

Meeting Minutes

Thursday, January 11, 2018

10:03 AM

- Roll Call
- Swearing in of new members
- Approval of minutes from October 12, 2017 meeting
- 17-00021
 - Corrin and Celona recused from case
 - No response from the respondent
 - Discussed the issue of no response by respondent
 - Motion to find Queen City in violation
 - Only 8 votes for motion - needed 9 votes - motion failed - no enforcement action taken
 - YAY: Callan, Igel, Losinski, Motzer, Reams, Stewart, Ward, Willis,
 - NAY: Hocevar, Potnick
 - Abstain: Corrin, Celona
- 17-00042
 - Corrin recused
 - Contractor admitted "no contest"
 - Motion to find Respondent in violation of (a)1, 4, and 5 to find
 - Motion passes with 11 votes
 - Penalty discussion - PIP plan to be submitted by contractor - passed
- 17-00043
 - Corrin and Celona recused
 - Respondent admitted compliance failure
 - Motion to find in violation of A(1)
 - 10 votes - motion passed
 - Penalty -10/12 corrective action plan submitted by AEP on another case
 - Motion of no penalty due to that this would be covered under the current request for action plan.
- 17-00044
 - Corrin, Celona and Ward recused
 - Based on the respondents response indicate compliance failure
 - Motion to find violation - unanimous
 - Penalty discussion of past violations and respondent action
 - Motion to accept action already taken by the respondent in their response
 - Motion passes
- 17-00045
 - Corrin recused
 - Discussed the locate of the ticket and the scope of work
 - Motion to find in violation - Motion passes
 - Penalty discussion
 - Discussed the action the company already took
 - Motion to accept action plan submitted in their response
- 17-00046
 - Discussed the impact of the dog near the locate location on the ability to locate
 - Motion of no violation
 - Motion passed

- 17-00047
 - Discussed the "turn back" procedure by the respondent by leaving notice (sign) onsite
 - Motion to find in violation of A(1) didn't update positive response and give guidance to excavator. Sign was insufficient.
 - Motion passed - Unanimous
 - Penalty discussion
 - Motion for no fine and revise the current PIP and explain to the respondent why they were found in violation within 30 days
 - Motion passed
- 17-00048
 - Discussed the "turn back" procedure by the respondent by leaving notice (sign) onsite
 - Motion to find in violation of A(1) didn't update positive response and give guidance to excavator. Sign was insufficient.
 - Motion passed - Unanimous
 - Penalty discussion
 - Motion for no fine and revise the current PIP and explain to the respondent why they were found in violation within 30 days
 - Motion passed
- 17-00050
 - Motion to find them in violation of A(1) - Unanimous
 - The respondent was still in window of previous action plan
- 17-00049
 - Motion to find in violation of A(1)
 - Motion passed
 - Penalty - submit and update PIP within 30 days
 - Motion passed
- 17-00051
 - Discussion of what does "marked" mean and activities of the first locator onsite and the second locator onsite
 - Motion to find in violation of ORC 153.64(C)
 - Motion passed - unanimous
 - Penalty discussion
 - Accept PIP as submitted in the respondent response
 - Motion passed
- 17-00054
 - Corrin recused
 - Motion of AT&T violated A(1)
 - Motion passed
 - Penalty
 - Reviewed past history of violations
 - Motion to fine \$250 penalty
 - Motion passed with 9 votes
 - YAY: Callan, Igel, Reams, Stewart, Ward, Willis, Celona, Hocesvar, Potnick
 - NAY: Losinski, Motzer
 - Abstain: Corrin
- 17-00055
 - Corrin recused
 - Motion of WOW in violation of A(1)

- Motion passed - unanimous
- Table the penalty pending receipt of plan under existing case
- 17-00056
 - Motion to find Columbia in violation A(1)
 - Motion passed
 - Penalty revise PIP plan within 30 days
- 17-00057
 - Shaun and Dave recused
 - Motion find in violation of A(1)
 - Motion passed
 - Penalty
 - No penalty due to within the window of their existing corrective action plan
- 17-00058
 - Discussion around the timing of the response posted to OUPS
 - Discussion over AT&T distribution and transmission
 - Motion to find in violation of A(1)
 - Motion passed - unanimous
 - Motion for Penalty - \$250
 - Only 8 votes for penalty motion - needed 9 votes - motion failed - no enforcement action taken
 - - YAY: Callan, Igel, Reams, Stewart, Willis, Celona, Hocevar, Potnick
 - NAY: Losinski, Motzer, Ward,
 - Abstain: Corrin
- 17-00059
 - Motion passed - unanimous
 - Penalty - revise process improvement plan
- 17-00060 & 17-00061
 - Ward recused
 - Request to withdraw from Complainant
 - Motion to accept to withdrawal
 - Motion passes

VI.

- a. Monitor pending cases

VII.

- f. Swore in two UTC members for new term

VIII.

Current officers re-elected

Next meeting

March 15th at 10:00am.

