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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of November 28, 2024***2012-00370**

RECEIVED: 09/07/12

FILED: 09/07/12

FINAL: 02/04/13

REOPENED:

SUSPENSION DATE:

CASE NATURE: Alleged Failure to Comply with 807 KAR 5:061 (Dalton Incident)

**CASE CODE**

Investigation - Service

**UTILITIES:**

Mountain Rural Telephone Cooperative Corporation

**HEARINGS:**

01/15/13 Formal Hearing

11/08/12 Informal Conference

**INDEX OF EVENTS:**

03/06/13 Mountain Rural Telephone Cooperative Corporation List of Employees Who Completed Training

02/08/13 MRTC response to Order of Jan 11, 2013

02/04/13 Receipt of Payment

02/01/13 Mountain Rural Telephone Cooperative Corporation, Inc. \$1,875.00 Penalty Payment

01/11/13 Final Order Entered: (1) The Joint Stipulation of Facts and Settlement Agreement is adopted and approved in its entirety as a complete resolution of all issues in this case. (2) Mountain Rural is assessed a penalty of \$1,875.00. (3) Mountain Rural shall pay \$1,875.00 civil penalty within 30 days of date of this Order by cashier's check or money order. (4) Within 30 days of date of this Order, Mountain Rural shall provide a copy of each of its incident notification contact cards to the Commission, including the contact card with the Commission's contact information, as well as Mountain Rural's management contact information. (5) Mountain Rural shall review and update the incident reporting contact information for both Mountain Rural staff and Commission Staff on a regular basis. (6) Within 30 days of the date flagman certification is obtained by Mountain Rural's employees, Mountain Rural shall provide the Commission with a summary of the training received to certify flagmen by the Kentucky Department of Transportation, including any recertification requirements for employees to maintain the certification, and a list of Mountain Rural employees who received the certification. (7) The hearing scheduled for January 15, 2013 is cancelled. (8) Upon payment of the \$1,875.00 civil penalty, this case shall be closed and removed from the Commission's docket without further Order of the Commission. (9)

12/18/12 Stipulation of Facts and Settlement Agreement

11/14/12 Memorandum dated 11/14/12 for Informal Conference of 11/8/12; Comments, if any, due 11/28/12

11/14/12 Mountain Rural Telephone Materials from 110812 IC

10/17/12 Order Entered: An informal conference shall be held on Thursday, November 8, 2012 at 10:00 a.m. in Hearing room 2 at the Commission's Offices.

09/27/12 Mountain Rural's Response to Commission Staff's 090712 Order

09/07/12 Order Entered: (1) Mountain Rural shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Report. (2) Mountain Rural shall appear on January 15, 2013 at 12:00 p.m. EST, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, KY for the purpose of presenting evidence concerning the alleged violations of 807 KAR 5:006, 807 KAR 5:061, and showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations. (3) At the scheduled hearing in this matter, Mountain Rural shall also present evidence on the adequacy, safety, and reasonableness of its practices related to the construction, installation, and repair of facilities and whether such practices require revision as related to this incident. (4) The January 15, 2013 hearing shall be recorded by videotape only. (5) The Report in the Appendix to this Order is made a part of the record in this case. (6) Any requests for an informal conference with Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.

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 Total Number of Cases: 1