

PSC Docket No. 19-057-24
DEU Exhibit A to Motion to Strike

Exhibit A



ALAN KRUCKENBERG CONSTRUCTION INC.

5411 SOUTH VINE STREET - SUITE 4A - MURRAY, UTAH 84107

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21 October 2019

Public Service Commission
Office of Consumer Services
160m East 300 South
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Salt Lake City, Utah
84111
Tel : 801-530-6716
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RE : Docket No 19-057-24

Alan Kruckenberg Construction, Inc. developed a 4 lot subdivision in Fall of 2018.

South Cottonwood Heights Amended is located at 5347 South Vine Street in Murray, Utah.

Alan Kruckenberg Construction, Inc. proposed that the four (4) individual gas services be located in the 10' wide PUEs on between Lot 101 and Lot 104.

Dominion Energy insisted on installation of gas services in the Right of Way.

The ROW is 28' wide with a 20' wide asphalt drive accessing the flag lots 102 and 103.

The gas service for Lot 102 was installed between the asphalt drive and the foundation of lot 101.

The trench was improperly filled. Sand or other compactable fill was not used.

The trench has subsided and the a 20' wide asphalt drive has been damaged.

The damaged asphalt ROW is 33' long and 20' wide.

On 13 May 2019, Alan Kruckenberg Construction, Inc. contacted Dominion Energy Representative J.T. Wade.

On 30 May 2019, Dominion Energy Representative J.T. Wade and Tony Stephens visited the site. Mr. Wade sent an email to Alan Kruckenberg Construction, Inc. requesting ... "work with you to get this problem resolved." - Attached. - #!

Photos of subsided trench attached. - #2

On 5 June 2019, Alan Kruckenberg Construction, Inc. filed a Formal Complaint with the Public Service Commission regarding this matter. - Attached - #3

On 5 June 2019, Alan Kruckenberg Construction, Inc. filed a request with Dominion Energy to repair the 20' wide asphalt drive in the 28' wide ROW. - Attached - #4

On 14 June 2019, Dominion Energy offered to settle the claim. - Attached - #5

On 25 June 2019, Dominion Energy again offered to settle the claim. - Attached - #6

On 27 June 2019, Representative Leora Price from Dominion Energy requested a "Motion to Extend". - Attached - #7

On 27 June 2019, Representatives from Dominion Energy met Representatives from Alan Kruckenberg Construction, Inc. on site to discuss settlement offer. The proposal was unacceptable. - Attached - #8

On 3 July 2019, Alan Kruckenberg Construction, Inc. provided specific conditions required to repair the 20' Right of Way. - Attached - #9

On 8 July 2019, Representative Leora Price from Dominion Energy responded to 3 July 2019 conditions required by Alan Kruckenberg Construction, Inc. - Attached - #10

On 19 July 2019, Dominion Energy confirmed the initial offer to settle and agreed to prepare a Settlement Agreement. - Attached - #11

On 19 July 2019, Alan Kruckenberg Construction, Inc. requested that specific language and drawings be included in the Settlement Agreement. - Attached - #12

Dominion Energy did not respond.

The Complainant response deadline was 22 July 2019.

Representative of Dominion Energy proposed a settlement on Friday 19 June 2019, did not respond to request for clarification and delayed the process until the Complainant Response Deadline had passed.

On 9 August 2019, Alan Kruckenberg Construction, Inc. filed action against Dominion Energy in Murray Justice Court. - #13

On 12 August 2019, Alan Kruckenberg Construction, Inc submitted request to review/rehear initial claim. - Attached - #14

On 19 August 2019, Alan Kruckenberg Construction, Inc informed Dominion Energy of the Murray Justice Court action. - Attached - #15

On 4 September 2019, PSC re-opened Alan Kruckenberg Construction, Inc. claim against Dominion Energy - Docket 19-057-24. - Attached - #16

On 4 September 2019, Representative Leora Price from Dominion Energy ... "reiterate the above offer" in exchange for ... "dismissal of Small Claims Complaint." - Attached - #17

On 30 September 2019, Alan Kruckenberg Construction, Inc. offered to withdraw the PSC Claim and the Murray Justice Court action in exchange for Dominion Energy paying third party contractor for repair of sunken trench and damaged asphalt ROW. - Attached - #18

On 3 October 2019, Representative Leora Price from Dominion Energy agreed to discuss settlement and prepare an offer in exchange for an extension to the PSC response deadline. - Attached. - #19

On 3 October 2019, Alan Kruckenberg Construction, Inc. requested draft of Dominion Energy's offer. - #20

Dominion Energy did not respond to Alan Kruckenberg Construction, Inc.'s request.

Dominion Energy issued a formal response to PSC.

Reviewing the timeline of event for this incident, Dominion Energy has clearly engaged in a variety of tactics to delay, extend, rescind and renege in an effort to manipulate the Public Service Commission Rules of the Formal Complaint process.

Dominion Energy has extended multiple offers to Alan Kruckenberg Construction, Inc. for resolution of this matter.

Alan Kruckenberg Construction, Inc.'s request for a clearly established scope of work for these offers have consistently been met by purposefully vague responses in an effort to obtain release from PSC or Murray Justice Court action.

Alan Kruckenberg Construction, Inc. has worked diligently, openly and honestly with Dominion Energy to resolve this matter.

Alan Kruckenberg Construction, Inc. requests that the Public Service Commission rule in favor of the Complainant Alan Kruckenberg Construction, Inc. and provide Monetary Judgement in the amount of \$ 5,840.00 as established by the third party contractor for removal and replacement of the damaged asphalt ROW.

Jeff Kruckenberg
Alan Kruckenberg Construction, Inc.

