

Underground Technical Committee

Meeting Minutes

June 1, 2017

- I. Call to Order 10:02 AM
- II. Roll Call & Declaration of Quorum 2 minutes
Present: Mark Potnick, Jim Callan, Tom Stewart, John Kelly, Joe Igel, Dave Celona, Shaun Corrin, William Hocevar, Joshua Motzer, Jennifer Reams
Teleconference: Frank Ward, Michael Perry, David Slatzer
Not Present: David Losinski, Todd Willis, Ed Cain
- III. Approval of Minutes from March 30, 2017 Meeting 2 minutes
- Minutes have a small error from case 16-00034. Minutes will be updated.
- IV. Cases to be Heard
- a. 17-00001 5 minutes
Complainant: Infrasource Underground Construction
Respondent: Wide Open West
Violation: 3781.29 (A)(1) - Non-Compliant Unanimous Decision
Penalty: Respondent shall submit an improvement plan and documentation for completion of training on this plan for all employees, management and third-party contractors within 45 days.
- b. 17-00002 14 minutes
Complainant: Montgomery County Environmental Services
Respondent: Brock & Sons Inc.
Violation: 3781.29 (D) - Non-Compliant Unanimous Decision
Penalty: Respondent shall submit an improvement plan and documentation for completion of training on this plan for all employees, management and third-party contractors within 45 days. This training shall include obligations required under ORC 3781.29 (D)
- c. 17-00004 7 minutes
Complainant: Dirty Diggers
Respondent: Columbia Gas of Ohio
Violation: 153.64 (C) - Non-Complaint Unanimous Decision
Penalty: Respondent shall conduct training for all employees, management and third-party contractors involved in the one call process and submit documentation of completion within 45 days.

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- d. 17-00006 6 minutes
Complainant: N&N Construction Co Inc
Respondent: Columbia Gas of Ohio

Violation: 153.64 (C) - Non-Compliance Unanimous Decision
Penalty: The Respondent shall submit their improvement plan to include a summary report of how tickets are received, processed and completed in a manner consistent with ORC 153.64. Respondent shall conduct training for all employees, management and third party contractors involved in the one call process and submit documentation of completion within 45 days.
- e. 17-00007 48 minutes
Complainant: N&N Construction Co Inc.
Respondent: FirstEnergy

Violation: 153.64 (C) - Non-Compliant Unanimous Decision
Penalty: Monetary fine in the amount of \$500.00 held in abeyance subject to the following: within 30 days, respondent shall submit an investigation and revision of the process improvement plan previously provided in corrective action. This investigation shall include why the process improvement plan failed and what steps are taken in revision of plan to meet compliance obligations for responding to one call tickets.
- BREAK 13 minutes
- f. 17-00008 21 minutes
Complainant: Infrasource Underground Construction
Respondent: Cleveland Water Division

Violation: 3781.29 (A)(1) Unanimous Decision
Penalty: Monetary fine in the amount of \$250.00 held in abeyance subject to the following: within 30 days, respondent shall submit an investigation and revision of the process improvement plan previously provided in corrective action. This investigation shall include why the process improvement plan failed and what steps are taken in revision of plan to meet compliance obligations for responding to one call tickets.
- g. 17-00010 37 minutes
Complainant: Custom Utilicom Inc.
Respondent: Midvale Water Department

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Violation: 3781.26 (A) - Non-Compliant Unanimous Decision
3781.29 (A)(1) - No Enforcement Action Unanimous Decision

Penalty: Respondent shall become a member of the state one call as required by ORC 3781.26 (A) within 30 days. If respondent does not become a member of the state one call within 30 days; the respondent shall be subject to default under OAC 4901:1-2-14.

h. 17-00011 2 minutes

Complainant: Duke Energy
Respondent: JK Excavation

Violation: 3781.28 (A) - Non-Compliant Unanimous Decision

Penalty: The Respondent shall submit a process improvement plan to include training of safe excavation and one call practices for all employees and management. Respondent shall provide the process improvement plan within 30 days to the PUCO. Respondent shall complete all training and submit documentation to the PUCO within 45 days.

i. 17-00012 26 minutes

Complainant: Duke Energy
Respondent: Rack & Ballauer Excavating Company

Violation: 3781.30 (A)(4) - Table consideration until August UTC meeting
3781.30 (A)(1) - Table consideration until August UTC meeting

j. 16-00024 – Reconsideration 8 minutes

- PUCO Staff Report due on June 9th
- Underground Technical Committee requested clarification on their role in a reconsideration

V. Status update on cases 2 minutes

- 3 cases ready to be submitted to UTC.
- 1 case waiting on Respondent Response.
- 4 cases were invalid.

VI. Old Business 6 minutes

- 16-00017
 - o Unable to find owner of pipeline
 - o Will reach out to Complainant. If no new information available, will send to UTC to close.
- 16-00026
 - o UTC officers accepted Process Improvement Plan submitted.
- 16-00032
 - o UTC officers accepted Process Improvement Plan submitted.

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| VII. | New Business | 5 minutes |
| | <ul style="list-style-type: none">- Supporting documentation warning in Complainant letter- Aggrieved Party under law- Annual Report to State Legislature- OUPS Visit | |
| VIII. | Next Meeting | 4 minutes |
| | <ul style="list-style-type: none">- August 9, 2017 (Wednesday)- 9:00 AM- PUCO Hearing Room | |
| IX. | Adjourn | 1:30 PM |