

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Investigation of Kansas)
Gas Service, A Division of ONE Gas) Docket No. 20-DPAX-080-PEN

JOINT MOTION TO CLOSE DOCKET

Kansas Gas Service, a division of ONE Gas, Inc. (“Kansas Gas Service”) and Kansas Corporation Commission Staff (“Staff” collectively “the Parties”) hereby moves the Commission for an order approving KGS’s response to the penalty assessment previously requested by Staff and for approval of the closure of this docket (hereafter, “Motion”). In support of this Motion, the Parties states as follows:

1. Kansas Gas Service is a natural gas public utility operating in the state of Kansas pursuant to certificates of convenience and necessity issued by the Commission. Its principal place of business in the state of Kansas is located at 7421 West 129th Street, Overland Park, Kansas 66213.

2. On August 12, 2019, Staff submitted to the Commission a Report and Recommendation (“Report”) wherein Staff recommended the Commission issue a civil penalty against Kansas Gas Service for violations of the Kansas Underground Utility Damage Prevention Act (“KUUDPA”). Staff recommended the Commission find that Kansas Gas Service be assessed \$14,000 in penalties for a total of 14 alleged violations of KUUDPA.¹ Additionally, Staff noted that its recommendation included enhanced penalties for each incident complained of on the grounds that each violation represented a repeated issue.²

3. On August 29, 2019, the Commission issued a Penalty Order (“Order”)

¹ Report and Recommendation of Utilities Division, Executive Summary at page 1,

² *Id.*

initiating this docket. In its Order, the Commission stated that a civil penalty was warranted due to violation(s) of the Kansas Underground Utility Damage Prevention Act.

4. On September 17, 2019, Kansas Gas Service filed an “*Unopposed Motion to Extend the Time for filing and Payment*” (hereafter, “Motion”) seeking additional time to address the important issues raised by Staff in its Report which are also the subject of the Commission’s Order, and to engage in further discussions with Staff regarding the Company’s damage prevention program. On October 10, 2019, the Commission issued its *Order Approving Extension for Filing and Payment*, approving the extension as sought in the Motion.

5. On November 14, 2019, the Parties met, and Kansas Gas Service formally presented to Staff, the specifics of the Company’s line locating and damage prevention program. The information presented included the following:

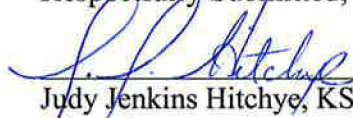
- i. A historical review of the number of the locate requests received by Kansas Gas Service, which included a review of any associated excavator damages and a break down of the known causes of those damages;
- ii. A high-level review of the goals and strategies of the Company’s System Integrity team, the Resource Management department, and Field Operations as it directly relates to line locating and damage prevention;
- iii. A review and discussion of the Company’s damage prevention initiatives. These initiatives included:
 - a. Contractor’s addition of Central Dispatch Ticket Monitoring Staff;
 - b. Steps to assist Contractor’s retention of its workforce;
 - c. Ongoing Contractor Engagement Efforts;
 - d. System enhancements for the collection and processing of data related to rescheduled locate tickets;
 - e. The dedication of additional field resources to audit and address mis-locates and line hit responses; and,
 - f. Consideration of legislative amendments designed to improve upon the current KUUDPA and ONE Call rules.

At the conclusion of the meeting, Staff confirmed that it found the Company's ongoing and newly initiated efforts to prevent excavator damage to its systems, as a reasonable approach to reduce repeated KUUPDA violations. Staff and Kansas Gas Service agreed to take positive steps toward efforts to meet on a more frequent basis in the future to share information related to the Company's damage prevention program. Additionally, Kansas Gas Service continues to agree to submit payment of the civil assessment as ordered in the initial Penalty Assessment.

6. Based on the successful conclusion of the discussions between the parties, the Parties now respectfully request the Commission to accept this joint recommendation to close this docket.

WHEREFORE, Kansas Gas Service and the Staff of the Kansas Corporation Commission hereby prays for an order to close this docket.

Respectfully Submitted,



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VERIFICATION

STATE OF KANSAS)
)
COUNTY OF JOHNSON)

I, Judy Jenkins Hitchye, of lawful age, being first duly sworn upon oath, states as follows: I am a Managing Attorney for Kansas Gas Service, a Division of ONE Gas, Inc. I have read the above *Joint Motion to Close Docket* and all the statements therein are true to the best of my knowledge, information and belief.



Judy Jenkins Hitchye

Affiant

SUBSCRIBED AND SWORN to before me on 11/22/19.


Notary public

My Appointment Expires:

06/05/22



CERTIFICATE OF SERVICE

I, Judy Jenkins Hitchye, hereby certify that a copy of the above and foregoing *Joint Motion to Close Docket* was forwarded this 22nd day of November 2019, addressed to:

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