

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held December 21, 2023

Commissioners Present:

Stephen M. DeFrank, Chairman  
Kimberly M. Barrow, Vice Chairman  
Ralph V. Yanora, Commissioner  
Kathryn L. Zerfuss, Commissioner  
John F. Coleman, Jr., Commissioner

PA One Call – Act 50 of 2017;  
Damage Prevention Committee Appointments

Docket No. M-2018-3000261

**ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration are three recommended appointments to the Damage Prevention Committee (DPC) provided for in the Underground Utility Line Protection Law, Act of October 30, 2017, P.L.806, No. 50 (Act 50). We shall approve the candidates recommended by the Commission's Executive Director; these appointees will serve three-year terms to begin on January 1, 2024. For the reasons set forth herein, the remaining vacancy for the Natural Gas or Petroleum Pipeline industry position will be reposted on the Commission's website and in the *Pennsylvania Bulletin* seeking qualified candidates.

On April 30, 2018, Act 50, the Underground Utility Line Protection Law (One Call Law) became effective assigning certain duties and responsibilities associated with Pennsylvania's One Call system to the Commission. One of the duties and

responsibilities assigned to the Commission is to appoint eligible and qualified persons to the DPC. 73 P.S. § 182.8(a).

Section 182.8(a) of the One Call Law, 73 P.S. § 182.8(a), establishes the membership and the criteria of the representatives to serve on the DPC, which consists of 13 appointees with the authority to review, make recommendations, and resolve among aggrieved parties, violations of the One Call Law. Subsections 182.8(a)(1)(iv), (v), (vii) and (3) provide as follows:

- (a) A damage prevention committee shall be established as follows:
  - (1) The committee shall consist of the following members, appointed by the commission:
    - \* \* \*
    - (iv) One representative from each of the following nonmunicipally owned or affiliated facility own industries: electric, natural gas or petroleum pipelines, telephone, water or wastewater and cable television, nominated by facility owners or affiliated organizations.
    - (v) Three representatives of excavators, nominated by excavators or affiliated organizations.
    - \* \* \*
    - (vii) One representative of municipal authorities, nominated by municipal authorities or affiliated organizations
    - \* \* \*
  - (3) A nomination under clause (1)(iv), (v), (vi) and (vii) shall be forwarded to the secretary of the commission. The executive director of the commission shall provide recommended candidates to the commission for approval.

By publication in the *Pennsylvania Bulletin*, the Commission requested qualified candidates to submit their resumes to the Secretary of the Commission by the close of business on October 30, 2023. After review of the nominations submitted to the Commission, the Commission is approving the following individuals to serve as members of the DPC for a three-year term beginning on January 1, 2024: William Kukurin, of Kukurin Contracting, Inc., representing the Excavator industry under Section 182.8(a)(1)(v), 73 P.S. § 182.8(a)(1)(v); Thomas C. Ceraso, of the Municipal Authority of Westmoreland County, representing the Municipal Authority industry under Section 182.8(a)(1)(vii), 73 P.S. § 182.8(a)(1)(vii); and Douglas L. Haupt, of PPL Electric Utilities, representing the Electric industry under Section 182.8(a)(1)(iv), 73 P.S. § 182.8(a)(1)(iv).

In addition to the three posted vacancies that we are filling here, the Commission sought nominees from the Natural Gas or Petroleum Pipeline industry under Section 182.8(a)(1)(iv), 73 P.S. § 182.8(a)(1)(iv). We received a single nomination to fill this position. Section 182.8(a)(2) of the One Call Law states, “[a] person appointed to the committee must have expertise within the operation of this act.” After reviewing this nominee’s application and resume, we cannot conclude that this nominee has sufficient expertise within the operation of the act so as to represent the Natural Gas or Petroleum Pipeline industry. Statistics from the Commission’s Damage Prevention Investigator group show that a majority of the cases that come before the DPC involve the natural gas industry (62% in 2022 and 73% in 2023). Therefore, we conclude that this position should be filled by an industry representative with broad ranging and significant experience in the field. The recommended applicant has only two years working for a natural gas distribution company, and as such, we conclude that this applicant does not meet the qualifications for this position on the DPC.

Accordingly, we will republish the vacancy in the *Pennsylvania Bulletin* and on the Commission's website, allowing for an additional thirty (30) days to submit recommendations to the Commission to fill the Natural Gas or Petroleum Pipeline industry vacancy on the DPC.

**THEREFORE,**

**IT IS ORDERED:**

1. That William Kukurin, of Kukurin Contracting, Inc., representing the Excavator industry under Section 182.8(a)(1)(v), 73 P.S. § 182.8(a)(1)(v), is hereby appointed as a member to the Damage Prevention Committee to begin serving a three-year term on January 1, 2024.
  
2. That Thomas C. Ceraso, of the Municipal Authority of Westmoreland County, representing the Municipal Authority industry under Section 182.8(a)(1)(vii), is hereby appointed as a member to the Damage Prevention Committee to begin serving a three-year term on January 1, 2024.
  
3. That Douglas L. Haupt, of PPL Electric Utilities, representing the Electric industry under Section 182.8(a)(1)(iv), 73 P.S. § 182.8(a)(1)(iv), is hereby appointed as a member to the Damage Prevention Committee to begin serving a three-year term on January 1, 2024.

4. That the remaining DPC vacancy representing the natural gas or petroleum pipeline industry shall be republished in the *Pennsylvania Bulletin* and on the Commission website, allowing for thirty (30) days for submission of qualified applicants.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive, flowing style.

Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: December 21, 2023

ORDER ENTERED: December 21, 2023