

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

In the Matter of Staff's Recommendation for)
Kansas Gas Service, a Division of ONE Gas,)
Inc. to Show Cause Why the Commission) Docket No. 21-KGSG-398-SHO
Should Not Impose Penalties for Violation of)
Natural Gas Pipeline Safety Regulations.)

NOTICE OF FILING OF STAFF'S REPORT AND RECOMMENDATION

COMES NOW, the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), and files its Report and Recommendation regarding the Show Cause Order as to Why the Commission Should Not Impose Penalties for Violation of Natural Gas Pipeline Safety Regulations.

Staff hereby files the attached Report and Recommendation dated April 5, 2022. Staff reviewed the details of KGS' training, evaluation, and quality assurance program with respect to utility locating practices. Based on its review, Staff concludes KGS' qualification program is sufficient for ensuring properly trained personnel perform utility locates. Additionally, Staff recommends that penalties for violations of KUUDPA that occurred during CY2021 be combined with penalties in the above named docket.

WHEREFORE, Staff submits its Report and Recommendation for Commission review and consideration and for such other relief as the Commission deems just and reasonable.

Respectfully submitted,

/s/ Jared R. Jevons

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REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Dwight D. Keen, Chair
Susan K. Duffy, Commissioner
Andrew J. French, Commissioner

FROM: Leo Haynos, Chief Engineer
Jeff McClanahan, Director of Utilities

DATE: April 5, 2022

SUBJECT: Recommendation to Combine CY2021 Proposed Penalties in Docket No. 21-KGSG-398-SHO: In the Matter of Staff's Recommendation for Kansas Gas Service, a Division of ONE Gas, Inc., to Show Cause Why the Commission should not Impose Penalties for Violation of Natural Gas Pipeline Safety Regulations.

EXECUTIVE SUMMARY:

On April 22, 2021, the Commission opened the above captioned Show Cause Docket 21-KGSG-398-SHO (21-398 Docket). In that Order (21-398 Order), the Commission ordered Kansas Gas Service (KGS) to show cause as to the following:

- why it should not be required to perform an assessment of its locator training program and to modify its O&M procedures to incorporate its damage prevention improvement plan regarding evaluation of contractor performance; and
- why it should not be assessed a civil penalty in the amount of \$90,000 for failure to follow its O&M procedures related to 54 instances of not providing timely and accurate locates of natural gas pipelines during CY2020.

KGS provided two responses to the 21-398 Order that requested a dismissal of a portion of the proposed penalty and providing summaries of the progress it has made through December 2021 to provide more accurate locates.¹

In the course of investigating and resolving the 21-398 Docket, Staff continued to investigate locating issues related to damages reported to Staff. At the conclusion of our investigations in CY2021, Staff recommends a civil penalty of \$57,000 for 57 violations of Pipeline Safety regulations occurring during the months of January through December of 2021. The penalties are

¹ See generally Kansas Gas Service Response to Show Cause Order (May 21, 2021); Kansas Gas Service Supplement Response (Dec. 14, 2021).

based on the results of Staff investigations following 45 damage incidents to KGS natural gas service and main lines, and 12 One Call ticket audits in the Kansas City, Wichita, Topeka, and Hutchinson metropolitan areas as well as the cities of Arkansas City, Rose Hill, Haysville, El Dorado and Bel Aire. Consistent with Staff's recommendation in the 21-398 Docket, Staff is recommending a penalty amount of \$1,000 per violation.

Although KGS has taken action to improve its locating practices,² excavation damages through 2021 continued to occur as indicated by Staff's ongoing damage investigations. Until KGS is able to demonstrate a substantial improvement in its locating performance as a result of the new initiatives, Staff recommends the penalty amount for each violation remain at \$1,000.

As a matter of convenience and efficiency, Staff believes it is advisable to combine the CY2020 21-398 Docket penalties and CY2021 penalties, because the CY2020 penalties in the 21-398 Docket and proposed CY2021 penalties are similar. KGS agrees combining the CY2020 21-398 Docket penalties with the CY2021 penalties is advisable. Therefore, Staff recommends the Commission combine the penalties from 21-398 Docket with the CY2021 penalties for a total penalty of \$147,000.

BACKGROUND:

KGS is required to notify pipeline staff within 30 minutes of KGS being notified of an excavation damage to their pipeline facilities, as ordered by the Commission in docket 13-DPAX-250-GIV. Because of this prompt notification, Staff is able to be onsite for damage investigations shortly after a damage occurs in the Kansas City metro or Wichita vicinity. For notifications provided to Staff in other areas of the state, Staff uses the information from the notification to conduct offsite investigations.

Over the last five years (2017-2021), Staff has investigated 1,094 excavator damages to natural gas pipelines that are operated by KGS. Of that number, Staff determined KGS was at fault for 427 damages because it did not follow the provisions of its O&M procedures, with respect to preventing excavator damage to pipelines. Of the 427 damages investigated by Staff and determined to be the fault of KGS, we determined 346 (or 81%) were due to KGS' Contractor's inability to follow established KGS procedures (AFD damages). KGS contracts with the U.S. Infrastructure Company (USIC) to provide locating services for a majority of KGS' territory.³ The remaining 81 damages investigated by Staff during this five year period were determined to be mis-located due to mapping errors or legacy infrastructure problems that made the lines difficult to locate (KGS damages).

In Docket No. 20-DPAX-080-PEN (20-080 Docket), Staff recommended a \$14,000 penalty be assessed to KGS for failure to provide accurate locates related to 14 investigations conducted by Staff in the first half of CY2019. In response to that Docket, KGS provided an outline of newly initiated efforts to reduce excavator damage to its pipelines. At that time, Staff agreed with KGS that the multi-faceted effort proposed by KGS appeared to be a reasonable approach to reduce

² See Docket 21-KGSG-398-SHO, KGS Supplemental Response, December 14, 2021.

³ KGS in-house personnel provide locates for some of the more rural KGS service centers with less active excavation activity than the more populous cities served by KGS.

excavator damage to pipelines that were the fault of KGS locators.⁴ It is Staff's understanding the initiatives related to the 20-080 Docket became effective on or before November 2019. Staff has observed activity in the field related to the improvement plans listed in the 20-080 Docket, and we believe KGS is making a good faith effort to implement their initiatives. In an update of its progress provided to Staff on March 8, 2021, KGS proposed additional steps be taken in 2021 to reduce damage caused by excavation. The most significant initiatives at that time were the implementation of using more in-house personnel to perform locates in a portion of its service territory and adding staff to monitor/audit the contract locators and investigate damages.

With respect to Staff's CY2020 investigations into KGS' damage prevention program, the Commission opened the 21-398 Docket in April of 2021.⁵ In that Docket, Staff reported there were 54 instances where KGS had either not marked the location as required, or the marks that were provided were more than ten feet away from the location of the buried facility. Consistent with recent Staff recommendations, a \$1,000 penalty for each of the 54 violations was recommended for a total penalty of \$54,000.⁶ For those violations that Staff determined were the fault of USIC, Staff recommended an additional penalty of \$36,000 (\$1,000 for each violation) for failure of KGS to provide an effective evaluation of the program used to train and prepare new locators to perform locates for KGS.⁷ Staff also recommended the Commission require KGS to evaluate the USIC training program to ensure that it provides training that is at least equivalent to the locate training provided to KGS in-house personnel performing locates.⁸ Additionally, Staff recommended that KGS memorialize the gains it has made in its recent locator evaluation program by including those initiatives as requirements in its O&M plan.⁹ With respect to the \$90,000 penalty to KGS recommended by Staff, we recommended \$36,000 (related to USIC at fault damages) be held in abeyance until April 2022.¹⁰ At that time, Staff proposed to file a report apprising the Commission of KGS' progress in providing proper training to its contract locators and make a further recommendation on the status of this portion of the recommended penalty.¹¹

KGS provided its Response to the 21-398 Order on May 21, 2021, which responded that a modification to its O&M plan was not necessary because it had existing procedures that required sufficient training of locator personnel.¹² The response also provided steps that KGS was taking to provide more accurate utility locates.¹³ KGS followed up with a supplemental Response on December 14, 2021, which provided its progress to that date.¹⁴ One of the milestones listed in the follow-up Response was KGS' transition to using more KGS personnel for utility locates and replacing its existing contract locating company in March of 2022.¹⁵

⁴ See Joint Motion to Close Docket, Docket No. 20-DPAX-080-PEN (Nov. 22, 2019).

⁵ See generally Staff's Report & Recommendation, Docket No. 21-KGSG-398-SHO (Apr. 22, 2021) (21-398 April 2021 Staff R&R).

⁶ *Id.* at 8.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² See generally Kansas Gas Service Response to Show Cause Order (May 21, 2021).

¹³ *Id.* at 1–2.

¹⁴ See generally Kansas Gas Service Supplement Response (Dec. 14, 2021).

¹⁵ *Id.* at 7.

Although the Commission found Staff's Report and Recommendation to be reasonable, it has not taken further action with respect to KGS' response to the Show Cause Order or to Staff's proposal to hold a portion of the penalty in abeyance and provide updates to KGS' progress.

ANALYSIS:

CY2021 Penalties

Gravity of noncompliance:

Once an excavator notifies underground utility operators of a planned excavation, each operator with facilities buried at that site must provide surface markings that indicate where the utilities are located within 24 inches of either side of the position of the buried facility. This area is called the tolerance zone. In response to the Notice of Probable Violations (NOPVs) listed in Table 1, KGS stated the buried gas service and main lines were either not located or mis-located. KGS procedure, OGSops1.1404R, provides direction for KGS to receive and handle line locate tickets, provides locating practices to be followed, and provides direction for locate performance monitoring. KGS O&M procedures also allow for utilizing locate contractors to complete line locate requests. Staff contends that KGS procedures were not being followed for each of these damages. KGS failed to provide accurate location of the tolerance zone, per KUUDPA statute, and failed to follow written procedures per pipeline safety regulations. KGS's failure to provide accurate and timely locates resulted in damages to its natural gas facilities and lost work time for the excavators that damaged the lines or had to wait additional time for locates to be completed. For the damages investigated by Staff, no injuries or damage to adjacent property occurred as a result of the pipeline damages. Table 1 below provides the date of the pipeline damage, the type of facility damaged, the city where the damage occurred; and the audits performed with Staff's assertion of the cause of the damage. KGS has responded to all of these NOPVs as required by K.A.R. 82-14-6(c).

Failure to provide the excavator with the location of the tolerance zone of the buried facility before excavation begins is a violation of the KUUDPA statute, K.S.A. 66-1806(a). Failure to follow a written procedure as required by pipeline safety regulations is a violation of 49 CFR 192.614, as adopted by K.A.R. 82-11-4. Staff asserts failure by KGS to provide timely and accurate locates demonstrates a failure of KGS to follow KGS procedure OGSops1.1404R that directs KGS to locate its gas facilities within two full working days after being notified of an intent to excavate.¹⁶

¹⁶ See KGS Procedure No. OGSops2.1404R (Nov. 1, 2019).

TABLE 1

Case #	Date of Damage	Type of Facility Affected	At fault	Root Cause	Code Violated	Penalty Amt.
CK-21-OC-1017	01/14/2021	Service	KGS	Inaccurate Maps - 18 ft off	192.614(a)	\$1,000
CK-21-OC-1018	01/19/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1009	01/19/2021	Service	KGS	Inaccurate Maps - 15 ft off	192.614(a)	\$1,000
JW-21-OC-1010	1/20/2021	Gas Service	KGS	Mis Marked - 15 ft off	192.614(a)	\$1,000
JW-21-UN-1037	01/22/2021	All	locator error	Late Locate - 35 hours	192.614(a)	\$1,000
JW-21-OC-1031	03/19/2021	Gas Service	KGS	Inaccurate Maps	192.614(a)	\$1,000
JW-21-UN-1104	03/19/2021	All	locator error	Late Locate - 10 hours	192.614(a)	\$1,000
JW-21-UN-1108	03/19/2021	All	locator error	Late Locate - 80 hours	192.614(a)	\$1,000
JW-21-UN-1110	03/19/2021	All	locator error	Late Locate - 9 hours	192.614(a)	\$1,000
JW-21-UN-1112	03/19/2021	All	locator error	Late Locate - 32 hours	192.614(a)	\$1,000
CK-21-OC-1047	03/23/2021	Main	locator error	Mis Marked -13 ft off	192.614(a)	\$1,000
CK-21-OC-1055	03/29/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1044	04/21/2021	Gas Service	KGS	Not Marked	192.614(a)	\$1,000
CK-21-UN-1156	05/13/2021	All	locator error	Late Locate - 9 hours	192.614(a)	\$1,000
CK-21-UN-1160	05/13/2021	All	locator error	Late Locate - 9 hours	192.614(a)	\$1,000
CK-21-UN-1164	05/13/2021	All	locator error	Late Locate - 9 hours	192.614(a)	\$1,000
WS-21-OC-1010	5/26/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
SG-21-UN-1001	05/28/2021	All	locator error	Late Locate - 9 hours	192.614(a)	\$1,000
CK-21-OC-1102	06/02/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1070	06/02/2021	Service	locator error	Mis Marked - 13 ft off	192.614(a)	\$1,000
CK-21-OC-1107	06/07/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1072	06/07/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1076	06/09/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1124	06/15/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1125	06/15/2021	Service	locator error	Mis Marked - 12 ft off	192.614(a)	\$1,000
CK-21-OC-1127	06/17/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1128	06/18/2021	Service	locator error	Late Locate - 32 hours	192.614(a)	\$1,000
CK-21-OC-1152	7/14/2021	Service	KGS	Not Marked	192.614(a)	\$1,000
CK-21-UN-1243	7/14/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1156	7/19/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1097	7/23/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1102	8/3/2021	Service	KGS	Not Marked	192.614(a)	\$1,000
CK-21-OC-1163	8/4/2021	Main	locator error	45 Minutes	192.614(a)	\$1,000
CK-21-OC-1186	8/18/2021	Service	locator error	Late locate - 7 days 14 hours	192.614(a)	\$1,000
JW-21-OC-1113	8/19/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1197	8/30/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1121	9/1/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
CK-21-UN-1285	9/8/2021	Service	locator error	Mis-Marked - 30 ft off	192.614(a)	\$1,000
CK-21-OC-1213	9/13/2021	Service	locator error	Mis-Marked - 12 ft off	192.614(a)	\$1,000
CK-21-OC-1223	9/15/2021	Service	locator error	Late Locate - 4 days 13 hours	192.614(a)	\$1,000
CK-21-OC-1225	9/15/2021	Service	locator error	Late Locate - 5 days 15 hours	192.614(a)	\$1,000
CK-21-OC-1232	9/22/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1234	9/23/2021	Service	locator error	Late Locate - 5 days 11 hours	192.614(a)	\$1,000
JW-21-OC-1133	9/27/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1246	10/5/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1251	10/6/2021	Service	locator error	Late Locate - 2 days 13 hours	192.614(a)	\$1,000
JW-21-OC-1140	10/7/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
KF-21-UN-1006	10/8/2021	All	locator error	Late Locate - 12 hours	192.614(a)	\$1,000
CK-21-OC-1261	10/20/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1143	10/20/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JD-21-OC-1002	11/2/2021	Service	KGS	Inaccurate Maps - 22 ft off	192.614(a)	\$1,000
JW-21-OC-1149	11/8/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
JW-21-OC-1150	11/9/2021	Service	KGS	Not Marked	192.614(a)	\$1,000
CK-21-OC-1272	11/15/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1275	11/18/2021	Service	KGS	Inaccurate Maps	192.614(a)	\$1,000
JW-21-OC-1163	12/8/2021	Main	locator error	Not Marked	192.614(a)	\$1,000
CK-21-OC-1298	12/22/2021	Service	locator error	Not Marked	192.614(a)	\$1,000
TOTAL						\$57,000

Response of the utility operator regarding noncompliance(s):

Regarding the 57 NOPVs included in this Report and Recommendation, KGS agreed with Staff's findings described in each NOPV. KGS stated its personnel failed to provide accurate or timely locates for the tolerance zone as requested by the excavator before the scheduled excavation start date. A full description of Staff's findings and KGS' response for each NOPV and the action taken are included in this memorandum as Attachment 2.

Aggravating/Mitigating Circumstances:

In most investigations of KUUDPA violations, Staff has considered actions taken by the violator to prevent reoccurrence of events leading to the violation as an adequate response to resolve the NOPV. Staff has only recommended civil penalties for what it considers to be the more egregious violations of KUUDPA.

Staff has issued a total of 497 KUUDPA NOPVs to KGS between 2017 and 2021. These alleged violations were for similar issues regarding failure to provide timely and accurate locates. Out of the 497 NOPVs, the Commission has issued KGS 13 penalties totaling \$85,500 for failure to provide timely and accurate locates.¹⁷ A history of penalties issued by the Commission to KGS for KUUDPA violations is included as Attachment 1. Although KGS responds to each NOPV with a description of action taken to correct the issue that led to the inaccurate locate, Staff contends the continuing number of NOPVs demonstrates that KGS responses to the NOPVs are not effectively addressing the violations of KUUDPA. According to KGS' responses, the primary method for improving locate accuracy is to coach the personnel that did not provide the locates necessary to prevent a damage. For the 133 penalties issued by the Commission, the categories of responses from KGS are listed as follows:

- Locate technicians received disciplinary action including and/or termination;
- Locate technicians "will have work performance audits";
- Locate technicians were returned to the site and coached, had work reviewed or retrained;
- Occurrences in which KGS did not need to address the damage with the contract locator. These damages were due to various reasons that KGS addressed such as no tracer wire, bad test station, inaccurate maps/records; and
- Occurrence in which KGS acknowledged a locating issue existed but provided no specific action to be taken.

Staff acknowledges that excavation activity as indicated by locate requests in Kansas increased by 6.9% in 2020, and in Johnson County, the KGS territory with the largest number of excavation damages, excavation activity increased by 3.9%. In 2021, Johnson County again had an increase in excavation activity of 5.9% over 2020. Because KGS shares utility easements with other types of buried facilities in high growth areas of the state, Staff recognizes that a certain number of damages will occur. However, we also recognize KGS is expected to follow its procedures and make adjustments as needed in its operations in order to minimize excavator damage.

Although KGS has taken action to improve its locating practices, excavation damages continue to occur. Based on the number of violations determined by Staff as a result of its damage investigations, KGS is unable to demonstrate at this time any substantial improvement as a result

¹⁷ The 133 penalties totaling \$85,500 do not include the CY2021 penalties or 21-398 Docket penalties.

of the new initiatives it has implemented. Therefore, Staff is recommending the penalty amount per violation of KUUDPA and pipeline safety requirements remain at \$1,000.00. If KGS' initiatives to improve its damage prevention program are unsuccessful, Staff may recommend the Commission consider increasing the penalty per violation in future dockets of this nature.

Wrapping Up 21-398 Docket

Modifying KGS O&M Plan is Not Needed:

In April 2021, Staff's R&R recommended KGS modify its O&M Plan.¹⁸ Through discovery, Staff reviewed the details of KGS' training, evaluation, and quality assurance program with respect to utility locating. Based on our review, we conclude KGS' qualification program is sufficient for ensuring properly trained personnel perform utility locates.

Staff has been in regular contact with KGS regarding this matter, and we agree the corrective actions they have been taken may be effective at providing accurate locates. However, as discussed above, the number of Staff investigations into pipeline damages where KGS was determined to be at fault has not decreased at least through CY2021. We also note that the vast majority of those violations were the result of KGS' former contractor failing to perform its obligations.

Although timing may be the primary reason that KGS locate accuracy performance has not demonstrated significant improvement, Staff does not believe that provides a reason to ignore the violations listed in Table 1.

Combining CY2021 penalties with 21-398 Docket Penalties:

As previously discussed, throughout the 21-398 Docket KGS and Staff have been in open and frank communication. During these communications, Staff has advised KGS of the forthcoming CY2021 penalties. During those communications, KGS and Staff have agreed that for convenience and efficiency it would be appropriate to combine the 21-398 Docket penalties with the CY2021 penalties. Therefore, Staff recommends the Commission combine the penalties from 21-398 Docket with the CY2021 penalties for a total penalty of \$147,000.

RECOMMENDATION:

Staff recommends a CY2021 civil penalty be issued to KGS in the amount of \$57,000, for violation(s) of K.S.A. 66-1806(a) and 49 C.F.R. 192.614. Additionally, Staff recommends the Commission combine the 21-398 Docket penalties with the proposed CY2021 penalties. Based on the two Commission actions, the total penalty recommended by Staff in the combined documents will be \$147,000.

¹⁸ 21-398 April 2021 Staff R&R, at 8.

Attachment 1

Docket #		# Violations	Penalty Amount
I 8-DPAX-087-PEN		9	\$ 4,500.00
I 8-DPAX-166-PEN		3	\$ 1,500.00
I 8-DPAX-250-PEN		5	\$ 2,500.00
I 8-DPAX-277-PEN		10	\$ 5,000.00
I 8-DPAX-295-PEN		1	\$ 500.00
I 8-DPAX-341-PEN		6	\$ 3,000.00
I 8-DPAX-459-PEN		7	\$ 3,500.00
I 9-DPAX-040-PEN		10	\$ 5,000.00
I 9-DPAX-155-PEN		17	\$ 8,500.00
I 9-DPAX-269-PEN		11	\$ 5,500.00
I 9-DPAX-433-PEN		11	\$ 5,500.00
20-DPAX-080-PEN		14	\$ 14,000.00
20-DPAX-298-PEN		5	\$ 2,500.00
20-DPAX-274-PEN		24	\$ 24,000.00
TOTAL		133	\$ 85,500.00

Attachment 2

KCC NOPV CK-21-OC-1017

KCC Description:

On 1/14/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 7504 Antioch Rd in Overland Park, Kansas. KCC alleges K&W Underground Inc. damaged a KGS 1-1/4" PE gas service line while installing conduit for Consolidated Communications. There was a valid One-Call ticket #21005797 with a due date of 1/9/2021. Locate marks were present; however, this was marked by measurements and were off the damaged pipe approximately 18 ft. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator could not tone the entire length of the service line so marks were placed by measurement. However, the locator did not realize that the line was offset from tap to the meter riser and not in a straight line as indicated on a basic service schematic provided by KGS. As a result, the service line was not accurately marked.

KGS crews repaired the damage and were able to tone the service line the same day. The KGS service card for the property shows that the service line is offset. However, it is not clear at this time if the locator was able to refer to this record. KGS will be retiring the affected service line when construction of a new building at the site is completed.

KCC NOPV JW-21-OC-1009

KCC Description:

On 01/19/2021, Craig Drouhard Plumbing damaged a KGS natural gas service line at 708 E 7th Ave. in Hutchinson, Kansas. One Call ticket #21024365 had a work to begin 01/19/2021. Craig Drouhard Plumbing alleges the KGS facilities were not marked accurately according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute Staff's description of damage. Upon investigation, KGS determined that the service line tracer wire was broken below ground and would not tone. Maps provided by KGS and used by the locator were inaccurate which resulted in mismarking the pipe. KGS crews repaired the tracer wire and updated system maps.

KCC NOPV CK-21-OC-1018

KCC Description:

On 1/19/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 6458 Barth Rd in Shawnee, Kansas. KCC alleges A-1 Trenching Services, LLC damaged a KGS 3/4" PE gas service line while installing conduit for a secondary electric service. There was a valid One-Call ticket #: 21014267 with a due date of 1/14/2021. Locate marks were not present at the time of the damage and ticket indicated as being clear with no conflict. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator improperly cleared the ticket without marking KGS facilities within the scope of the ticket. As a result, the service line was damaged by the excavator. The locator was disqualified from performing location services for KGS until successful completion of retraining, requalification and passing follow-up audits by KGS personnel.

KCC NOPV JW-21-UN-1037

KCC Description:

On 01/22/2021, KCC staff performed a ticket audit for One-Call ticket #21022584 36 hours after the excavation start date at 40 Linksland Dr. in Hutchinson, Kansas. Staff talked with the excavator, Davis Excavation, via telephone who alleged there were no Kansas Gas Service marks present. Prior to the excavation start date, the Operator failed to provide locates for underground facilities or notify the excavator that no facilities were present in the area of proposed excavation.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator failed to properly mark KGS facilities resulting in damage. KGS operations has referred this issue to KGS Compliance Specialists for follow-up with USIC management and with a recommendation for follow-up with the locator.

KCC NOPV JW-21-OC-1010

KCC Description:

On 01/20/2021, Northern Pipeline Construction damaged a KGS natural gas service at 5621 SW 10th Ave. in Topeka, Kansas. One Call ticket #21013614 had a work to begin 01/14/2021. Northern Pipeline alleges the KGS facilities were not marked accurately according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) determined that marker balls were not present on the full length of the affected gas service line. Measurements provided to the locator by KGS were not accurate, resulting in the locator mismarking the service line by approximately 10 feet. KGS crews repaired the damage and installed marker balls the length of the service line. Further, KGS corrected system map measurements.

KCC NOPV JW-21-OC-1031**KCC Description:**

On 03/19/2021, Wildcat Construction damaged a 1 inch CS natural gas service line at 1328 N Lorraine Ave. in Wichita, Kansas. One Call ticket #21103167 had a work to begin 03/13/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGS/ops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) agrees with KCC Staff’s description of non-compliance. KGS crews responding to the leak on March 19 retired the service line by cutting and plugging the pipe at the main and updated the Company’s records.

KCC NOPV JW-21-UN-1104**KCC Description:**

On 03/19/2021, KCC staff was notified of a non-response to One-Call ticket #21113338 two hours after the excavation start date at 3441 SW MacVicar Ave. in Topeka, Kansas. Staff communicated with the excavator, Schendel Lawn and Landscape, via email who alleged there were no Kansas Gas Service marks present. Schendel Lawn stated there was no agreement between them and the Utility Locator for a rescheduled start date for the One-Call ticket. Prior to the excavation start date, the Operator failed to provide locates for underground facilities or notify the excavator that no facilities were present in the area of proposed excavation, which is a violation of the Kansas Underground Utility Damage Prevention Act.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute Staff’s allegation of non-compliance for completing the ticket after the indicated excavation start date. KGS’ contract locator, USIC, advised that it attempted to contact the excavator by telephone and email on March 18, 2021, but that no confirmed contact was established. The ticket was completed at 10:10am on March 19th, approximately 10 hours after the indicated start time. In response to increased ticket request volume, USIC reported that it started a new training class April 12th to bring on six additional locators to the area. KGS management is in active discussions with USIC leadership about the issue of late locates.

KCC NOPV JW-21-UN-1108

KCC Description:

On 03/19/2021, KCC staff was notified of a non-response to One-Call ticket #21113444, two hours after the excavation start date at 3334 SW 45th Ct. in Topeka, Kansas. Staff communicated with the excavator, Schendel Lawn and Landscape, via email who alleged there were no Kansas Gas Service marks present. Schendel Lawn stated there was no agreement between them and the Utility Locator for a rescheduled start date for the One-Call ticket. Prior to the excavation start date, the Operator failed to provide locates for underground facilities or notify the excavator that no facilities were present in the area of proposed excavation, which is a violation of the Kansas Underground Utility Damage Prevention Act.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) agrees that ticket #21113444 was not completed in a timely manner. KGS’ contract locator, USIC, advised that it attempted to contact the excavator by telephone and email the day before the indicated project start date of March 19, 2021 but that no confirmed contact was established. The ticket was completed on March 22nd. In response to increased ticket request volume statewide in March 2021 (which experienced the highest number of ticket requests in the past five years), USIC reported that it started a new training class April 12th to bring on six additional locators in the area. KGS management is in active discussions with USIC leadership about the issue of late locates.

KCC NOPV JW-21-UN-1110

KCC Description:

On 03/19/2021, KCC staff was notified of a non-response to One-Call ticket #21113507, two hours after the excavation start date at 3802 SW Kiowa St. in Topeka, Kansas. Staff communicated with the excavator, Schendel Lawn and Landscape, via email who alleged there were no Kansas Gas Service marks present. Schendel Lawn stated there was no agreement between them and the Utility Locator for a rescheduled start date for the One-Call ticket. Prior to the excavation start date, the Operator failed to provide locates for underground facilities or notify the excavator that no facilities were present in the area of proposed excavation, which is a violation of the Kansas Underground Utility Damage Prevention Act.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) agrees with KCC Staff’s description of noncompliance. Upon investigation, KGS determined that its locate contractor, USIC, completed ticket number 21113507 at 11:19 AM on March 19, 2021, approximately 11 hours after the indicated excavation start time of 12:15 AM on March 19. KGS management is in active discussions with USIC leadership about the issue of late locates. However, in response to the increased ticket volumes in the Topeka area, USIC conducted a locator training class beginning April 12, 2021, resulting in an increase of six additional contract locators now working in the area.

KCC NOPV JW-21-UN-1112

KCC Description:

On 03/19/2021, KCC staff was notified of a non-response to One-Call ticket #21113522, two hours after the excavation start date at 3843 SW 39th St. in Topeka, Kansas. Staff communicated with the excavator, Schendel Lawn and Landscape, via email who alleged there were no Kansas Gas Service marks present. Schendel Lawn stated there was no agreement between them and the Utility Locator for a rescheduled start date for the One-Call ticket. Prior to the excavation start date, the Operator failed to provide locates for underground facilities or notify the excavator that no facilities were present in the area of proposed excavation, which is a violation of the Kansas Underground Utility Damage Prevention Act.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc (“KGS”) does not dispute Staff’s allegation of non-compliance for failure to locate prior to the scheduled start date. KGS’s contract locate company, USIC, reported that it attempted to contact the excavator by telephone and a follow-up email one day prior to the start date but received no response. To help with an increase in locate requests USIC began a new training class of locators on April 12, 2021, which resulted in an additional six locators in the Topeka area. Further, KGS management is in active discussions with USIC leadership to address the issue of late locates.

KCC NOPV CK-21-OC-1047

KCC Description:

On 3/23/2021, KCC Staff was notified of excavation work resulting in a damage that occurred to a KGS gas line around the area of 22525 W 87th Terr. in Lenexa, Kansas. KCC alleges Miller Excavating damaged a KGS 4" PE gas main line while installing a new water service line. There was a valid One-Call ticket #21112846 with a due date of 3/19/2021. There were locate marks present with tracer wire at the damage site and were off the damaged pipe approximately 13ft. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute details of the non-compliance as described by KCC Staff. Upon investigation, KGS determined that the locator did not accurately mark the gas main which resulted in damage to the facility. KGS crews were able to locate the line using the existing tracer wire before repairing the line. After the damage investigation, USIC supervisors conducted a face-to-face and verbal retraining of this locator covering Cause & Effect, Decision Making, Reading & Understanding Scopes of Tickets, Applying Measurements Correctly, Utilizing Tracer Wires, and Seeking Assistance on Problematic Locates. KGS locate auditors are monitoring the locator’s performance and are planning to conduct field audits in the near future.

KCC NOPV CK-21-OC-1055

KCC Description:

On 3/29/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 13564 W 49th St in Shawnee, Kansas. KCC alleges Terry Tevis, Home Owner, damaged a KGS 3/4" PE gas service line while installing a sprinkler system. There was a valid One-Call ticket #21126606 with a due date of 3/27/2021. There were locates present; however, there were marks on the ground indicating the area was clear. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") agrees with details of non-compliance as described by KCC Staff. Upon investigation, KGS determined that the locator failed to mark all KGS facilities within the scope of the ticket which resulted in damage to the service line. KGS crews repaired the damage and confirmed that the service line was locatable. The locator was permanently disqualified from locating KGS facilities on April 1, 2021.

KCC NOPV JW-21-OC-1044

KCC Description:

On 04/21/2021, the City of Arkansas City damaged a 3/4" PE natural gas service line at 2116 Eastridge Dr. in Arkansas City, Kansas. One Call ticket #21160019 had a work to begin 04/13/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS installed the service line after the One-Call ticket was located by USIC and KGS failed to properly locate the installed line. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance. Upon investigation, KGS determined that the Company located and marked all existing facilities within the scope of the ticket as of April 12, 2021. However, the Company was also performing work in the area at the same time as the City of Arkansas and installed the affected service line four days after the completion of the locate ticket. Although the construction crews claim they marked and flagged the location at the completion of their work, the KGS installation crew was unable to provide documentation or photos that the new line was located and flagged subsequent to installation. Construction crews have been reminded of the importance of marking and flagging under these circumstances and directed to maintain necessary locate records on newly installed facilities.

KCC NOPV CK-21-UN-1156**KCC Description:**

On 5/13/2021, KCC staff performed a field audit for ticket #21227903, 9 hours and 15 minutes after the excavation start date at 6530 Lakecrest Dr in Shawnee, Kansas. Prior to the excavation start date, the Operator failed to provide locates for underground facilities.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance found during Staff’s May 13, 2021, locate compliance audits related to damage of a KGS gas main on the same date at 6511 Lakecrest Drive in Shawnee, Kansas involving the same excavator. Upon investigation, KGS determined that the locator failed to mark KGS facilities prior to the excavation start date as indicated on the three tickets referenced by Staff. The locator has no documentation of attempts to contact the excavator to request rescheduling of the tickets. The locator the locator subsequently passed field audits conducted by KGS on tickets 21262267, 21257547, 21261490, 21276552, and 21275228.

KCC NOPV CK-21-UN-1160**KCC Description:**

On 5/13/2021, KCC staff performed a field audit for ticket #21227907, 9 hours and 20 minutes after the excavation start date at 6605 Lakecrest Dr in Shawnee, Kansas. Prior to the excavation start date, the Operator failed to provide locates for underground facilities.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance found during Staff’s May 13, 2021, locate compliance audits related to damage of a KGS gas main on the same date at 6511 Lakecrest Drive in Shawnee, Kansas involving the same excavator. Upon investigation, KGS determined that the locator failed to mark KGS facilities prior to the excavation start date as indicated on the three tickets referenced by Staff. The locator has no documentation of attempts to contact the excavator to request rescheduling of the tickets. The locator the locator subsequently passed field audits conducted by KGS on tickets 21262267, 21257547, 21261490, 21276552, and 21275228.

KCC NOPV CK-21-UN-1164**KCC Description:**

On 5/13/2021, KCC staff performed a field audit for ticket #21227915, 9 hours and 25 minutes after the excavation start date at 6525 Lakecrest Dr in Shawnee, Kansas. Prior to the excavation start date, the Operator failed to provide locates for underground facilities.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance found during Staff’s May 13, 2021, locate compliance audits related to damage of a KGS gas main on the same date at 6511 Lakecrest Drive in Shawnee, Kansas involving the same excavator. Upon investigation, KGS determined that the locator failed to mark KGS facilities

prior to the excavation start date as indicated on the three tickets referenced by Staff. The locator has no documentation of attempts to contact the excavator to request rescheduling of the tickets. The locator subsequently passed field audits conducted by KGS on tickets 21262267, 21257547, 21261490, 21276552, and 21275228.

KCC NOPV WS-21-OC-1010

KCC Description:

On 05/26/2021, CT Plumbing LLC damaged a KGS 1" service line at 1557 SW 23rd St., in Topeka, Kansas. CT Plumbing damaged the gas service while excavating for an emergency sanitary sewer replacement. There was a valid Emergency One-Call ticket #21259777 with a due date of 05/26/2021. No locate markings for the gas facilities were present on the property at the time the damage occurred. Notification center displayed that the property had been marked "Clear/No Conflict" for KGS facilities.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance. KGS determined that the locator cleared the ticket without performing an adequate survey of the location. As a result, the damaged service line was not marked prior to excavation. The locator passed post-damage audits conducted by KGS auditors on tickets 21350321 and 21347477.

KCC NOPV SG-21-UN-1001

KCC Description:

On 5/28/2021, KCC staff performed a field audit for ticket #21255366, at a lot located at 33rd & Downing in Topeka, Kansas. The locator was onsite locating the utilities. Prior to the excavation start date of 5/27/2021, the Operator failed to provide locates for all underground facilities.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation for failing to locate gas facilities by the excavator's indicated start time. Upon investigation, KGS determined that the locator rescheduled the locate start time without confirming with the excavator. The locator is no longer employed by KGS' contract locate company, USIC.

KCC NOPV JW-21-OC-1070

KCC Description:

On 06/02/2021, Kansas Paving damaged a KGS 1/2" PE natural gas service at 4749 N Battin St. in Bel Aire, Kansas. One Call ticket #21251521 had a work to begin date of 05/26/2021. The KGS facilities were not marked accurately according to the requested area and the ticket indicated the area had been marked. The locator marks were off by approximately 13 feet. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator improperly direct connected to the tracer wire resulting in forcing an inaccurate tone. Instead, the locator should have marked the damaged service line using measurements provided by KGS. The locator passed a joint observation by KGS and USIC on ticket 21287458 and further follow-up audits on tickets 21296682 and 21297684.

KCC NOPV CK-21-OC-1102**KCC Description:**

On 6/2/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of N 45th St & Georgia Ave in Kansas City, Kansas. KCC alleges Board of Public Utilities damaged a KGS 2" PE gas main line with an excavator while abandoning a valve. There was a valid One-Call ticket #21246603 with a due date of 5/22/2021. Locate marks were not present at the time of the damage and ticket indicated as being marked. The damage occurred within the requested scope of the ticket. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of noncompliance. Upon investigation, KGS determined that the locator failed to mark all gas facilities within the original scope of the ticket. Also, the locator could not provide documentation of any agreement with the excavator to change the intended area of excavation. The locator passed post damage audits conducted by KGS on tickets 21269795, 21278857, 21281804, 21297360, and 21296982.

KCC NOPV JW-21-OC-1072**KCC Description:**

On 06/07/2021, McCullough Excavation damaged a 2" PE natural gas main line in the vicinity of 2021 N Broadmoor Ave. in Wichita, Kansas. One Call ticket #21260706 had a work to begin date of 05/29/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator did not properly consult gas facility maps before clearing the ticket. As a result, the locator was disqualified from locate duties and attended retraining. KGS and its contract utility company, USIC, conducted a joint observation on ticket 21290451 in which the locator successfully passed and was subsequently requalified. In addition, the locator passed follow up audits conducted by KGS locate personnel on tickets 21288946, 21292321, 21311479, and 21307714.

KCC NOPV CK-21-OC-1107

KCC Description:

On 6/7/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 16010 Metcalf Ave in Overland Park, Kansas. KCC alleges ABC-Comm, LLC damaged a KGS 1-1/4" PE gas main line while directional drilling conduit for Spectrum. There was a valid One-Call ticket #21262732 with a due date of 6/2/2021. There were locate marks present; however, there were no marks on this part of the main which was within the scope of the requested area. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator marked gas facilities according to the scope of work specified by the excavator. According to attached ticket #21262732, the location of work at 16010 Metcalf Avenue was "FROM EAST SIDE OF METCALF AVE CROSSING TO TARGET ADDRESS MARKING NORTH SIDE OF PROPERTY ALONG PATH MARKED WITH FLAGS TO HOUSE. MARK ALL SERVICES, DROPS AND MAINS FOR BORE."

Please also refer to the attached map of the damage area. The main runs north/south along the east side of Metcalf. The service line to 16010 Metcalf (9001760602) is a branch service off the primary service line (9001082280) that runs from the main west to 16012 Metcalf. The location of damage was to the service line for 16012 Metcalf Avenue just west of the branch service line for 16010 Metcalf Avenue and not in the scope of the ticket as specified by the excavator. According to post damage photos, the excavator set up the boring machine west of 16010 Metcalf and damaged the primary service line to 16012 Metcalf as indicated in red on the attached map. KGS disputes KCC Staff's allegation of non-compliance since the locator marked all services, drops and mains within the designated scope requested by the excavator.

KCC NOPV JW-21-OC-1076

KCC Description:

On 06/09/2021, Beran Concrete damaged a 2" PE natural gas main line at 1530 N Lindberg Cir. in Wichita, Kansas. One Call ticket #21273135 had a work to begin 06/05/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area was clear of KGS facilities. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Upon investigation, Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") determined that the locator marked the area clear after mistaking the intended area of excavation as indicated on the ticket. The locator was retrained and was permitted to return to work following a joint observation of successfully completing a locate ticket on June 15, 2021. The locator then passed follow-up audits performed by KGS on tickets 21307883, 21309705, 21304814, and 21296388.

KCC NOPV CK-21-OC-1124

KCC Description:

On 6/15/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 16171 Granada St in Stilwell, Kansas. KCC alleges Schlagle Trucking & Excavating damaged a KGS 2" PE gas main line while digging a basement. There was a valid One-Call ticket #21291218 with a due date of 6/15/2021. There were no locate marks present. The ticket was not marked but status indicated clear/no conflict. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") agrees with Staff's allegation of non-compliance. Upon investigation, KGS determined that the locator visited the wrong address before clearing the ticket. As a result, no gas facilities within the scope of the ticket were marked. On the day of damage, KGS crews confirmed that the line was locatable and repaired the damage. The locator passed field audits conducted by KGS personnel on tickets 21336362, 21336507, 21347683, and 21335159.

KCC NOPV CK-21-OC-1125

KCC Description:

On 6/15/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 4224 W 104th Terr. in Overland Park, Kansas. KCC alleges Alvarado Communications LLC damaged a KGS 7/8" PE gas service line while directional drilling conduit for the Google project. There was a valid One-Call ticket #21284403 with a due date of 6/11/2021. There were locate marks present and were off the damaged pipe approximately 12 ft. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") agrees with Staff's description of damage and does not dispute the allegation of non-compliance. KGS determined that the locator failed to properly identify and utilize locate station and eventually marked the property using measurements provided by KGS. However, the locator misapplied the measurements resulting in mismarks of the affected gas service line. A KGS foreman responding to the hit line order was able to successfully and accurately locate the line using the measurements provided to the locator. KGS crews repaired the service line the same day. The locator passed field audits conducted by KGS personnel on tickets 21328022, 21328039, 21328034, and 21344179.

KCC NOPV CK-21-OC-1127

KCC Description:

On 6/17/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 6901 Slater in Merriam, Kansas. KCC alleges City of Merriam damaged a KGS 2" Steel gas main line while auguring for a street light pole. There was a valid One-Call ticket

#21272228 with a due date of 6/5/2021. There were no locate marks present. The ticket was not marked but status indicated clear/no conflict. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute Staff’s allegation of non-compliance. Upon investigation, KGS determined that a locate supervisor erred in clearing the ticket without properly confirming that gas facilities were within the scope of the ticket. As a result, the locator assigned to the ticket did not receive adequate notification of the work order. KGS personnel did not perform follow-up field audits of the locator but did contact management of its contract locator company to discuss the error.

KCC NOPV CK-21-OC-1128

KCC Description:

On 6/18/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 9759 Commerce Pkwy in Lenexa, Kansas. KCC alleges Mack’s Backhoe Service, LLC damaged a KGS 1-1/4" Steel gas service line with an excavator while installing a grease trap. There was a valid One-Call ticket #21298270 with a due date of 6/17/2021. There were no locate marks present. The ticket was not marked and 32-1/2 hours past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) agrees with Staff’s description of damage and does not dispute the allegation of non-compliance. KGS determined that the locator rescheduled the locate order without confirming with the excavator. KGS disqualified the locator from working on KGS facilities pending requalification and post-damage audits. The locator requalified and passed follow up field audits conducted by KGS personnel on tickets 21320136, 21328499, and 21328582.

KCC NOPV CK-21-OC-1152

KCC Description:

On 7/14/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 17655 W 94th St in Lenexa, Kansas. KCC alleges Christian Excavating damaged a KGS 3/4" PE gas service line with a trackhoe while installing digging a basement. There was a valid One-Call ticket #21341257 with a due date of 7/9/2021. There were no locate marks present on this branch tee service and was within the scope of the ticket. There were no marks on the main as well which ran along the front of the property and was also within the scope of the ticket. Ticket indicated clear/no conflict. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance. Upon investigation, KGS determined that records provided to the locator did not indicate a branch service stub installed for future use. As a result, the locator cleared the locate ticket and the affected service line was unmarked. KGS crews repaired the leak the same day as damage and updated its records to reflect the location of the service stub.

KCC NOPV JW-21-OC-1097**KCC Description:**

On 07/23/2021, the City of Wichita damaged a KGS 1" BS natural gas service line at 2006 N Jackson Ave. in Wichita, Kansas. One Call ticket #21376248 had a work to begin 07/23/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance. Upon investigation, KGS determined that the locator failed to re-mark gas facility markings as requested by the excavator. The locator did not consult site maps or perform an adequate visual scan of existing facilities before clearing the ticket. As a result, the affected service line was left unmarked. The locator was retrained and cleared for KGS locating following a successful joint observation audit conducted by KGS and its contracting locate company, USIC on ticket 21401608. Further, the locator passed follow up audits conducted by KGS personnel on tickets 21396660, 21399999, 21399146, and 21400265.

KCC NOPV JW-21-OC-1102**KCC Description:**

On 08/03/2021, Oaters LLC damaged a 3/4" PE natural gas service line at 429 N Oil Hill Rd. in El Dorado, Kansas. One Call ticket #21389700 had a work to begin 08/03/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not marking a branch service line in the right-of-way within the scope of the ticket. Upon investigation, KGS determined that the branch service line did not have an operable tracer wire and should have been located using measurements. However, maps provided by KGS to the locator were incorrect and the service line was not marked. KGS crews abandoned

the damaged line and installed a new service line with an operable tracer wire. In addition, KGS maps were corrected.

KCC NOPV CK-21-OC-1163

KCC Description:

On 8/4/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of W 75th St & Antioch Rd in Overland Park, Kansas. KCC alleges Trinity Excavating & Construction, Inc. damaged the coating on a 2" Steel gas main line with an excavator while installing electric utilities. There was a valid One-Call ticket #21391003 with a due date of 8/4/2021. The KGS crew indicated ticket was not marked upon their arrival onsite and was 13 hours and 45 minutes past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") agrees with KCC Staff's allegation that the locator was late to mark gas facilities on ticket 21391003. However, upon arrival to the scene, KGS crews found that the line had not been damaged and no leak occurred. As a result, no repair was necessary. KGS determined that the locator mistakenly rescheduled the ticket due to miscommunication with the excavator on this ongoing electric utility project. KGS locate auditors observed successful completion of locate requests by this locator on tickets 21465028, 21465824, and 21472598.

KCC NOPV CK-21-OC-1186

KCC Description:

On 8/17/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 14017 W 48th St in Shawnee, Kansas. KCC alleges G-B Construction LLC damaged a KGS PE gas service line with a trencher while removing curbs. There was a valid One-Call ticket #21394796 with a due date of 8/9/2021. There were no locate marks present. The ticket was not marked and 7 days 14 hours 52 minutes past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS" or "the Company") does not dispute KCC Staff's allegation of noncompliance. KGS determined that the contract locator had been in contact with the excavator as early as August 6, 2021, regarding excavation activities on this project. However, KGS's contract locate company, USIC, could not provide documentation of a rescheduled time of excavation for the area covered on this ticket. The locator was removed by USIC from KGS's service territory and is not available for coaching or remediation procedures from the Company's locate auditors. KGS crews repaired the service line the day of damage.

KCC NOPV JW-21-OC-1113

KCC Description:

On 08/19/2021, Sunflower Services damaged a KGS 2" PE natural gas main line at 901 S Topeka St. in El Dorado, Kansas. One Call ticket #21422845 had a work to begin 08/18/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute staff's allegation of non-compliance for not accurately marking the damaged main. Upon investigation, KGS determined that the locator failed to fully recognize that the main was within the scope of the ticket as presented in records of the area provided by KGS. The locator was subsequently disqualified and has since returned to the field after completing an operator requalifying test and passing a joint observation audit conducted by KGS and USIC personnel on ticket 21449352. The auditor has since passed post-damage audits conducted by KGS on tickets 21462492, 21463581, and 21465270.

KCC NOPV CK-21-UN-1285

KCC Description:

On 9/8/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 2835 Verona Rd in Mission Hills, Kansas. While investigating this damage an audit was performed and Staff determined the One-Call ticket #21430446 with a due date of 8/24/2021 was not marked correctly. The marks were approximately 30ft off damaged pipe and had tracer wire at the meter, the damage site and was tonable. There were no other tickets in the area at the time of the damage for the marks to belong to a different ticket. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance that resulted from an audit of ticket 21430446 following the September 8, 2021, damage near 2835 Verona Road. Although the excavator damaged KGS facilities after the expiration of ticket 21430446, KGS acknowledges that the locator did not accurately mark the affected gas line. Upon investigation, KGS determined that the locator did not perform a comprehensive sweep of gas facilities within the scope of the ticket. Following the damage, the locator was coached by KGS audit personnel on ticket 21466593 and passed additional audits on tickets 21466396, 21467269, and 21473263.

KCC NOPV CK-21-OC-1213

KCC Description:

On 9/13/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 8522 Gillette St in Lenexa, Kansas. KCC alleges Lan-Tel communication Services, Inc. was replacing curbs and damaged a KGS 7/8" PE gas service line with a form stake. There was a valid One-Call ticket #21459194 with a due date of 9/9/2021. There were locate marks present; however, the area was marked by measurements and the measurements were off the damaged pipe approximately 12 ft. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for mismarking the affected gas service line. Upon investigation, KGS determined that the locator marked the line by measurements with a starting point from the street centerline instead of from the curb. Following the damage, the locator passed audits conducted by KGS personnel on tickets 21459194, 21460677, 21471009, 21460138, 21476237, 21480806, and 21480791. KGS crews repaired the damage the same day and installed tracer wire to assist future locates.

KCC NOPV CK-21-OC-1223

KCC Description:

On 9/15/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 3001 N 64th Terr. in Kansas City, Kansas. KCC alleges Amino Brothers Co, Inc. damaged a KGS PE gas service line while grading out to finish road reconstruction project. There was a valid One-Call ticket #21467058 with a due date of 9/11/2021. There were no locate marks present. The ticket was not marked and status indicated Not complete/In progress. This ticket is 4 days 13 hours past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not timely completing the locate request. KGS's locate contract company, USIC, accepted fault for running behind on the project. However, KGS believes that the excavator did not follow K.S.A. 66-1804(d) which restricts excavators from making repeated requests for remarking and updates. Ticket 21467058 was the 22nd update at this location since February 2021. Regardless, the damage investigation determined that while the locator had been in contact with the excavator throughout the road reconstruction project and performed numerous updates, many of which did not actually require remarking, the locator failed to maintain adequate communication with the excavator prior to start of work under the instant ticket. KGS audit personnel are continuing to monitor the locator's performance and will conduct field audits in the near future.

KCC NOPV CK-21-OC-1225

KCC Description:

On 9/15/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 6311 Hallet St in Shawnee, Kansas. KCC alleges G-B Construction LLC damaged a KGS 7/8" PE gas service line while sawing the road in preparation of curb removal. There was a valid One-Call ticket #21462458 with a due date of 9/10/2021. There were no locate marks present. The ticket was not marked and status indicated Not complete/In progress. This ticket is 5 days 15 hours past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not marking ticket 21462458. KGS determined the locator did not verify that the excavator's project was still in progress following completion of the previous ticket at this location. As a result, the locator failed to respond to the locate request prior to damage. The locator passed post-damage audits conducted by KGS personnel on tickets 21483525 and 21483509. Further, the locator was sent through a three-day training beginning September 28, 2021. KGS auditors will continue to closely monitor the locator's performance.

KCC NOPV CK-21-OC-1232

KCC Description:

On 9/22/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 2913 W 131st St in Leawood, Kansas. KCC alleges Water District No. 1 of Johnson County damaged a KGS 7/8" PE gas service line with an excavator while moving a water service line. There was a valid One-Call ticket #21487556 with a due date of 9/22/2021. The ticket indicated clear/no conflict. There were faint marks observed on the ground but the marks were from a previous ticket. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance. KGS's investigation determined that the locator did not follow appropriate procedures for difficult to locate tickets. As a result, gas facilities within the scope of a ticket were not marked. The locator completed a five-day retraining course, and KGS locate auditors will continue to monitor performance.

KCC NOPV CK-21-OC-1234

KCC Description:

On 9/23/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 6904 Leavenworth Rd in Kansas City, Kansas. KCC alleges Amino Brothers Co, Inc. damaged a KGS 1/2" PE gas service line during a road reconstruction project. There was a valid One-Call ticket #21481291 with a due date of 9/18/2021. There was very faint paint present

on a couple rocks. The ticket was not marked and status indicated Not complete/In progress. This ticket is 5 days 11 hours and 22 minutes past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance for not marking the requested ticket on time. While it remains KGS’s responsibility to ensure timely completion of location requests, ticket 21481291 was the 21st update requested by the excavator for this project. KGS believes that the excavator did not follow K.S.A. 66-1804(d) which restricts excavators from making repeated requests for remarking and updates. KGS’s locate contractor, USIC, was in frequent contact with the excavator in order to understand which areas of the project required locates. KGS also notes that the old paint marks referenced in KCC Staff’s Description of Damage were accurate and within the tolerance zone.

Following the damage investigation, KGS determined that the locator was at fault for falling behind on the project and not timely marking gas facilities as requested. KGS locate auditors will continue to monitor the locator’s performance for determination of whether retraining or requalification is necessary.

KCC NOPV JW-21-OC-1133

KCC Description:

On 09/27/2021, JF Electric damaged a KGS 6" PE natural gas main line in the vicinity of E 53rd St. N and N Lakewood Hills in Park City, Kansas. One Call ticket #21478982 had a work to begin 09/17/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance for not marking, in full, the requested ticket. KGS crews repaired the main the same day as the damage.

Upon investigation, KGS determined that the contract locator was at fault for not appropriately documenting the locator’s request to the excavator to meet on site to discuss which areas with high vegetation would need to be marked. Documentation of the requested site meeting as provided by the locator does not meet KGS locate auditors’ expectations for proper documentation of such requests. The locator was coached and passed post-damage audits conducted by KGS locate personnel on tickets 21258103 and 21528873.

KCC NOPV CK-21-OC-1246

KCC Description:

On 10/5/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 2737 N 8th St in Kansas City, Kansas. KCC alleges B & D Contracting LLC damaged a KGS 3/4" PE gas service line with an excavator while killing out a sanitary sewer service. There was a valid One-Call ticket #21501507 with a due date of 9/29/2021. There were no visible locate marks present on this service or main that was in the scope of the ticket. The entire scope of the ticket was not marked. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation that the damaged gas service line was not marked as requested by the excavator. The KGS and USIC investigations determined that the locator marked the front of the property but failed to mark the side yard in the area near damage. KGS crews repaired the damage the same day. The locator passed three audits conducted by KGS locate personnel on tickets 21563623, 21563615, and 21573381.

KCC NOPV CK-21-OC-1251

KCC Description:

On 10/6/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 8120 Gleason Rd in Lenexa, Kansas. KCC alleges City of Lenexa damaged a KGS 3/4" PE gas service line during a ditch maintenance project. There was a valid One-Call ticket #21495985 with a due date of 10/4/2021. There were no marks present. The ticket was not marked and status indicated Not complete/In progress. This ticket is 2 days 13 hours and 36 minutes past due. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not marking ticket 21495985 in a timely manner. Upon investigation, KGS determined that the contract locator failed to respond to the ticket request before the scheduled start time.

KGS management is engaged in ongoing discussions with USIC management regarding the issue. Prior to the damage, the locator had passed several audits on tickets 21460501, 21468868, 21467874, 21467874, and 21513511. However, the locator left employment with USIC and is no longer locating KGS facilities.

KGS crews repaired the damage the same day and confirmed that the line is locatable.

KCC NOPV JW-21-OC-1140

KCC Description:

On 10/07/2021, Engels Excavation and Grading damaged a 1" PE natural gas service line at 15664 SW 140th St. in Rose Hill, Kansas. One Call ticket #21521104 had a work to begin 10/07/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area was clear from KGS facilities. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's description of damage. Upon investigation, KGS and its contract locate company USIC determined that the locator failed to locate the gas service line. As a result, the locator was permanently disqualified from locating KGS facilities. The damaged service line was replaced the same day.

KCC NOPV KF-21-UN-1006

KCC Description:

On 10/08/2021, KCC staff received notification of a ticket #21516271 with work to begin on 10/06/2021 at 12:15. A Non-Response ticket #21525898 was obtained on 10/06/2021 at 12:03. Both tickets were for the address of 5740 SW Clarion Lakes Way in Topeka, Kansas. Prior to the excavation start date, the Operator (KGS) failed to provide locates for their underground facilities as required by OGSops2.1404R 3.1.2.1. This made the original locate approximately 12 hours and 3 min past the due date.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not completing ticket 21516271 by the indicated excavation start time. KGS's contract locate company, USIC, claims that the assigned locator sent the excavator an email on October 5, 2021, requesting a reschedule for later the following day. The locator noted that when he arrived on site October 6th, excavation had already begun, and contractors hit a communication line. KGS's investigation of the non-compliance allegation attributes the late ticket to a scheduling error. KGS and USIC management are in ongoing discussions about the issue and will continue to find solutions to alleviate late responses.

KCC NOPV JW-21-OC-1143

KCC Description:

On 10/20/2021, the City of Wichita damaged a KGS 3/4" PE natural gas service line at 106 N Gow St. in Wichita, Kansas. One Call ticket #21548767 had a work to begin 10/19/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its

gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance for not marking all KGS facilities within the scope of the requested ticket. KGS’s investigation determined the locator did not thoroughly consult maps or conduct a proper visual inspection of the area. As a result, the locator missed the service line resulting in damage by the excavator. KGS crews repaired the line the same day and confirmed that the service line tracer wire could be accurately toned.

Upon completion of a three-day retraining course, the locator passed post-damage audits on tickets 21562897, 21577930, 2157044, 21574910, 21583757, 21560476, and 21560723 before being released to again perform locates for KGS on October 27, 2021.

KCC NOPV CK-21-OC-1261

KCC Description:

On 10/20/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 9829 Sagamore Rd in Leawood, Kansas. KCC alleges Blue River Concrete damaged a KGS 7/8" PE gas service line with a Bobcat while installing a new driveway. There was a valid One-Call ticket #21535277 with a due date of 10/14/2021. There were no locate marks present and the ticket indicated as being clear/no conflict. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance leading to damage of the gas service line. KGS’s investigation determined that the locator failed to mark gas facilities on ticket 21535277. The locator passed post-damage audits on tickets 21541143, 21545645, 21520619, 21539498, and 21590755. KGS crews repaired the service line the same day as damage.

KCC NOPV JD-21-OC-1002

KCC Description:

KCC was notified on 11/02/2021 of damage to a KGS service line at 6917 Glenwood Street in Overland Park Kansas. CLS Construction was installing 2 inch telecommunications line with a HDD when they struck a KGS 3/4"PE service encased in steel. USIC located using measurements from the C/L of W 69th, instead of the curb as called out on the service card. The marks were approximately 22 feet off the actual service line. CLS did have a valid One-Call ticket# 21543541, with a due date of 10/19/2021. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance for mismarking the damaged service line. The actual damage occurred to the

service line to 6900 Glenwood Street. KGS's investigation confirmed that while the locator used measurements from the centerline of West 69th despite the service card description, measurements on the service card from the property line were incorrect and would have resulted in mismarking the gas line by approximately 28 inches. KGS Claims determined that USIC was not liable for the damage due to incorrect information presented to the locator for measurement.

Regardless, KGS locate auditors performed post-damage audits on the locator to ensure proper reading of service card information. The locator passed audits on tickets 21594288, 21608876, and 21597350.

KGS crews repaired service line to 6900 Glenwood Street on the day of damage and installed near surface markers to assist in future locates. In addition, KGS maps were updated with the correct service line measurements.

KCC NOPV JW-21-OC-1149

KCC Description:

On 11/08/2021, Cornejo and Sons damaged a KGS 1/2" PE natural gas service line at 901 W 65th St. S in Haysville, Kansas. One Call ticket #21572396 had a work to begin 11/03/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not marking the damaged service line. KGS's investigation determined that facility records provided to the locator by its locate contract company USIC incorrectly listed the service line as decommissioned. However, KGS records indicated that the line was active and should have been marked. The technician responsible for changing USIC's facility records was terminated from employment. KGS crews responded to the leak and repaired the damage by capping the service line. KGS records were updated to reflect the now decommissioned pipe.

KCC NOPV JW-21-OC-1150

KCC Description:

On 11/9/2021, Apex Trucking and Excavating damaged a KGS 3/4" PE natural gas service line in the vicinity of W 31st St. N and N Shelton Ave. in Wichita, Kansas. One Call ticket #21562333 had a work to begin 10/28/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area had been marked. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance on ticket 21562333. KGS’s investigation determined that the locator missed marking the service line because he failed to consult service card information while on site. Following coaching by KGS audit personnel, the locator passed post-damage audits on tickets 21569434 and 21571705. KGS crews responded to and repaired the leak the same day.

KCC NOPV CK-21-OC-1272**KCC Description:**

On 11/15/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of W 112th St & Nall Ave in Overland Park, Kansas. KCC alleges Site Rite Construction Co damaged a KGS 2" PE gas service line while installing a storm sewer drain. There was a valid One-Call ticket #21592892 with a due date of 11/13/2021. There were locate marks present; however, the entire scope of the ticket was not marked. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R.82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance for not marking the entirety of ticket 21592892. KGS’s investigation determined that although the excavator made verbal arrangements with the locator narrowing the scope of the ticket, the locator failed to properly document the arrangement pursuant to KGS Standards. As a result, the locator was coached by KGS locate audit personnel. The locator has since passed several post-damage audits on tickets 21598351, 21586917, 21579361, 21576006, 21574907, 21554071, 21554039, and 21576879.

KCC NOPV CK-21-OC-1275**KCC Description:**

On 11/18/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of W 110th St & Mackey Dr. in Overland Park, Kansas. KCC alleges CLS Construction damaged a KGS 7/8" PE gas service line stub while directional drilling conduit for the Google project. There was a valid One-Call ticket #21581340 with a due date of 11/6/2021. There were no locate marks present on this stub which was not on a readily available map. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) does not dispute KCC Staff’s allegation of non-compliance for not marking the damaged service stub. KGS agrees with Staff that maps provided to the locator did not list the abandoned gas line. KGS crews secured the leak the same day and updated facility maps. The locator was not at fault for the damage but passed locate audits performed by KGS personnel on tickets 21594288, 216008876, and 21597350.

KCC NOPV JW-21-OC-1163

KCC Description:

On 12/08/2021, Wildcat Construction damaged a KGS 2" PE natural gas main line in the vicinity of W Summey St. and S Osage St. in Haysville, Kansas. One Call ticket #21622265 had a work to begin 12/02/2021. The KGS facilities were not marked according to the requested area and the ticket indicated the area was clear of KGS facilities. KGS did not follow the procedure OGSops1.1404R which directs KGS to locate its gas facilities within two full working days after being notified on an intent to excavate. Failure to follow the written procedure is a violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") respectfully disagrees, in part, with KCC Staff's allegation of non-compliance for not marking One Call ticket #21622265.

On November 30, 2021, KGS's contract locator and the excavator met to discuss the excavator's planned excavation activities. During this meeting, the parties reached an agreement that no additional marks on One Call ticket #21622265 would be necessary unless the excavator could not visibly see existing marks. Afterwards, the contract locator marked the ticket as "No Locate Required." While the ticket status on the One Call Ticket Record indicates "Clear / No conflict" for KGS facilities, the ticket's internal remarks indicate the ticket was completed pursuant to the meet sheet's arrangements.

Regardless, during KGS's investigation of this allegation of non-compliance, KGS determined its contract locator did not properly document the meeting with the excavator. KGS is currently reviewing this matter internally and whether additional discussions with its contract locator are necessary.

For the foregoing, KGS maintains the excavator was at fault for the damage for not contacting the locator pursuant to the November 30, 2021 arrangement. Still, KGS determined it, through its contractor, failed to comply with meet sheet documentation requirements found in OGSops2.1404R Part 7.5.

KCC NOPV CK-21-OC-1298

KCC Description:

On 12/22/2021, KCC Staff was notified of excavation work resulting in a damage to a KGS gas line around the area of 612 Ohio Ave in Kansas City, Kansas. KCC alleges Board of Public Utilities damaged a KGS 3/4" PE gas service line while replacing a water service. There was a valid One-Call ticket #21636042 with a due date of 12/9/2021. There were locate marks present; however, there were no marks on the service line to 608 Ohio Ave which was within the scope of the requested area. KGS did not follow their written procedure OGSops1.1404R and is in violation of 49 CFR 192.614 as adopted by K.A.R. 82-11-4.

KGS Response:

Kansas Gas Service, a division of ONE Gas, Inc. ("KGS") does not dispute KCC Staff's allegation of non-compliance for not marking the damaged service line. Upon investigation, KGS determined that the locator did not fully mark the scope of the ticket. KGS required the locator to attend a two-

day retraining class with a locate supervisor followed by scheduled observation by KGS auditors. The locator will continue to be audited by KGS and its locate contractor USIC.

Following the damage, KGS crews repaired the service line and confirmed that the line could be properly located.

CERTIFICATE OF SERVICE

21-KGSG-398-SHO

I, the undersigned, certify that a true and correct copy of the above and foregoing notice was electronically delivered this 18th day of April, 2022, to the following:

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