

Kansas Corporation Commission,

2/20/2020

We received the notice of penalty assessment (20-DPAX-322-PEN) from you for \$500 for the gas line event that occurred on Aug. 14, 2019 in Wichita. I understand we hit the line, caused an interruption of service for 2 homeowners and did not have the lines marked. We usually do have lines marked, but this leak was spewing water and needed immediate attention. Having this fine levied on us does not help the situation by making us more aware of underground lines or the need to call them in. We have never hit a gas line in our history of digging and have taken great care to not hit cable, electrical or other communication lines through the years. This often includes doing extensive hand digging and taking extra care to ensure the safety of these lines and the people around them. Our history with using One Call and taking care to not hit underground utilities should be considered when assessing a fine. We dig daily and underground utilities are a constant threat to our work.

When the accident happened, we were proactive about it and stayed to help the gas company locate the break in the line and assist with digging and putting together the new line. This saved them time, money, manpower and some frustration. Our time was not paid for, but we did that in order to move the process along quickly so that repairs could be made in a timely manner and have minimal effect on the neighbors that rely on that gas line.

The financial factors of this assessment need to be taken into account as well. We paid Kansas Gas \$675.74 for the damage done to the line. Also, our customer has elected to not pay us for this work yet. The usual charge for work like this would have been approximately \$650. We charged him \$525 since there was an inconvenience to him and assisted in repairing the grass where the extra hole and the larger original hole was dug. He did not pay the \$525, but paid \$186.34 to cover our parts. This does not pay our time on the job or the pay for the equipment we used. This event was clearly not a money-making job for us, and assessing another \$500 fine just makes it harder to stay in business and keep operating. We have already lost over \$1000 on this project, and assessing more fines will not teach us anything we don't already know or did not learn from the event. We helped as much as possible to make the process speedy and easy to deal with, in hopes that we would not be assessed an exorbitant fine for what happened. We are sorry that it happened and we constantly strive to take steps to prevent things like this from happening again. We feel that with our past digging record and efforts to minimize the damage from this event, our assessment should be looked at again to create a fair and pro-business resolution.

If a hearing is necessary, I would prefer a hearing by phone so I don't have to travel to Topeka.

Thank you for your attention to this matter,

Jeff Krier

J & J Lawn Care, LLC

Wichita, KS

316.640.4989

jeffjllawn@yahoo.com