

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SCOTT PARTIN)	
)	
_____)	CASE NO.
)	2025-00298
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 B.)

Scott Partin 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 October 23, 2025.

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 Scott Partin for violation of the following provision of the Act:

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

Based on its review of the Incident Report and being otherwise sufficiently advised, the Commission finds prima facie evidence that Scott Partin 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. Scott Partin 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. Scott Partin shall appear on October 23, 2025, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at 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 October 23, 2025 hearing shall be conducted via video conferencing.

4. Scott Partin shall attend the hearing by using the following link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjA4ZWYxZjAtMDI3MC00ZTA3LTkwODMtOTI1MWRhYWFlmMjE1%40thread.v2/0?context=%7b%22Tid%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22Oid%22%3a%220a598c1f-a179-47d5-a86f-480337c1709c%22%7d

5. Scott Partin shall notify the Commission at least ten days prior to the hearing if Scott Partin 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 55288, attached to this Order as Appendix A, is made a part of the record in this case.

9. The October 23, 2025 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



Commissioner



Commissioner

ATTEST:


Executive Director



APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00298 DATED SEP 12 2025

TWENTY-FIVE PAGES TO FOLLOW



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
psc.ky.gov

Angie Hatton
Chair

Mary Pat Regan
Commissioner

John Will Stacy
Commissioner

September 16, 2024

Scott Partin
735 N. KY 830
Corbin, KY 40701

Re: Violation of Kentucky Underground Facility Damage Prevention
Act Incident Number: **55288**

LEGAL NOTICE OF GAS LINE DAMAGE

Dear Mr. Partin:

The Kentucky Public Service Commission (Commission) received the attached report on December 5, 2022, regarding damage by Scott Partin to a natural gas facility owned and/or operated by Delta Natural Gas Company, Inc. The Gas Excavation Damage Report (Damage Report) from Delta Natural Gas Company, Inc. indicates that on **November 14, 2022**, Mr. Partin violated the Underground Facilities Damage Prevention Act at 244 Hunting Hills Estate, Corbin, KY 40701 by **failing to contact the Kentucky Contact Center (811) prior to excavating**.

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.

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, 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.

Based upon the allegations contained in the Damage Report and the Commission's records of prior underground facility damage, Commission Staff has determined that:

1. This incident is the first incident of damage to an underground facility involving Mr. Partin within the past 365 days.
2. The statutory provision that Mr. Partin is alleged to have violated is:

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, unless a future start date is agreed upon as provided in KRS 367.4917(7), notify each affected operator's designated protection notification center of the excavator's intended work and work schedule.

3. The civil penalty for this alleged violation is \$1,250.00.

RESPONSE REQUIRED FOR RESOLUTION

There are three options you may choose from to resolve this violation. *Please select a method of resolution listed below:*

1. **Dispute the Alleged Violation:** Mr. Partin has the right to dispute the allegations made by Delta Natural Gas Company, Inc. If you have additional facts or evidence that you wish to provide to dispute the allegations made in the Damage Report, please contact Eric V. Tout, Division of Inspections at ericv.tout@ky.gov or 502-782-2622, prior to paying the civil penalty.
2. **Penalty Payment:** This incident may be resolved by Mr. Partin paying the full amount of the civil penalty listed above. *Payment of the penalty will not be considered an admission of willfully violating any provision of the Act.*

If Mr. Partin does not wish to dispute the alleged violation, Mr. Partin should submit payment, within 30 days of the date of this letter, in the amount of \$1,250.00.

3. **Training & Reduced Penalty:** If this letter indicates this is Mr. Partin's first alleged violation of the Act, Mr. Partin should register to attend a training course that if completed will **reduce the civil penalty amount due to \$250**. *Payment of the reduced penalty will not be considered an admission of willfully violating any provision of the Act.*

To register for the training course, go to <https://psc.ky.gov/classSignUp>. You will need your incident number: **55288** and assigned key: **12025** to register for the next available training date. Please understand that this training will be required as a contingency for the reduced penalty amount.

If the excavator would like to pay via electronic payment, please contact Andrea Wise at andrea.wise@ky.gov or (502) 782-2656 to have a digital invoice issued. If submitting payment by mail, please send a cashier's check or money order, made payable to **Kentucky State Treasurer**, to the address listed below:

**Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602**

Please include the Incident Number 55288 on the cashier's check or money order submitted for payment or any email request for invoice.

Checks made payable to any other payee besides the **Kentucky State Treasurer** or without the **Incident Number** cannot be processed and will be returned, thus delaying the resolution of this matter.



ADMINISTRATIVE PROCEEDING

If Mr. Partin does not, **within 30 days** of the date of this letter, pay the proposed civil penalty in full, or complete the course and pay the reduced penalty, or provide the Division of Inspections with additional information that relieves Mr. Partin of responsibility for the damage, the Commission will institute an administrative proceeding against Mr. Partin.

The Administrative Proceeding will include a formal hearing in front of the Commission, during which Mr. Partin will have the opportunity to present evidence, call witnesses, and cross examine witnesses called by the Division of Inspections. Failure to participate in these proceedings may result in a default judgement against Mr. Partin for the full amount of the proposed civil penalty. Pursuant to Kentucky law, **all business entities, including limited liability companies, must be represented at the administrative proceeding by legal counsel licensed to practice law in Kentucky.**

If you have questions regarding the Administrative Proceeding, please contact Jessica Norris-Canfield, the attorney representing the Division of Inspections, at 502-791-0493 or jnorriscanfield@ky.gov.

Sincerely,



Brandon S. Bruner
Director, Division of Inspections

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
psc.ky.gov

Angie Hatton
Chair

Mary Pat Regan
Commissioner

John Will Stacy
Commissioner

October 21, 2024

Scott Partin
735 N. KY 830
Corbin, KY 40701

Re: Violation of Kentucky Underground Facility Damage Prevention
Act Incident Number: **55288**

Past Due Notice

Dear Mr. Partin:

This is a reminder that your account is now past due. Attached is the Notice of Gas Line Damage and the Damage Report that was previously sent to you for the above Incident, which our records indicate as **UNRESOLVED**.

If Mr. Partin does not, **within 30 days** of the date of this letter, pay the proposed civil penalty of **\$1,250.00** in full, or complete the course and pay the reduced penalty of **\$250.00**, or provide the Division of Inspections with additional information that relieves Mr. Partin of responsibility for the damage, the Commission will institute an administrative proceeding against Mr. Partin. Please refer to the attached Notice of Gas Line Damage for instructions to schedule training and/or submit payment.

Once a referral to the Commission is made for the Administrative Hearing, 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 this penalty has already been paid, please contact Eric Tout, Division of Inspections, at ericv.tout@ky.gov or 502-782-2622.

Sincerely,

Brandon S. Bruner
Director, Division of Inspections

Attachment



PIPELINE DAMAGE INVESTIGATION REPORT

Investigation Information

Investigator Eric Tout **Incident ID** 55288 **Investigation** 12025
Incident Date 11/14/2022 2:30:00 PM **Report Submitted** 12/5/2022

Operator Information

Operator Delta Natural Gas Company, Inc.
Phone 859-744-6171 Ext. 1167 **Reported By** Robert Nellipowitz
Email rnellipowitz@deltagas.com

Incident Location 244 Hunting Hills Estate
Corbin KY 40701
County Whitley
Locate Ticket Number

Excavator Information

Excavator Scott Partin
Independent Contractor
Phone 606-304-2402
Address 735 N KY 830
Corbin KY 40701
Organization ID
Email
Locate Ticket Number

Damage Report (DR) Summary

Excavation Within 24" (Tolerance Zone)	Gas Or Hazardous Liquids		Type Of Equipment Used	Cost of Damage	Amount Billed
	Contained	Released			
No Call KY Contact Center (811)		Yes	Mechanized/Trencher	\$178.00	\$0.00

The Operator reports that the Excavator damaged a ¾-inch gas service with a trencher and failed to contact 811.

The DR is included as Attachment 1.

INVESTIGATION

On 09/30/24, the Operator, Delta's Robert Nellipowitz stated that the Excavator was not billed for this damage and Mr. Nellipowitz provided the following documents:

- Third Party Damage & Leak Reports: Outlined in the DR Summary & Attachment 1.
- Six Photographs: Depicting the incident location.

Delta's documents are included as Attachment 2.

On 10/22 & 24/24, attempts to contact Mr. Partin resulted in a voice message being left.

On 11/20/24, while reviewing voicemail, it was discovered, Mr. Partin on 10/29 & 31/24, left two voicemail responses to the two calls made on 10/22 & 24/24. A return call to Mr. Partin was made wherein a voice message was left.

VIOLATIONS¹

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

PIPELINE DAMAGE INVESTIGATION REPORT

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, unless a future start date is agreed upon as provided in KRS 367.4917(7), notify each affected operator's designated protection notification center of the excavator's intended work and work schedule.

of Offences Within 365 Days

(Including this incident)

Excavator	Last Offence Incident #	Last Offence Incident Date	Revert to 1st Offence Date (Last Offence Date +366 Days)
1 st	See above	11/14/22	11/15/23

Attachment 1

Gas Excavation Damage Report

Delta Natural Gas Company, Inc.

Submitted 12/5/2022 Incident ID: 55288

[Set back to Edit](#)

[Staff Edit](#)

[Print \(PDFForm.aspx?Rpt=GasInvestigation&IG=55288\)](#)

Reported By:

Name: Robert Nellipowitz
Phone: 859-744-6171 Ext. 1167
Email: rnellipowitz@deltagas.com

Gas Line Incident Occured:

Date: 11/14/2022
Time: 2:30 PM

Details:

Reported Date: 11/22/2022 3:56 PM

Incident Location Address:

Location: 244 Hunting Hills Estate
Address: 244 Hunting Hills Estate
City: Corbin
State: KY
County: Whitley
Zip: 40701
Confirm Code:

Number of Customers out:

**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.:

Type of equipment involved:

Select Detail

**Distance from the nearest communication
terminal:**

Feet Inches

Depth of damage from the surface:

Feet Inches

Excavator:

Contractor

Excavator Address:

First Name:

Scott

Last Name:

Partin

Organization ID:

Company:

Independent Contractor

Phone:

606-304-2402

Email:

Address:

735 N KY 830

City:

Corbin

State:

KY

Zip:

40701

Confirm Code:

Excavation Damage:

No notification made to the One Call Center

Description of Incident Mr. Scott Partin, independent contractor, was operating a trencher to install a buried electric service line when he inadvertently hit and completely severed an existing 3/4" plastic natural gas service line.

Summary Information

12/5/2022

Full details such as the cause	Mr. Scott Partin did not notify KY 811 or Delta Natural Gas Company, Inc. to request a line locate prior to the commencement of the trenching activities for the installation of a buried electric service line on the subject property. Therefore, he did not know the location of the existing 3/4" plastic natural gas service line which ultimately lead to Mr. Partin hitting and completely severing the line with the trencher thus resulting in the release of natural gas from the pipeline and the loss of natural gas service to one (1) customer.
Extent of the damage	There were no injuries or property damage as a result of the event. Delta employees replaced 3' of 3/4" plastic natural gas service line and installed two (2) 3/4" electrofusion couplings in order to reconnect the service line and return it to normal operation before restoring service to the residence.
Cost of the damage	\$178.00
Steps taken to prevent re-occurrence	Mr. Partin was informed about the KY 811 dig law practices and that by law, KY 811 must be contacted to request a line location at least two (2) full working days prior to the commencement of any excavation activities in order to have the existing natural gas lines accurately located and marked and thus avoid any excavation damage to the natural gas facilities.
Amount billed to excavator	\$0.00

Attachment 2

From: [Nellipowitz, Robert P](#)
To: [Tout, Eric V \(PSC\)](#)
Subject: RE: [EXTERNAL] 55288, 11/14/2022, 244 Hunting Hills Estate, Corbin, Scott Partin
Date: Monday, September 30, 2024 8:17:37 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[Incident 55288 20221114 244 Hunting Hills Estate Corbin - Scott Partin.pdf](#)

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

This Message Originated from Outside the Organization

This Message Is From an External Sender.

[Report Suspicious](#)

Eric,

I have attached to this email the information that Delta has for this incident. We chose not to bill for this damage.

Please let me know if you have any questions or concerns.

Thanks,

Robert Nellipowitz

State Engineer



Delta Natural Gas Company, Inc.

3617 Lexington Road

Winchester, Kentucky 40391

Email: rnellipowitz@deltagas.com

Office: 859-737-8820

Mobile: 859-338-8384

www.deltagas.com



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

Sent: Monday, September 30, 2024 7:31 AM

To: Nellipowitz, Robert P <rnellipowitz@deltagas.com>

Subject: [EXTERNAL] 55288, 11/14/2022, 244 Hunting Hills Estate, Corbin, Scott Partin

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This Message Is From an External Sender

This message came from outside your organization.

Hello Robert,

Please send reports, 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*

This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged or confidential. It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via email, so that our address record can be corrected.

THIRD PARTY DAMAGE REPORT

Date of Damage: 11 14 20 22 Time of Damage: 02 30 ☐ AM ☒ PM
M M / D D / Y Y Y Y 0 0 : 0 0

Address/Location of Damage: 244 Hunting Hill Premise #61331207
Beside concrete drive way close to gate

City: Corbin County: Whitley

Excavator Type: ☐ Home Owner
☒ Contractor
☐ Utility
☐ State Agency
☐ Municipality

Excavator Name: SCOTT PARTIN Phone Number: 606-304-2402

Company Name (if applicable): _____

Address: 735 N Ky 830 E-mail Address: _____

City: Corbin State: Ky Zip: 40701

Company Contact: 304-2402 Company Phone Number: _____

Did Excavator Call 811? ☐ Yes ☒ No Did Excavator Contact Delta Directly? ☐ Yes ☒ No

811 Ticket Number: _____ Delta Ticket Number: N/A

Attach a copy of the 811 Locate Request and a copy of Delta's Locate Request, if applicable

Details, Excavation Equipment Used and Cause of Damage: Contractor using Trencher

Putting in Electric Didn't Hand Dig crossing 3/4"
PE Service Line. Homeowner had called 811 in September
when he was planting shrubs. Locate marks still on driveway
but not where gas line ran into garage area.

Extent of Injuries and Property Damage: NO INJURIES ONLY DAMAGE

was 3/4" PE Service

Steps Taken to Prevent Reoccurrence: advised Contractor To call 811

OR Delta Directly

- Reason for Damage:
- ☐ One-Call Notification Practices Not Sufficient
 - ☐ Facility Marking or Location Not Sufficient
 - ☐ Other Insufficient Excavation Practices
 - ☒ No Notification Made to One-Call Center
 - ☐ Wrong Information Provided to One-Call Center
 - ☐ Facility Could Not Be Found or Located
 - ☐ Facility Was Not Located or Marked
 - ☐ Incorrect Facility Maps
 - ☒ Failure to Maintain Marks
 - ☐ Failure to Support Exposed Facilities
 - ☒ Failure to Use Hand Tools Where Required
 - ☐ Failure to Test-Hole (Pot-Hole)
 - ☐ Improper Backfilling Practices
 - ☐ Failure to Maintain Clearance
 - ☐ One-Call Center Error
 - ☐ Abandoned Facility
 - ☐ Deteriorated Facility
 - ☐ Previous Damage
 - ☐ Data Not Collected
 - ☐ Other (Explain): _____

360 56.144
0840 8.48.703

No Ticket

Damaged Pipeline: ☐ Punctured ☒ Completely Severed Leak Report Number: 11-4435

Pipe Size: 3 1/4" Pipe Type: ☒ Plastic ☐ Steel Map Sheet Number: 862-110

Facility Type: ☐ Transmission ☐ Distribution ☒ Service Line ☐ Main

If service line, was an excess flow valve installed on the line? ☐ Yes ☒ No

Operating Pressure at Time of Damage: 48 PSIG Type Feed: ☒ One-Way ☐ Two-Way

Duration from time of notification until flow stopped (not necessarily repaired): 30 min

Total Labor Required to Make Repairs: 2.0 Hours 1 hr - Joe Schell

Materials Used to Make Repairs: 3' 3/4" pipe 2 - 3/4" Electric Fusion

Couplings

Do you want to bill for this incident? ☐ Yes ☒ No

Garry Inman
District Manager

11-14-22
Date



LEAK REPORT

White/System/LOS
Yellow/Central/NR
Pink/Pending/Until Repaired

☐ Upgrading
Copy/Work Order File/LOS

Date Discovered: 11-14-22 Resurvey Date(s): 11-15-22 09% LEL Joe Schell
Leak Class: ☒ 1 ☐ 2 ☐ 3 Facility Classification: ☐ Distribution Main ☐ Gathering Line
☒ Service Line ☐ Transmission Line
Submitted By: Joe Schell ☐ Meter Installation ☐ Regulator Station
Leak Location: 1105-8620 p.m. #61331207 244 Hunting Hill
Map Sheet Number: 862-110 GPS Latitude: 36° 56.031'
VIP Pipeline Designation: _____ Longitude: 84° 8.48' 84° 8.819'
How Discovered: ☐ Leak Survey ☐ Patrol ☒ Other - Explain: Called in by customer

Date Repaired: 11-14-22 Repaired By: Joe Schell, GARY INMAN

Cause of Leak: **Corrosion**
☐ Atmospheric
☐ External
☐ Internal
(Send Pipe Sample to Manager-Technical Services)
Incorrect Operations
☐ Human Error
☐ Ineffective Procedures
Other Outside Force
☐ External Loading
☐ Fire/Explosion
☐ Vandalism
☐ Vehicle
☐ Other - Explain: _____
Natural Forces
☐ Earthquake
☐ Earth/Rock Movement
☐ Flood
☐ Frost Heave
☐ Landslide
☐ Lightning
☐ Subsidence
☐ Tornado
☐ Washout
☐ Other
Equipment
☐ Excess Flow Valve
☐ Filter
☐ Flow/Pressure Controller
☐ Heater
☐ Meter Casing
☐ Odorizer
☐ Regulator/Relief Valve
☐ Thread
☐ Valve
☐ Other - Explain: _____
Material and Welds
☐ Directional Fitting
☐ Flange
☐ Mechanical Fitting
☐ Pipe
☐ Plastic Fusion Coupling
☐ Plastic to Plastic
Compression Coupling
☐ Plastic to Steel Transition
☐ Screw Fitting
☐ Tap Tee
☐ Workmanship Defect
☐ Other - Explain: _____

☐ **Brittleness - Crack/Split** (Send Pipe Sample to Manager-Construction)
☒ **Excavation** Name of Excavator: SCOTT PARTIN
Result of Previous Damage: ☐ Yes ☒ No
☐ **Other - Explain:** _____

Pipe Size: 3/4" Pipe Condition: ☒ Good ☐ Fair ☐ Poor
Pipe Type: Plastic: ☐ Aldyl A ☐ Plexco ☒ PE 2406 ☐ Other Steel: ☐ Threaded ☐ Welded
Cathodically Protected: ☐ Yes ☒ No Cathodic Protection P/S Reading: N/A
Type of Coating: ☐ Bare ☐ Millwrap ☐ Plastic X-Tru Coat ☐ Thin Film
(Steel Only) ☐ Other - Explain: _____
Coating Condition: ☐ Satisfactory ☐ Unsatisfactory Year Pipe Installed: 1995
Steel Pipe Condition Report Number: N/A Original Work Order Number: 511-5607
Repair Method: ☒ Replaced ☐ Leak Clamp ☐ Other - Explain: _____
Test Method: ☐ Leak (Fittings) ☐ Pressure 90 Psig 15 min Duration
(Reinstated Service Lines Only)

11- 4435

Approved By: Bobby Bayo



Kentucky 811

Ticket no	2209192337	Type	NORMAL CALL
Request date	09/19/22 04:32 pm		
Start date	09/22/22 12:01 am		
Expiration date	10/10/22 11:59 pm		
Excavator information			
Excavator name	GEORGE DAVENPORT		
Address	244 HUNTING HILL ESTATES CORBIN, KY 40701		
Company phone	606-269-3075		
Requested by	GEORGE DAVENPORT	Phone	606-269-3075
On-site name	GEORGE DAVENPORT - CELL	On-site phone	606-269-3075
Contact email	MCNABBB@ATT.NET		

Excavation information

Type of work	PLANTING SHURBS		
Depth (ft)	2	Explosives	N
Area marked	U		
Job name/number			
Work done for	THE DAVENPORT'S		
Location information			
County	WHITLEY	City	CORBIN
Address/street	244 HUNTING HILLS EST		
Nearest intersecting street	HUNTING HILLS RD		
Location of work	LOCATE A 50 FT RADIUS OF THE BRICK COLUMNS ON THE RIGHT SIDE OF THE DRIVEWAY		
Comments	PLEASE DO NOT MARK ON HARD SURFACES- RING DOOR BELL		
Map Coord			
NW Lat 36.9349572	Lon -84.1491244	SE Lat 36.9324116	Lon -84.1459214

Members notified

Company name	District	Type	Status
AT&T DISTRIBUTION	0139	COMMUNICATIONS	No Conflict (ATT)
DELTA NATURAL GAS COMPANY	0284	PIPELINE	Marked - Underground facilities are in conflict
TIME WARNER CABLE	0381	COMMUNICATIONS	No Conflict (2022/09/21 14:55 NO LINES ON RIGHT SIDE OF DRIVE)
CUMBERLAND VALLEY ELECTRIC	0623	E	Not yet responded
CITY UTIL COMMISSION OF CORBIN	0735	S.W.E	No Conflict

Jowayne Schell

From: Jowayne Schell
Sent: Tuesday, November 15, 2022 9:50 AM
To: Jowayne Schell
Subject: H



Sent from my iPhone

Jowayne Schell

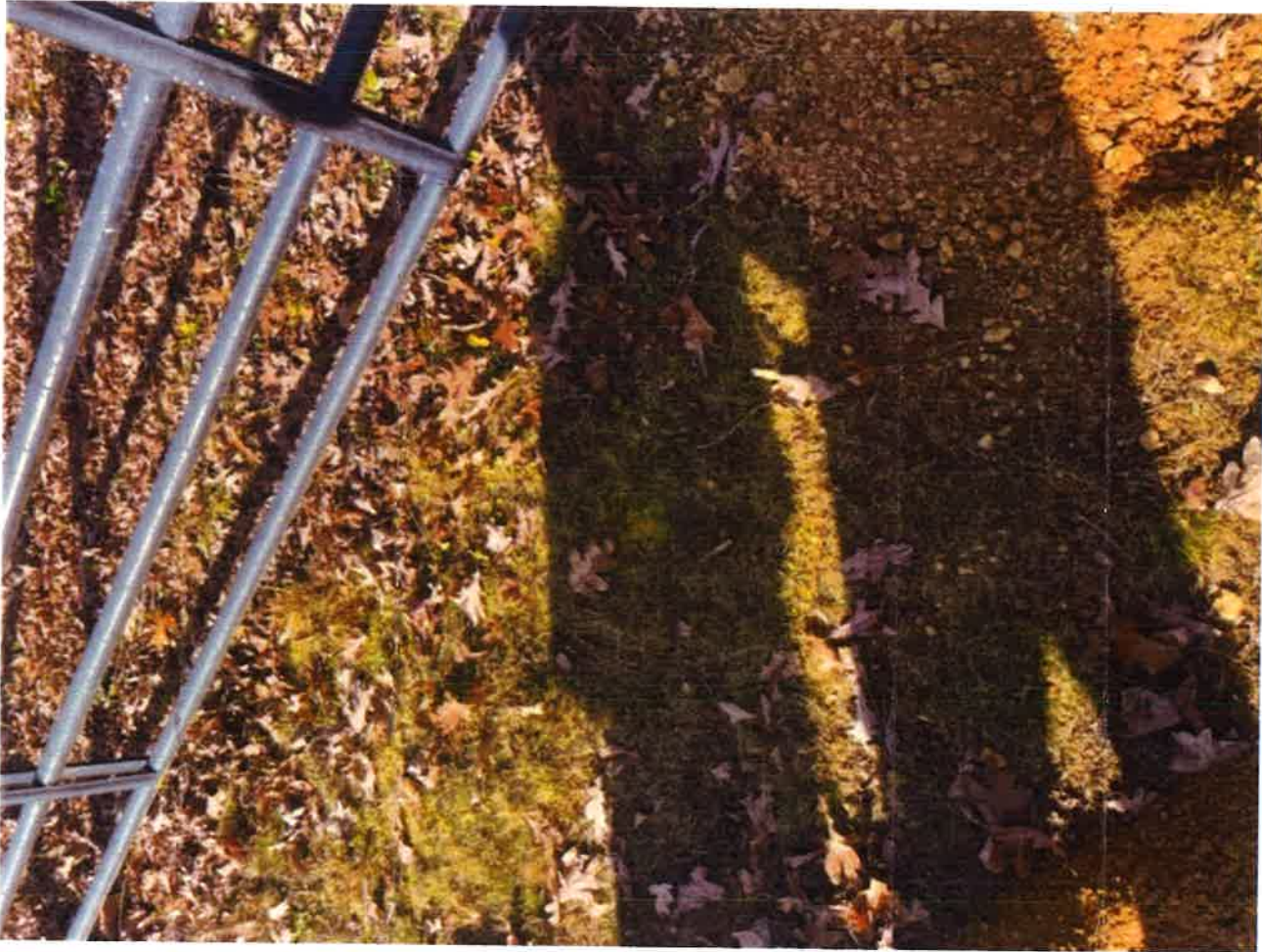
From: Jowayne Schell
Sent: Tuesday, November 15, 2022 9:50 AM
To: Jowayne Schell
Subject: Hey



Sent from my iPhone

Jowayne Schell

From: Jowayne Schell
Sent: Tuesday, November 15, 2022 9:52 AM
To: Jowayne Schell
Subject: Hey



Sent from my iPhone

Jowayne Schell

From: Jowayne Schell
Sent: Tuesday, November 15, 2022 9:50 AM
To: Jowayne Schell
Subject: Hey



Sent from my iPhone

Jowayne Schell

From: Jowayne Schell
Sent: Tuesday, November 15, 2022 9:52 AM
To: Jowayne Schell
Subject: Hey



Sent from my iPhone

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Sent: Tuesday, November 15, 2022 9:52 AM
To: Jowayne Schell
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Sent from my iPhone

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00298 DATED SEP 12 2025

SIX PAGES TO FOLLOW

ESTADO DE KENTUCKY
ANTE LA COMISIÓN DE SERVICIOS PÚBLICOS

Concerniente:

SCOTT PARTIN)	
)	
_____)	CASO NO.
)	2025-00298
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

Scott Partin 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 23 de octubre 2025.

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

¹ 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 Scott Partin 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.

Basándose en su revisión del Informe de Incidentes y estando suficientemente informada, la Comisión encuentra pruebas prima facie de que Scott Partin 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. Scott Partin 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. Scott Partin comparecerá el 23 de octubre 2025, a las 9 a.m. Hora 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 23 de octubre 2025 se llevará a cabo por videoconferencia.

4. Scott Partin deberá asistir a la audiencia utilizando el siguiente enlace:

https://teams.microsoft.com/join/19%3ameeting_NjA4ZWYxZjAtMDI3MC00ZTA3LTkwODMtOTI1MWRhYWFMmJE1%40thread.v2/0?context=%7b%22Tid%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22Oid%22%3a%220a598c1f-a179-47d5-a86f-480337c1709c%22%7d

5. Scott Partin notificará a la Comisión, al menos diez días antes de la audiencia, si Scott Partin 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 55288, que se adjunta a esta Orden como Apéndice A, forma parte del expediente de este caso.

9. La audiencia 23 de octubre 2025 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

Comisionado/a

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. 2025-00298 FECHADO

VEINTICINCO PÁGINAS A SEGUIR

Scott Partin
735 N KY 830
Corbin, KY 40701