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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Case No. 2026-00190

CHERYL ROLAND, Complainant

v.

OWEN ELECTRIC COOPERATIVE, INC., Defendant

COMPLAINANT'S SUPPLEMENTAL DISCOVERY FILING
AND PROPERTY DAMAGE NOTICE

Comes now the Complainant, Cheryl Roland, acting *pro se*, and respectively submits this **Supplemental Discovery Filing / Property Damage Notice** exposing critical evidence of ongoing, severe property damage, unauthorized land alterations, and infrastructure risks caused by reckless machinery use and mismatched methods by Owen Electric Cooperative, Inc.'s contractor Asplundh Tree Experts, while clearing vegetation under their transmission lines on Complainant's property located at 5785 Lawrenceville Road, Williamstown, Kentucky, on August 11, 2026, which demonstrates poor contractor management practices and negligence.

This filing provides **specific detailed descriptions of the resulting property damage along with photographic evidence** demonstrating that Defendant, Owen Electric Cooperative, Inc., through their contractor, Asplundh Tree Experts, has violated their **non-delegable "duty of care"**, **"failed to maintain right-of-way standards"** and **"provide reasonable service" under KRS 278.030(2) and 807 KAR 5:006**, has **exceeded the scope of their right-of-way under 807 KAR 5:006**, has violated **KRS 151.250 (Steam Obstruction)** and **KRS 367.4911 (Breach of Safe Excavation and Operation Standards)** by not using extra caution near underground waterlines, as well as **(Risk of Infrastructure Damage)** and **(Interference with Farming Operations)**.

The utility's contractor inflicted structural and environmental destruction on Complainant's property completely unnecessary to safe line clearing by (1) scattering wood debris which

dammed a natural waterway and threatened or flooded a neighbor's water meter, (2) littering an active hayfield with wood stringers and debris capable of injuring/killing livestock consuming the forage and severely damaging farming equipment, (3) compromising the integrity of Complainant's fresh water supply by driving heavy industrial forestry equipment over the two most critical areas of this infrastructure, one of those areas completely outside their utility right-of-way, (4) crushing and displacing huge, critical rock armor along the banks that helped reduce erosion, and (5) leaving large areas of the bank bare and subject to severe erosion.

I. Overview of Reckless Machinery Use and Mismatched Methods

The core of this dispute stems from the utility's contractor introducing heavy industrial forestry equipment and using destructive forestry clearing methods within what is presently a residential and managed agricultural zone. Standard, reasonable utility practice in a residential area dictates that contractors utilize wood-chipping equipment to process clearing debris into neat mulch piles for the landowner or haul it away entirely.

Instead, the contractor utilized reckless forestry methods—failing to bring in proper chipping equipment—and chose to scatter heavy, unprocessed wood waste across active agricultural and managed residential zones. In the process, the contractor left a trail of land and environmental destruction. This mismatched operational approach has resulted in severe property damage and a massive labor burden for the Complainant. Complainant explicitly requests that Owen Electric and its contractors be restricted from entering the property for repair work due to a total loss of trust. Instead, Complainant demands documented long-term liability agreements and cash restitution for independent property restoration or agreed upon private contractor.

II. Specific Itemization of Unresolved Damage and Liabilities

1. Stream Bank Destruction and Accelerated Erosion Hazard

- **The Incident:** Operating heavy forestry machinery carelessly along the creek bank, contractors crushed existing large rock formations and knocked critical boulder armor down near the creek bed downhill from the residence and at the far branch.
- **The Impact:** These large rocks served as vital structural armor protecting the creek bank from heavy water flow and erosion.
- **The Damage:** By destroying and displacing this natural rock armor, the utility has left the stream bank unprotected. The bank and surrounding area are highly vulnerable to washing out which threatens the stability of the surrounding land and property access.

2. Unverified Subsurface Waterline Damage within Stream Bed (First Crossing)

- **The Incident:** Contractors drove heavy forestry equipment directly through the stream bed below the residence, crossing over Complainant's private residential waterline encased in a protective PVC pipe sleeve and concrete encasement.
- **The Current Status:** Due to the extreme weight of the machinery, the external concrete casing has been compromised. The full extent of internal damage to the waterline itself is currently unknown and may not manifest as a visible leak or pressure drop for months or years.
- **The Complainant's Position:** Complainant explicitly objects to any immediate excavation or digging of this line by the utility, as further intrusive work poses an additional risk to the residential infrastructure.

3. High-Risk Waterline and Meter Crossing at Cliffside Stream (Second Crossing)

- **The Incident:** Contractors drove heavy machinery down and/or up a steep embankment at cliffside—completely outside the utility right-of-way—at a second stream location to cross the private waterline corridor. This heavy equipment was operated immediately adjacent to the residential water meter.
- **The Risk Area:** The residential water meter sits on a steep, structurally sensitive cliffside bank.
- **The Damage and Risk:** This action has compromised the stability of the cliffside soil, risking severe erosion around the meter base, and has subjected the subsurface waterline connection to extreme weight and vibration.
- **The Complainant's Position:** As with the first crossing, Complainant explicitly objects to any immediate excavation or digging in this sensitive cliffside area by Owen Electric or its contractors.

4. Unauthorized Modification of Natural Waterways & Third-Party Liability

- **The Incident:** Contractors deposited clearing debris, dirt, and logs directly into the far branch, well within the easement corridor.
- **The Impact:** This debris effectively created an artificial dam across a natural waterway.
- **The Damage:** The artificial dam caused significant storm water to back up directly across the property upstream. This artificial backup directly threatened, or actually flooded, an upstream neighbor's water meter.
- **The Liability:** Because this flooding was caused entirely by the negligent actions of the utility's contractor, any current or future property damage claims, lawsuits, or

replacement costs brought by the neighbor regarding their flooded water meter are the sole legal and financial responsibility of Owen Electric Cooperative, Inc.

5. Agricultural Field Contamination and Land Disruption

- **The Incident:** Contractors left heavy, unchipped forestry debris scattered across several areas of Complainant's active agricultural hayfield.
- **The Impact:** The debris includes wood stringers, tree limbs and sharp forestry material that pose an immediate hazard to farming implements and property access.
- **The Damage:** Portions of the hayfield cannot be safely harvested or mowed as is. Complainant is forced to perform immediate manual, intensive labor to clear the field.

6. Interference with Residential Yard Restoration and Increased Labor Burden

- **The Incident:** Contractors threw and left unchipped wood debris scattered across a residential area directly adjacent to the Complainant's yard fence.
- **The Impact:** Complainant was actively preparing to restore this specific zone, which had grown over primarily with weeds after previously being restricted by a neighbor.
- **The Damage:** Because the contractor dumped heavy wood waste over the area instead of chipping it, a weed-cutting project has been turned into a heavy cleanup job. This requires intense physical effort and unfairly takes hours of labor time away from regular property maintenance.

III. Formal Requests and Demands for Remedy

Complainant requests that the Kentucky Public Service Commission compel Owen Electric Cooperative to address the following remedies immediately:

1. **Long-Term Liability Agreement for Waterlines:** The utility must accept formal, documented, long-term liability for both stream crossings (the creek bed below the house and the cliffside meter bank). If any soil collapse, meter instability, waterline failure, or leak occurs at either location in the future, Owen Electric must cover the full cost of independent, third-party repairs. No immediate utility excavation is permitted.
2. **Full Legal Indemnification and Hold-Harmless Demand:** Owen Electric Cooperative must formally agree in writing to fully indemnify, defend, and hold harmless the Complainant against any and all claims, liabilities, losses, damages, or lawsuits brought by the upstream neighbor regarding their flooded water meter. If the neighbor files a claim, Owen Electric must assume the defense and cover 100% of all costs.

3. **Hayfield and Fence Line Restoration:** Provide financial compensation or agreed upon private contractor to immediately and fully clear all unchipped wood stringers and forestry debris from both the agricultural hayfield and the yard fence restoration area to return the land to a safe, usable state.

IV. Request for Relief

Wherefore, Complainant, in addition to the above, also requests that the Commission:

1. As previously, order Owen Electric to immediately remove the two poles and three guy wires from the restricted 40-foot ingress/egress corridor;
2. Order Owen Electric to restore the corridor to its original condition;
3. Find that Owen Electric violated 807 KAR 5:006, KRS 278.030(2), KRS 151.250, and KRS 367.4911 by failing their regulatory duty of contractor oversight to ensure utility work is performed safely without endangering the public or damaging private infrastructure;
4. Levy civil penalties against Owen Electric for their failure of contractor oversight; and
5. Grant any other relief to which the Complainant may be entitled.

Dated: August 31, 2026

Respectfully submitted,

/s/ Cheryl D. Roland

Cheryl D. Roland, *Pro se* Complainant

5785 Lawrenceville Rd

Williamstown, KY 41097

[REDACTED]
[REDACTED]

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Complainant's Supplemental Discovery Filing / Property Damage Notice and accompanying Exhibit A was emailed to the Kentucky Public Service Commission at PSCED@ky.gov and served via electronic mail and first-class U.S. Mail, postage prepaid, on this 31st day of August, 2026, upon the following:

Hon. Jake A. Thompson
Hon. James M. Crawford
CRAWFORD & BAXTER, P.S.C.
JThompson@cbkylaw.com
JCrawford@cbkylaw.com
523 Highland Avenue
P. O. Box 353
Carrollton, KY 41008
Counsel for Owen Electric Cooperative, Inc.

Respectfully submitted,

/s/ Cheryl D. Roland

Cheryl D. Roland, *Pro se* Complainant

Date: August 31, 2026

ATTACHED EXHIBIT:

Exhibit A: PHYSICAL EVIDENCE--Photographic Evidence of Property Damage by Asplundh Tree Experts on Complainant's Property on August 11, 2026

Exhibit A: PHYSICAL EVIDENCE
Photographic Evidence of Property Damage



Unverified compromised waterline below residence where heavy forestry equipment went thru this stream over Complainant's residential waterline in PVC sleeve and concrete encasement

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



Heavy forestry equipment went down and/or up this steep embankment at cliffside, which lies completely outside Owen Electric Cooperative, Inc.'s utility right-of-way, compromising Complainant's waterline connection at the meter sitting approximately 4 ft directly to the left.

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



Arrow points to Complainant's water meter lid at cliffside, which lies completely outside Owen Electric Cooperative, Inc.'s right-of-way.

Heavy forestry equipment tracks are visible to the right.

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



The equipment was heavy enough to smash this massive rock

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



Displaced rock armor and, upper left, at a gouged-out stream bank

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



Unauthorized stream modification contributing to storm water backup and flooding of neighbor's yard threatening or flooding his water meter

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



This is the area of the neighbor's yard which flooded as a result of storm water backed up from the artificial dam created from forestry debris and unauthorized stream modification and which threatened or flooded his water meter.

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



Sample of wood stringers and forestry debris deposited in agricultural hayfield within Owen Electric's valid, legal and longstanding utility right-of-way on Complainant's property after contractor returned to fix with the same equipment that caused this.

Exhibit A: PHYSICAL EVIDENCE

Photographic Evidence of Property Damage (cont'd)



Forestry debris outside yard fence at residence