

Underground Technical Committee

Meeting Minutes

March 30, 2017

- I. Call to Order 10:00 AM
- II. Roll Call & Declaration of Quorum 2 minutes
Present: Jim Callan, Tom Stewart, Frank Ward, John Kelly, Joe Igel, Dave Celona, David Losinski, Michael Perry, Jennifer Reams, Todd Willis
Teleconference: Mark Potnick, Shaun Corrin
Not Present: William Hocevar, Joshua Motzer, David Slatzer, Ed Cain
- III. Approval of Minutes from January 12, 2017 Meeting 1 minute
- Minutes have been approved and attached.
- IV. Cases to be Heard:
a. 16-00024 12 minutes
Complainant: Buckeye Partners
Respondent: H.M. Miller Construction Company
o 3781.29 (D) - No violation occurred / No enforcement action
o 3781.30 (A)(4) - No violation occurred / No enforcement action
o 3781.30 (A)(6) - No violation occurred / No enforcement action
o 3781.30 (B) - Non-Compliant
▪ Penalty: **Violation** - After review of all submitted documentation, The Underground Technical Committee (UTC) finds the Respondent violated obligation under ORC 3781.30 (B) (3). Respondent did not adhere to underground facility separation requirements while installing a new facility near an existing facility. Respondent shall submit an improvement plan and documentation for completion of training on this plan for all employees, management and third party contractors within 60 days. This training shall include pre-marking and installation requirements when excavating near underground facilities.

Jim Callan – abstained

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- b. 16-00030 2 minutes

Complainant: Village of Bethel

Respondent: Gary Alsept

- 3781.28 (A) - Complaint withdrawn
 - UTC accepted the Village of Bethel's request to withdraw the complaint.

- c. 16-00034 2 minutes

Complainant: Intelliwave

Respondent: AT&T

- 3781.29 (A)(1) - No violation occurred / No enforcement action
 - UTC decided based on evidence provided, no violation occurred.
 - **Non-Violation**-After review of all submitted documentation, The Underground Technical Committee (UTC) finds that the Respondent was not in violation of obligations under ORC 3781.30 (A) (1). Complainant was asked to provide supporting documentation for this alleged violation, as respondent denied the allegation. Complainant failed to provide or respond to requests for documentation. The UTC must render recommendations based on the documentation available and found no support for the alleged violation.

Shaun Corrin – abstained

- d. 16-00035 7 minutes

Complainant: Intelliwave

Respondent: Frontier Communications

- 3781.29 (A)(1) - No violation occurred / No enforcement action
 - Upon reviewing the provided information, The Underground Technical Committee finds No violation.

Shaun Corrin – abstained

- e. 16-00036 9 minutes

Complainant: Marty Mongold (Kent Power)

Respondent: Kent Power

- 3781.28 (A) - Not a valid complaint
 - The underground Technical Committee finds that the actual complainant was not an employee of Kent Power at time of alleged incident and does not meet the definition of an aggrieved party. Complaint invalid.

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| V. | Status Updates | 3 minutes |
| | <ul style="list-style-type: none">- 1 case ready to be submitted to UTC- 2 cases have been cancelled due to invalid complaints- 5 cases that are waiting on respondent response | |
| VI. | Old Business | |
| | a. Follow-up on cases already decided | 2 minutes |
| | b. 16-00017 | 3 minutes |
| | <ul style="list-style-type: none">- Table consideration until additional information is available- PUCO will continue investigation to find correct respondent | |
| | c. UTC Document Portal discussion | 5 minutes |
| | <ul style="list-style-type: none">- Add previous meeting minutes, agendas, & UTC member handbook | |
| | d. Electric Cooperative UTC member | 3 minutes |
| | <ul style="list-style-type: none">- Reminding Speaker on March 30 about vacant position | |
| VII. | New Business | |
| | a. Supporting documentation | 7 minutes |
| | <ul style="list-style-type: none">- Discussion on how to inform Complainant/Respondent about supporting documentation.- Possible information on what's considered an 'aggrieved person' | |
| | b. General Assembly Report | 4 minutes |
| | <ul style="list-style-type: none">- Discussion on what was included in the report | |
| | c. UTC Participation | 16 minutes |
| | <ul style="list-style-type: none">- UTC members discussion on the term 'Conflict of Interest' | |
| VIII. | Next Meeting | 2 minutes |
| | <ul style="list-style-type: none">- June 1, 2017- 10:00 AM- PUCO Hearing Room | |
| IX. | Adjourn | 11:20 AM |