00

The DR is included as Attachment 1.

Locate Ticket (LT) Summary						
Ticket #	Valid	Initial Date	Expiration Date (21 calendar days from initial date)	IncidentDate	# of Days Expired	Within Scope of Excavation
2205042103 Emergency	Yes	05/04/22	05/25/22	5/5/2022	N/A	Yes

The LT is included as Attachment 2.

## SUPPORTING DOCUMENTS

On 08/08/23, the Operator, Atmos's Bill Stanley, provided supporting documents.  
**Atmos's supporting documents are included as Attachment 3.**

## VIOLATIONS<sup>1</sup>

**KRS 367.4911(10)** When excavation or demolition is necessary within the tolerance zone, the excavator shall hand-dig or use nonintrusive means to avoid damage to the underground facility.

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<sup>1</sup> 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

# PIPELINE DAMAGE INVESTIGATION REPORT

## **# of Offences Within 365 Days**

(Including this incident)

<b>Excavator</b>	<b>Last Offence Incident #</b>	<b>Last Offence Incident Date</b>	<b>Revert to 1<sup>st</sup> Offence Date</b> (Last Offence Date +366 Days)
1 <sup>st</sup>	54638	05/05/22	05/06/23
Resolved Incidents			
1 <sup>st</sup>	53541	04/27/21	04/28/22

# Attachment 1

# Gas Excavation Damage Report

## Atmos Energy Corporation

Submitted 6/2/2022 Incident ID: 54638

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=54638\)](#)

### Reported By:

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**Name:** Jonathon Bledsoe  
**Phone:** (270) 925-6312  
**Email:** jonathon.bledsoe@atmosenergy.com

### Gas Line Incident Occured:

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**Date:** 5/5/2022  
**Time:** 6:00 PM

### Details:

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**Reported Date:** 5/9/2022 10:39 PM

#### Incident Location Address:

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**Location:** 709 Tenikat Danville  
**Address:** 709 Tenikat  
**City:** Danville  
**State:** KY  
**County:** Boyle  
**Zip:** 40422  
**Confirm Code:**

**Number of Customers out:** 1

**Was gas or hazardous liquids contained in the underground facility?**

**Was gas or hazardous liquids released into the atmosphere?**

**Locate Request Ticket No.:** 2205042103

**Excavator:** Contractor

## Excavator Address:

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**First Name:** Austin  
**Last Name:** Morris  
**Organization ID:** 1012807  
**Company:** Fast Flow Plumbing  
**Phone:** 859-756-3508  
**Email:**  
**Address:** 1095 Majuan Rd.  
**City:** Lexington  
**State:** KY  
**Zip:** 40511

**Confirm Code:**

**Excavation Damage:** Failure to use hand tools where required

**Description of Incident** Fast Flow Plumbing damaged a 1"PE service with machinized equipment. Locate valid and marked.

## Summary Information

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6/2/2022

<b>Full details such as the cause</b>	Fast Flow Plumbing damaged a 1" PE service with an excavator. Fast Flow Plumbing had called in an Emergency Locate to repair a water line. Locate 2205042103 was marked correctly. Fast Flow Plumbing did not use hand tools in the tolerance zone.
<b>Extent of the damage</b>	1" PE service repaired.
<b>Cost of the damage</b>	\$870.00
<b>Steps taken to prevent re-occurrence</b>	Fast Flow Plumbing was educated on using hand tools within the tolerance zone. Fast Flow Plumbing was billed for the repairs.
<b>Amount billed to excavator</b>	\$870.00

# Attachment 2



## Kentucky 811

<b>Ticket no</b>	2205042103	<b>Type</b>	EMERGENCY CALL
<b>Request date</b>	05/04/22 04:00 pm		
<b>Start date</b>	05/04/22 03:56 pm		
<b>Expiration date</b>	05/25/22 11:59 pm		

### Excavator information

<b>Excavator name</b>	FAST FLOW PLUMBING		
<b>Address</b>	1095 MAJAUN RD LEXINGTON, KY 40511		
<b>Company phone</b>	859-779-0650		
<b>Requested by</b>	AUSTIN MORRIS	<b>Phone</b>	859-779-0650
<b>On-site name</b>	AUSTIN MORRIS - CELL	<b>On-site phone</b>	859-583-3226
<b>Contact email</b>	<a href="mailto:0523ATM@GMAIL.COM">0523ATM@GMAIL.COM</a>		

### Excavation information

<b>Type of work</b>	REPAIRING WATER LINE		
<b>Depth (ft)</b>	4	<b>Explosives</b>	N
<b>Area marked</b>	U		
<b>Job name/number</b>			
<b>Work done for</b>	MARTHA WILLIAMS		

### Location information

<b>County</b>	BOYLE	<b>City</b>	DANVILLE
<b>Address/street</b>	709 TENIKAT ST		
<b>Nearest intersecting street</b>	LEXINGTON RD		
<b>Location of work</b>	FACING THE PROPERTY FROM THE DIG STREET LOCATE FRONT AND RIGHT SIDE OF THE PROPERTY		
<b>Comments</b>	CREW EN ROUTE		

### Map Coord

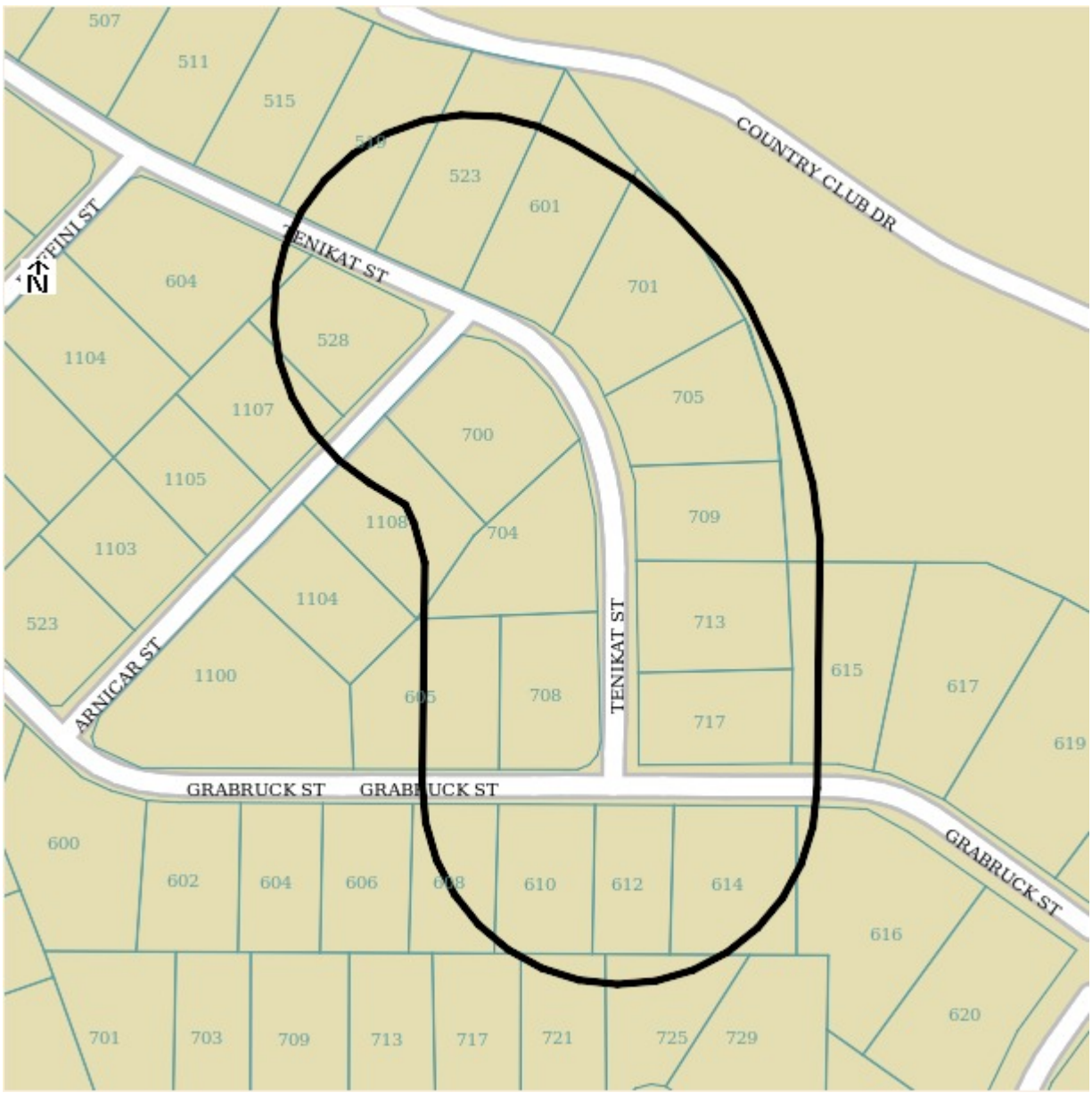
<b>NW Lat</b> 37.6569885	<b>Lon</b> -84.7479799	<b>SE Lat</b> 37.6545808	<b>Lon</b> -84.7460693
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### Members notified

<b>Company name</b>	<b>District</b>	<b>Type</b>	<b>Status</b>
TIME WARNER CABLE	0023	COMMUNICATIONS	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate. (2022/05/04 16:54 MARKED SERVICES FROM HOSUE, MAINS AERIAL.)
CITY OF DANVILLE WATER	0048	W	

AT&T DISTRIBUTION	0139	COMMUNICATIONS	
ATMOS ENERGY	0144	PIPELINE	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate. (RIGHT SIDE SERVICE FEED OUT TO THE 2" STEEL GAS MAIN RUNNING ACROSS THE FRONT OF THE PROP, STREET FRONTAGE)
KENTUCKY UTILITIES	0326	E	Marked - The approximate location has been marked. File a 2ND NOTICE with KY811 if marks are not complete and accurate. (2022/05/04 16:54 MARKED SERVICES FROM HOSUE, MAINS AERIAL.)

Map



# Attachment 3

## Tout, Eric V (PSC)

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**From:** Stanley, Bill <Bill.Stanley@atmosenergy.com>  
**Sent:** Tuesday, August 8, 2023 1:06 PM  
**To:** Tout, Eric V (PSC)  
**Subject:** Re: 54638, 5/5/2022, 709 Tenikat,,Danville, Fast Flow Plumbing

### This Message Originated from Outside the Organization

This Message Is From an External Sender.

Report Suspicious

Please use the below link to access the documents and photos

<https://ae.watchdox.com/ngdox/workspaces/451168/54638%2C%205.5.2022%2C%20709%20Tenikat%2C%20Danville%2C%20Fast%20Flow%20Plumbing>

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**From:** Tout, Eric V (PSC) <ericv.tout@ky.gov>  
**Sent:** Tuesday, August 8, 2023 6:41 AM  
**To:** Stanley, Bill <Bill.Stanley@atmosenergy.com>  
**Subject:** [EXT] RE: 54638, 5/5/2022, 709 Tenikat,,Danville, Fast Flow Plumbing

**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.**

Hello Bill,

Doing follow up.

Thanks,  
Eric

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**From:** Tout, Eric V (PSC)  
**Sent:** Tuesday, August 1, 2023 6:55 AM

**To:** Stanley, Bill <Bill.Stanley@atmosenergy.com>

**Subject:** 54638, 5/5/2022, 709 Tenikat,,Danville, Fast Flow Plumbing

Hello Bill,

Please send repots, photos pre & post, invoices and payment info (copy of check) if paid.

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

# LEAK FOUND REPORT

eAM WO#: 23973591

Construction Order Number: C 0242518

Leak Asset #: 711026

Project Number: 050 • 23757

Division: 009 District / Cost Center: 2737

County / Parish: Boyle Town: Danville

State: KY Tax District: 90301

Map Sheet #: \_\_\_\_\_

Address / Location: 709 ~~Finnick~~ Tenikat St. Cross Street: GRABRUC

Asset Description: \_\_\_\_\_ Land Description: \_\_\_\_\_

GPS Coordinates: Latitude 37.65501 Longitude -84.74665 Leak Survey Area: \_\_\_\_\_

Class Location:  1  2  3  4 Facilities Class:  Distribution  Transmission  Gathering  Storage  Production

Date Leak Found: 5/5/2022  
(MM/DD/YYYY)

Time Leak Found: 6:00  AM  PM

Time Leak Classified: 6:01  AM  PM

Leak Grade:  1  2 (5 day)  
 3  2 (30 day)  
 4  2 (180 day)

Leak Graded By: S. Huist (M1, M15) Surveying Leaks ID#: 24614

Suspected Facility:  Main  Service  Riser  Yardline  Meter Loop  Other Feet to Building: \_\_\_\_\_

CGI Reading: 100 % Gas \_\_\_\_\_ % LEL Surface Type:  Dirt  Brick  Concrete  Asphalt  Rock  Liquid  Other

Leak Found:  Yes  No Third Party Damage:  Yes (If Yes, complete Third Party Damage Form)  No

Leak Located:  Above Ground  Below Ground Residual Gas:  Yes  No

Notes: Contractor Hit SERVICE with excavator. SERVICE WAS MARKED.

**Reason Not Repaired:**  
 Duplicate Order  
 Customer Line  
 Not Natural Gas  
 Other Company  
 No Leak Found

**Initial Leak Cause:**

- Corrosion Group
  - Corrosion
- Excavation Group
  - Operator Personnel / Contractors Excavating
  - Other Third Party Excavators
  - Locator
  - Vehicle (Auto / Truck / Etc.)
- Natural Forces Group
  - Lightning
  - Washout
  - Ground Movement
  - Ice
  - Static Electricity
- Other Outside Forces Group
  - Vandalism
  - Fire / Explosion First
  - Excessive Strain

- Materials & Welds Group
  - Dent
  - Gouge
  - Factory Defect
  - Wrinkle / Bend
  - Weld (Steel)
  - Fusion Defect (Plastic)
- Equipment Group
  - Equipment Malfunction
  - Gasket / O-Ring
  - Packing
- Operations Group
  - Inadequate / Failure to Follow Procedures
  - Stripped Threads
  - Backfill
- Other
  - Not Excavation
  - Other Explanation





# THIRD PARTY DAMAGE FORM

eAM WO#: 23973591

Construction Order Number: C 0242518

Leak Asset #: 711026

Project Number: 050.23257

Rate Division: 009

### INCIDENT DETAILS

Date of Damage: 5/5/2022 Time of Damage: 5:30  AM  PM  
MM/DD/YYYY

Was the Regulatory Commission called?  Yes  No Incident Number: \_\_\_\_\_

Address/Location: 709 Fintakt Tenikat St Cross Street: GRABROCK

City: Danville County/Parish: Boyle State: KY 40422

- ROW:
- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Public-City Street | <input type="checkbox"/> Private Business        | <input type="checkbox"/> Dedicated Public Utility Easement |
| <input type="checkbox"/> Public-State Hwy              | <input type="checkbox"/> Private-Land Owner      | <input type="checkbox"/> Federal Land                      |
| <input type="checkbox"/> Public-County Road            | <input type="checkbox"/> Private-Easement        | <input type="checkbox"/> Railroad                          |
| <input type="checkbox"/> Public-Interstate Hwy         | <input type="checkbox"/> Pipeline                | <input type="checkbox"/> Unknown/Other                     |
| <input type="checkbox"/> Public-Other                  | <input type="checkbox"/> Power/Transmission Line |  |

### EXCAVATOR DETAILS

Company Name: Fast Flow plumbing

Address: 1095 Majaur Rd

City: LEXINGTON State: KY Zip: 40511

Contact Name: Austin Morris Phone: 859-756-3508

Excavator Type:  Contractor  County  Farmer  Municipality  Occupant  Railroad  State  Utility  Developer  
 Home Owner  Unknown/Other

Pipeline Damage With:

- |  |   |   |   |  |
|--|---|---|---|--|
| <input type="checkbox"/> Auger                       | <input type="checkbox"/> Drilling             | <input type="checkbox"/> Grader/Scraper   | <input type="checkbox"/> Probing Device | <input type="checkbox"/> Milling Equipment |
| <input checked="" type="checkbox"/> Backhoe/Trackhoe | <input type="checkbox"/> Directional Drilling | <input type="checkbox"/> Hand Tools       | <input type="checkbox"/> Trencher       | <input type="checkbox"/> Unknown/Other     |
| <input type="checkbox"/> Boring                      | <input type="checkbox"/> Explosives           | <input type="checkbox"/> Vacuum Equipment | <input type="checkbox"/> Farm Equipment |  |

Work Performed:

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Agriculture       | <input type="checkbox"/> Engineering/Survey       | <input type="checkbox"/> Road Work              | <input type="checkbox"/> Traffic Sign      |
| <input type="checkbox"/> Bldg Construction | <input type="checkbox"/> Fencing                  | <input type="checkbox"/> Sewer (Sanitary/Storm) | <input checked="" type="checkbox"/> Water  |
| <input type="checkbox"/> Bldg Demolition   | <input type="checkbox"/> Irrigation               | <input type="checkbox"/> Site Development       | <input type="checkbox"/> Water Improvement |
| <input type="checkbox"/> Cable TV          | <input type="checkbox"/> Landscaping              | <input type="checkbox"/> Steam                  | <input type="checkbox"/> Liquid Pipeline   |
| <input type="checkbox"/> Curb/Sidewalk     | <input type="checkbox"/> Grading                  | <input type="checkbox"/> Storm Drain/Culvert    | <input type="checkbox"/> Milling           |
| <input type="checkbox"/> Drainage          | <input type="checkbox"/> Pole                     | <input type="checkbox"/> Street Light           | <input type="checkbox"/> Unknown/Other     |
| <input type="checkbox"/> Driveway          | <input type="checkbox"/> Public Transit Authority | <input type="checkbox"/> Telecommunications     |  |
| <input type="checkbox"/> Electric          | <input type="checkbox"/> Railroad Maintenance     | <input type="checkbox"/> Traffic Signal         |  |

Excavator Incur Downtime:  Yes  No  Unknown How much Downtime? \_\_\_\_\_ Downtime Cost Incurred? \_\_\_\_\_

### AFFECTED FACILITY DETAILS

Was any Facility Damaged?  Yes  No Release of Product?  Yes  No  Unknown Location:  Above Ground  Below Ground

Did Excavator Notify Atmos Energy through the OneCall Notification Center?  Yes  No  Unknown

Center Name: \_\_\_\_\_ Locate Ticket Number: 2205042103

Did Excavator Notify Atmos Energy Directly?  Yes  No  Unknown

Excavator Notified 911?  Yes  No  Unknown Name: \_\_\_\_\_

Facility Type:  Distribution  Gathering  Service/Stub  Transmission  Unknown/Other

Pipeline Material:  Bare Steel  Coated Steel  Cast Iron  PE  PVC  Other

Facility Damaged On:  Body of Pipe  Coating  Housing  Other Protective Device

Type of Pipeline Damaged:  Intrastate  Interstate  Unknown

Pipeline Status:  Active  Idle  New Pipe (no product)  Abandoned (no product)

Damaged Pipe Diameter: \_\_\_\_\_ inches Depth of Facility: \_\_\_\_\_ feet \_\_\_\_\_ inches

Joint Trench:  Yes  No  Unknown

### DAMAGE & IMPACT DETAILS

Damaged by:  Third Party  Operator  Operator's Contractor

Caused Service Interruption:  Yes  No

Requires Regulatory Notification:  Yes  No

Customer Affected: 1

Death/Hospitalization

Number of Injuries: 1

Property Damage ≥ \$50,000

Type of Injuries: \_\_\_\_\_

Estimated gas loss ≥ 3 million cubic feet

Number of Fatalities: \_\_\_\_\_

Outage Hours: 1

Restoration Cost: \_\_\_\_\_



**DAMAGE & IMPACT DETAILS CONT'D**

Root Cause of Damage:  No notification made to the OneCall Center  Failure to test-hole (pot hole)  
 Notification to OneCall Center made, but not sufficient  Improper backfilling practices  
 Wrong information provided to OneCall Center  Failure to maintain clearance  
 Facility could not be found or located  Other insufficient excavation practices  
 Facility marking or location not sufficient  OneCall Center error  
 Facility was not located or marked  Abandoned facility  
 Incorrect facility maps  Deteriorated facility  
 Failure to maintain marks  Previous damage  
 Failure to support exposed facilities  Data not collected  
 Failure to use hand tools where required  Other

Impact:  Fire/Ignition occur  Any evacuation (Number of people: 1)  Any media coverage  Any explosions  
 Any street blocked  Any other impact Comments: \_\_\_\_\_

**NOTIFYING, LOCATING, MARKING DETAILS**

Locate Request to OneCall Center Prior to Excavation:  Yes  No  
 Center Name: \_\_\_\_\_ OneCall Ticket Number: 2205042103  
 Date of Notification: 5 / 4 / 2022  
 Original Locator:  Pipeline Operator  Utility Owner  Data Not Collected  Unknown/Other  
 Contract Locator Locator Name: \_\_\_\_\_  
 Marked by White Lining:  Yes  No  Unknown  
 Atmos Energy Rep Onsite:  Yes  No  Unknown  
 Any Special Instructions:  Yes  No  Unknown  
 Excavator Gave Proper Notice:  Yes  No  Unknown  
 Locator met with Excavator:  Yes  No  Unknown  
 Locate Procedures Followed:  Yes  No  Unknown  
 Facility Gave Positive Response:  Yes  No  Unknown  
 Date of Positive: 5 / 4 / 2022 Time of Positive: 5 : 06  AM  PM

Excavator made 2nd call to OneCall:  Yes  No  Unknown  
 Reason:  No positive response to first call  Positive response is unclear or incorrect  All clear appears questionable  Other  
 2nd Notice Ticket Number: \_\_\_\_\_ Date of 2nd Notice: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 Facility gave positive response to 2nd notice:  Yes  No  Unknown  
 Date of Positive: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Time of Positive: \_\_\_\_\_ : \_\_\_\_\_  AM  PM

Facility Marks Visible:  Yes  No  Unknown  
 Marked by Paint:  Yes  No  Unknown  
 Marked by Flags:  Yes  No  Unknown  
 Method used to Locate:  Conductive  Inductive  Unknown  Other: \_\_\_\_\_  
 Another type of Marking Use:  Yes  No  Unknown: \_\_\_\_\_  
 Facility Marked Correctly:  Yes  No  Unknown/Other: \_\_\_\_\_  
 Reason Not Marked:  Pipeline was not marked  Portion of pipeline was not marked  Pipeline was not marked accurately  
 Improper type of marking  Other: \_\_\_\_\_  
 Distance of Inaccurate Marks from Pipeline: \_\_\_\_\_ feet \_\_\_\_\_ inches

**OTHER INFORMATION**

Line Pressure: 45 psig Pipe Damage: (Length) \_\_\_\_\_ inches (Width) \_\_\_\_\_ inches  
 Leak Duration: 60 minutes Locate Priority: \_\_\_\_\_ FERC Account: 8740  
 Insurance Company: \_\_\_\_\_ Agent Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Locate Mark within State Law:  Yes  No Police Report Number: \_\_\_\_\_  
 Pre-Damage Photos:  Yes  No Post-Damage Photos:  Yes  No Billing Required:  Yes  No

**LABOR**

Name	Title	Reg Time	Overtime	Drive Time
<u>J. Hurs</u>	<u>SR. CONST.</u>		<u>2</u>	<u>10 min</u>
<u>Bob Swoboda</u>	<u>CREW LEAD</u>		<u>2</u>	<u>20 min</u>

**EQUIPMENT**

Quantity	Time	Quantity	Time
1/2 Ton Truck	_____	Trencher	_____
1 Ton Truck	<u>1</u>	Backhoe	_____
2 Ton Truck	<u>1</u>	Compressor	_____
Dump Truck	_____	Boring Machine	_____
Welder	_____	Other	_____

Comments: Contractor HIT PE SERVICE WITH EXCAVATOR, SERVICE WAS MARKED.  
 Completed By: Bob Swoboda Date: 5-5-22

**ATMOS ENERGY CORPORATION**  
**KENTUCKY / MID-STATES DIVISION**  
**KENTUCKY OPERATIONS**  
**3RD PARTY DAMAGE BILLING**

**NAME:**  
**BILLING ADDRESS:**  
**CITY, STATE, & ZIP CODE:**  
**PHONE #:**  
**EMAIL ADDRESS:**  
**INSURANCE PROVIDER:**  
**INSURANCE POLICY #:**  
**ATMOS WORK CENTER:**  
**DATE OF DAMAGE:**  
**DAMAGE LOCATION:**  
**ASSET #:**  
**eAM #:**  
**SAP INVOICE #:**

Fast Flow Plumbing  
 1095 Majaun Rd  
 Lexington, KY 40511  
 Austin Morris 859-756-3508

2737 - Danville  
 May 5, 2022  
 709 Tenikat St, Danville, KY 40422  
 711026  
 23973591

**LINE NO. CHARGE TYPE:**

1	LABOR			\$	522.97
2	MATERIALS			\$	25.52
3	EQUIPMENT			\$	202.00
4	GAS LOSS COSTS	Enter PGA Rate (per MCF)	Volume (MCF)	\$	119.81
		7.4880	16		
5	OUTSIDE SERVICES			\$	-
6	MISCELLANEOUS COSTS			\$	-
7	TOTAL 3RD PARTY DAMAGE BILLING			\$	870.30

Pipe Size	0.75
Material Type	PE
Pressure (PSIG)	40
Duration (Minutes)	60
Distance to Feeder Main or Regulator Station (Feet)	62
Main or Service	Service

- 1) Fill out all Information in Rows 1-6
- 2) Click Rectangular Hole if damage is given as length and width. Enter dimensions
- 3) Click Circular Hole if damage is circular. Enter dimensions
- 4) Click Calculate Gas Loss

Gas Loss Flow Rate	262	Cubic Feet/Min.
Gas Loss in Cubic Feet	15,735	Cubic Feet
Gas Loss in Pounds	720	Pounds
Gas Loss in CCF	157	CCF
Gas Loss in MCF	16	MCF

Calculator uses IGT Flow Formula

IF LARGER THAN 1,000 CCF CONTACT TECH. SERVICES

# Gas Excavation Damage Report

## Atmos Energy Corporation

Submitted 6/2/2022 Incident ID: 54638

### Reported By:

**Name:** Jonathon Bledsoe  
**Phone:** (270) 925-6312  
**Email:** jonathon.bledsoe@atmosenergy.com

### Gas Line Incident Occured:

**Date:** 5/5/2022  
**Time:** 6:00 PM

### Details:

**Reported Date:** 5/9/2022 10:39 PM

### Incident Location Address:

**Location:** 709 Tenikat Danville  
**Address:** 709 Tenikat  
**City:** Danville  
**State:** KY  
**County:** Boyle  
**Zip:** 40422  
**Confirm Code:**

**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.:

2205042103

Excavator:

Contractor

## Excavator Address:

**First Name:** Austin  
**Last Name:** Morris  
**Organization ID:** 1012807  
**Company:** Fast Flow Plumbing  
**Phone:** 859-756-3508  
**Email:**  
**Address:** 1095 Majuan Rd.  
**City:** Lexington  
**State:** KY  
**Zip:** 40511  
**Confirm Code:**

Excavation Damage:

Failure to use hand tools where required

## Description of Incident

Fast Flow Plumbing damaged a 1"PE service with machinized equipment. Locate valid and marked.

## Summary Information

6/2/2022

## Full details such as the cause

Fast Flow Plumbing damaged a 1" PE service with an excavator. Fast Flow Plumbing had called in an Emergency Locate to repair a water line. Locate 2205042103 was marked correctly. Fast Flow Plumbing did not use hand tools in the tolerance zone.

## Extent of the damage

1" PE service repaired.

## Cost of the damage

\$870.00

## Steps taken to prevent re-occurrence

Fast Flow Plumbing was educated on using hand tools within the tolerance zone. Fast Flow Plumbing was billed for the repairs.

## Amount billed to excavator

\$870.00















360000889  
CPG 5.75 1PS 194710 PLUS MID  
1765022 BUL CPG 5.75 1PS 194710 PLUS MID  
M. 508775 7/19 US  
CP 1204ZRH231YH0

360000889 CPG 5.75 1PS 194710 PLUS MID  
1765022 BUL CPG 5.75 1PS 194710 PLUS MID  
M. 508775 7/19 US  
CP 1204ZRH231YH0

360000889 CPG 5.75 1PS 194710 PLUS MID  
1765022 BUL CPG 5.75 1PS 194710 PLUS MID  
M. 508775 7/19 US  
CP 1204ZRH231YH0





# INVOICE

FAST FLOW PLUMBING  
1095 MAJUAN RD  
LEXINGTON KY 40511

Page: 1  
Claim Number 000200061335  
Invoice No: 321845  
Invoice Date: 16-MAY-22  
Customer No: 178629  
Credits and Payments: 0.00  
Amount Due Remaining: 870.30  
Amount Due Original: 870.30  
Sales Rep: Jimmy D.Smith  
Payment Terms: NET10  
Due date: 26-MAY-22

For billing questions, please call: (859) 583-5357

Total Amount Due 870.30 USD

LINE	DESCRIPTION	QUANTITY	UNIT	UNIT AMT	NET AMT
1	Material	1	Job	25.52	25.52
2	Tools and Equipment	1	Job	202.00	202.00
3	Labor	1	Job	522.97	522.97
4	Gas Loss	16	mcf	7.488	119.81

PAGE TOTAL

870.30

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: 321845



Customer No: 178629

Invoice No: 321845

**BILL TO:**

Total Amount Due: 870.30 USD

FAST FLOW PLUMBING  
1095 MAJUAN RD  
LEXINGTON KY 40511



## Third Party Damage Claims Recovery

FAST FLOW PLUMBING  
1095 MAJUAN RD  
LEXINGTON KY 40511

<b>Date of Loss:</b>	05-MAY-22	<b>Invoice#</b>	321845
<b>Damages:</b>	\$870.30		
<b>Location of Damage:</b>	709 Tetikat Danvillee Ky		
<b>Description of Damage:</b>	Contractor Damaged 3/4" Pe Service With Backhoe Working On Water. Failure To Use Hand Tools Where Required.		
<b>Claim #:</b>	000200061335		

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,

Jimmy D.Smith  
Phone :(859) 583-5357  
Fax :N/A  
Jimmy.Smith@atmosenergy.com  
Para informacion en espanol, por favor llamar al (859) 583-5357

449 Whirlaway Dr  
Danville KY 40422



Know what's below.  
Call before you dig.

## APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2024-00045 DATED MAR 04 2024

### **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](mailto: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](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 3<sup>rd</sup> 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. 2024-00045 DATED MAR 04 2024

EIGHT PAGES TO FOLLOW

ESTADO DE KENTUCKY  
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

FAST FLOW PLUMBING, LLC	)	
	)	
_____	)	
PRESUNTA INFRACCIÓN DE LA LEY DE	)	CASO NO.
PREVENCIÓN DE DAÑOS EN INSTALACIONES	)	2024-00045
SUBTERRÁNEAS	)	

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

Fast Flow Plumbing, LLC 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).<sup>2</sup> Una audiencia sobre este caso tendrá lugar el 26 de abril de 2024.

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 de la Ley está sujeta a la imposición de una sanción civil por un importe de 250 dólares

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<sup>2</sup> KRS 367.4901 a KRS 367.4917.

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 Fast Flow Plumbing por la infracción de la siguiente disposición de la Ley:

KRS 367.4911(10) - Cuando sea necesario excavar o demoler dentro de la ubicación aproximada de la instalación subterránea, el excavador deberá cavar a mano o utilizar medios no intrusivos para evitar daños a la instalación subterránea.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que Fast Flow Plumbing 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. Fast Flow Plumbing 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](mailto:PSCED@ky.gov) con el número de caso de este procedimiento en el asunto del mensaje.

2. Fast Flow Plumbing comparecerá el 26 de abril de 2024, a las 9 a.m., hora estándar del este, 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 26 de abril de 2024 se llevará a cabo por videoconferencia.

4. Fast Flow Plumbing 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. Fast Flow Plumbing notificará a la Comisión, al menos diez días antes de la audiencia, si Fast Flow Plumbing 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 54638, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia 26 de abril de 2024 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

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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. 2024-00045 FECHADO

VEINTISÉIS PÁGINAS A SEGUIR

## APÉNDICE B

### APÉNDICE DE UNA ORDEN DE LA COMISIÓN DE SERVICIOS PÚBLICOS DE KENTUCKY EN EL CASO No. 2024-00045 FECHADO

#### **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](mailto: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](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 estás conectado por VoIP si utilizas unos auriculares.

\*FAST FLOW PLUMBING, LLC  
390 Blue Sky Parkway  
Lexington, KENTUCKY 40509