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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of August 11, 2022***2021-00084**

RECEIVED: 03/01/21

FILED: 03/01/21

FINAL:

REOPENED:

SUSPENSION DATE:

CASE NATURE: Spriggs Construction LLC

**CASE CODE**

Damage Prevention

**HEARINGS:**

10/29/21 Formal Hearing

08/19/21 Formal Hearing

**INDEX OF EVENTS:**

01/14/22 Notice of Filing Staff Brief

11/10/21 Notice of Filing Hearing Documents

11/03/21 Order Entered: 1. The Commission's Division of Inspections shall file a brief in this matter no later than January 15, 2022. 2. The brief shall address whether it is permissible under the Underground Facility Damage Prevention Act for an excavator to be liable for the enhanced penalties in KRS 367.4917(1) for multiple violations of KRS 367.4911 prior to a determination that the excavator initially violated KRS 367.4911.

09/15/21 Notice of Filing Hearing Documents

09/03/21 Order Entered: 1. The hearing in this case is hereby continued and reassigned for hearing on October 29, 2021, at 9 a.m. Eastern Daylight Time in the Richard Raff Hearing Room of the offices of the Public Service Commission located at 211 Sower Boulevard, Frankfort, Kentucky. 2. The October 29, 2021 hearing shall be conducted via video conferencing. 3. If Spriggs Construction intends to present a defense and advocate its position before the Commission, Spriggs Construction must be represented by an attorney licensed or otherwise authorized to practice law within the state of Kentucky. 4. Spriggs Construction shall attend the hearing by using the following link: <https://global.gotomeeting.com/join/308551245>; information and instructions are attached to this Order in an Appendix.07/20/21 5. Spriggs Construction shall notify the Commission at least ten days prior to the hearing if Spriggs Construction is unable to appear by video conferencing and will therefore appear in person. 6. Any case related documents shall be filed with the Commission by electronic mail at [PSCED@ky.gov](mailto:PSCED@ky.gov). Order Entered: 1. Spriggs Construction LLC shall appear on August 19, 2021, 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 violations of the Underground Facility Damage Prevention Act. 2. The August 19, 2021 hearing shall be conducted via video conferencing. 3. Spriggs Construction LLC shall attend the hearing by using the following link: <https://global.gotomeeting.com/join/308551245>; information and instructions are attached to this Order in an Appendix. 4. Spriggs Construction LLC shall notify the Commission at least ten days prior to the hearing if Spriggs Construction LLC is unable to appear by video conferencing and will therefore appear in person. 5. 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 the Commission and appearances at hearings before the Commission. 6. The August 19, 2021 hearing shall be recorded by video only.

06/25/21 Notice of Filing Evidence of Service

03/01/21 Order Entered: 1. Spriggs Construction 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. 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. 3. The Staff Incident Report 31694 in the Appendix to this Order is made a part of the record in this case. 4. Please note that notice of a hearing to be held in this matter will be mailed to Spriggs Construction once proof of service is received by the Commission. Parties who fail to appear after service will be subject to entry of a default judgment against them.