



Damage Prevention Committee

**Summaries and Actions
from the
Meeting of July 13, 2021**

Case Number	Stakeholders	Summary	Violations & Recommendation
744	<p>Facility Owner: PECO Contractor/Excavator: Philadelphia Gas Works Project Owner: Philadelphia Gas Works Other: PECO Other: PGW Other: PHILADELPHIA WATER DEPARTMENT</p>	<p>On 11/5/2018 2:00:00 PM at 8034 GERMANTOWN AVE, PHILADELPHIA CITY, PHILADELPHIA July DPC meeting decision was to keep the violations and penalty as determined by the DPI.</p> <p>Incident occurred on 11/5/2018 at 8034 Germantown Ave, Philadelphia City, Philadelphia PA.</p> <p>Disagree: Philadelphia Water Department is disagreeing with violation 2(5)(viii) because they state that they are neither the Project Owner nor the excavator for this project. The violation is for a non-response to New Excavation Emergency Ticket 20183092778, which was prepared on 11/05/2018 at 14:34. Philadelphia Water Department had no response in KARL.</p> <p>AVR from PECO Energy stated that a PGW crew hit and damaged a mismarked PECO electric secondary line with a shovel. PGW provided photos. The PECO line looked to be mismarked by 34". A request was emailed to PECO on 2/25/2019 to provide photos/ videos directly to this Compliance specialist. Another request was emailed to PECO on 2/27/2019 asking for the cost of the damage repair and if there was any service interruption. At this time, they have not sent the requested information.</p>	<p>PECO: \$1,500.00 Section 2.5(i) 3rd Offense \$1,500.00</p> <p>PHILADELPHIA WATER DEPARTMENT: \$1,500.00 Section 2.5(vii) 1st Offense \$1,500.00</p>

Case Number	Stakeholders	Summary	Violations & Recommendation
8569	<p>Facility Owner: Comcast Contractor/Excavator: Longue Vue Country Club Project Owner: Longue Vue Country Club Designer: Gateway Engineers</p>	<p>On 7/26/2019 9:00:00 AM at 400 Long Vue Dr, Penn Hills, AlleghenyAt the DPC meeting on 7/13/2021, Mr. Swartley made the motion to dismiss all violations and penalties for Gateway and to add education. Motion was seconded by Mr. Kiger. Mr. Ferri and Mr. Moslen abstained from the vote. Mr. Clark, and Mr. Dacey denied the motion and all other members accepted the motion. ***** *Gateway rejection- I wish to inform you that all work being completed as a part or the Gateway Project and Plan attached to the letter was completed by 5-24-19 when we conducted a final inspection on site that day. We are not aware of the type or location of work that was occurring on 7-26-19 when the strike occurred, but there were a number of renovations taking place at the club that did not require engineering plans. ***An AVR was submitted to the Commission from Longue View on 12/19/2019, prior to the case being voted on. Please rescind the penalty of 5(16) from Longue View.*** ***** On 5/12/2016 a Final Design Notification was placed for Longue Vue Country Club, by Hampton Technical Associates, to prepare for excavation around the Country Club's main buildings at Oakwood Road, near Lincoln Road, Penn Hills, Allegheny County. Excavation never began for this design notification. A Preliminary Design Notification (#20173111024) was placed on 11/07/2017 at 9:57 AM by Gateway Engineers, for excavation for a retaining wall, on Longue View Drive, near Oakwood Road and Lincoln Road, Penn Hills, Allegheny County. Another Preliminary Design Notification (#20173111091) was placed on 11/07/2017 by Gateway Engineers at 10:07 AM. This Design Notification was placed for excavation for an access route to the excavation site for the retaining wall on the property. The only Excavation Ticket (#20190770854) was placed on 3/18/2019 at 9:30 AM by Longue Vue Country Club for an A R Bobick Excavating. The damage did not occur until four months later on 7/26/2019 when a Comcast underground trunk cable was damaged by a trencher on the Loungue Vue's Country Club's property. A courtesy letter was sent to Gateway on 4/20/2020 requesting an AVR be submitted.</p>	<p>Longue Vue Country Club: \$2,000.00 Section 6.1(3) 1st Offense \$500.00 Section 5(2.1) 1st Offense \$1,000.00 Section 5(16) 1st Offense \$250.00 Section 5(17) 1st Offense \$250.00 Gateway Engineers: \$0.00</p>

A courtesy letter was sent to Longue Vue Country Club on 11/21/2019 requesting an AVR be submitted. ONE WAS SUBMITTED PRIOR TO THE INITIAL APPROVAL DATE FROM THE SUPERVISOR FOR THIS CASE.
 Violations:
 Gateway:
 4(8)- failed to submit a report of an alleged violation to the commission through the One Call System not more than thirty business days of being made aware of the violation
 Longue Vue Country Club:
 5(2.1)- excavator failed to submit a location request to One Call within the correct timeframe. Last known One Call Ticket was placed in March and the damage occurred in July.
 5(16)- failing to submit a report of an alleged violation to the commission through the One Call System not more than ten business days after striking or damaging a facility owner's line during excavation or demolition
 5(17)- failed to comply with all requests for information from the PUC within 30 days of the receipt of the request
 6.1(3)- released a project to bid or construction before final design was complete

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8318	<p>Facility Owner: COLUMBIA GAS OF PA</p> <p>Contractor/Excavator: MOON TWP ROAD DEPARTMENT</p> <p>Project Owner: Moon Township Road Department</p> <p>Designer: Lennon Smith Souleret Engineering Inc.</p>	<p>On 6/3/2019 8:40:00 AM at 1634 Charlton Heights Road, Moon Twp, Allegheny</p> <p>At the DPC meeting on 7/13/2021, Mr. Ferri made the motion to remove this case from the discussion list because it went through the previous month. The motion was seconded by Mr. Swartley and all parties agreed.</p> <p>*****</p> <p>Per the DPC meeting held on 6/8/2021, the motion was made to reduce penalties by 50% and add Education for Moon Township Road Department. The motion was 2nd by Ferri. All committee members agreed.</p> <p>6.1(3)- from \$500.00 to \$250.00 6.1(7)- no change 5(2.1)- from \$1000.00 to \$500.00 5(16)- from \$250.00 to \$125.00 2(4)- from \$250.00 to \$125.00</p> <hr/> <p>A request to rescind Section 2(4)- failing to respond Designer's request for information within 10 Business Days for ticket #20190410148 for Moon Twp Road Department which was before the DPC's determination of Design Ticket's date of 1/1/2020.</p> <p>*****</p> <p>Moon Township is rejecting the violations: "There is information on this case that we would like to share that may have had an impact on the determination had we had the opportunity to discuss the matter before the determination had been made. In addition to this additional information on the specifics of the incident, we would also like to ask for your favorable consideration regarding reducing the fine. We acknowledge the need for education in this area as well as the need for formalized procedures to help us avoid incidents like this in the future. We are hopeful that you can guide us in this area."</p> <p>*****</p> <p>On 6/3/2019 Moon Township Road Department was working on Charlton Heights</p>	<p>Moon Township Road Department: \$1,000.00</p> <p>Section 2(4) 1st Offense \$125.00</p> <p>Section 5(16) 1st Offense \$125.00</p> <p>Section 6.1(7) 1st Offense \$0.00</p> <p>Section 5(2.1) 1st Offense \$500.00</p> <p>Section 6.1(3) 1st Offense \$250.00</p> <p>Lennon Smith Souleret Engineering Inc.: \$500.00</p> <p>Section 4(2) 1st Offense \$500.00</p>

On 6/3/2019 Moon Township Road Department was working on Charlton Heights Road, Moon Township, Allegheny County without a One Call ticket when they struck and damaged an underground 2 inch steel Columbia Gas main facility. The pipe was dented, but there was not a hazardous release of gas, so 911 was not needed. The pipe was damaged badly enough that the part struck by Moon Township Road Department needed to be removed and replaced with a new section of pipe.

On November 5, 2019, DPI sent an AVR letter to Moon Township asking them to submit an AVR. No responses were made to this letter and no AVR was submitted.

A Final Design ticket was not submitted by LSSE, only a Preliminary Design ticket, because LSSE indicated construction drawings were not required or prepared for this project. LSSE only prepared bid and contract documents for Moon Township Road Department, indicating the Preliminary Design ticket also served as the Final Design PA One Call ticket and bid opening for the pavement resurfacing was held on 3/20/2019 and the contract was awarded to the excavator on 4/17/2019. LSSE also stated they were not part of the storm sewer phase of this project and they believe that is when this damage to the Columbia Gas line occurred.

Case Number	Stakeholders	Summary	Violations & Recommendation
7457	<p>Contractor/Excavator: Burrell Construction</p> <p>Other: Homeowner</p> <p>Other: Verizon</p>	<p>On 6/13/2019 12:00:00 AM at 195 DEER TRAIL DR, CHESTNUTHILL TWP, MONROEAt the DPC meeting on 7/13/2021, Mr. Dacey made the motion to dismiss all violations and penalties and was seconded by Mr. Ferri. All members voted in favor of the motion.</p> <p>****Burrell Construction is rejecting the violation of 5(2.1) stating they are the wrong company****</p> <p>After reviewing the case, reading the letter received from Burrell Construction to the PUC, I contacted the homeowner on 3/23/2021 and left a message requesting a return phone call regarding the correct excavator. I have yet to hear from the HO.</p> <p>On 6/10/2019 the homeowner of 195 Deer Trail Drive in Monroe County contacted the One Call Center to place a One Call notification for Burrell Construction. The homeowner submitted the AVR stating the contractor was augering in her yard and she was still waiting for Verizon to complete their mark-out. Although Verizon responded in KARL, past the due date of 6/12/2019, as "FIELD MARKED" on 6/14/2019 at 14:55:37, the homeowner indicated Verizon never came to the property. I spoke with the homeowner on 11/4/2019 and she confirmed Verizon never stepped foot on her property to mark their lines. She stated she knows about where the Verizon lines were, but she wasn't exactly sure.</p> <p>*Burrell Contractors is being cited for 5.(2.1) due to having the homeowner place the One Call notification for them.</p>	<p>Burrell Construction: \$0.00</p> <p>Verizon: \$2,000.00 Section 2(5)(v) Subsequent \$1,000.00</p> <p>Section 2(5)(i) 2nd Offense \$1,000.00</p>

Full Session

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8319	<p>Facility Owner: COLUMBIA GAS OF PA Contractor/Excavator: ROTNOUR EXCAVATING INC Project Owner: BARRINGTON HOMES Other: Armstrong Communications Other: Centurylink Other: Penn Power</p>	<p>On 6/3/2019 3:25:00 PM at 200 CARRY BACK CT, CRANBERRY TWP, BUTLERAt the DPC meeting on 7/13/2021, Mr. Ferri made the motion to accept the recommendations AS IS and add Section 5(17) to the list of violations. Mr. Swartley asked for a modification to add Education to the list of violations. All members accepted the motion. ***** Rotnour Excavating is rejecting their penalties stating, "Section 5(8) 911 was notified immediately. Cranberry Twp. Police arrived first followed by Adam's area Fire District. Evan's City Fire Department and Cranberry Twp Fire Department. Cranberry was last arriving Fire unit due to being on another call at the time of dispatch for the gas leak. 911 reports available if needed. This was a new home under construction. Which was unoccupied at the time so no damage was done by the escape of gas. Nor was the any life, health, property endangerment. Section 5(4) Leak was well vented. Area was never evacuated by police department that was first arriving. There was three Fire Departments on scene no evacuation performed. Peoples gas representative was also on scene with Fire units no evacuation plan or evacuation. 5(3) Lines were present at the beginning of excavation of the trench. Unsure why a remark would be mandatory of makings were present. 5(16) Unaware of any violation report or the need. This was a accidental hit during a active pa one call. Peoples gas never notified onsite representative Daniel Hutchins of thg his form. Mr. Hutchins remained on scene from approximately 20 minutes after the strike until the line was backfilled by the repair crew. The company was not notified after the incident about any forms either." ***** On 6/3/2019 Rotnour Excavating Inc. was working for Barrington Homes to install waterlines to a newly constructed home at 200 Carry Back Court, Cranberry Township, Butler County when they struck and damaged a 2 inch plastic gas main. Columbia Gas stated the line was properly marked but Rotnour Excavating failed to maintain the marks while they excavated. Columbia Gas provided pictures showing the marks were obliterated when the excavator was using the backhoe right on top of the water and the gas marks.</p>	<p>ROTNOUR EXCAVATING INC: \$2,500.00 Section 5(8) 1st Offense \$1,000.00 Section 5(4) 1st Offense \$500.00 Section 5(3) 1st Offense \$500.00 Section 5(16) 1st Offense \$250.00 Section 5(17) 1st Offense \$250.00 BARRINGTON HOMES: \$250.00 Section 6.1(7) 1st Offense \$250.00</p>

A \$1000 penalty against Penn Power for violating 2(5)(vii) was removed. See attachment for more info.

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9035	<p>Facility Owner: PECO ENERGY Contractor/Excavator: AJ JURICH Inc Project Owner: Swarthmore Borough Designer: Pennoni Other: RCN Telecom Services Inc. Other: Verizon</p>	<p>On 7/30/2019 9:00:00 AM at 517 MICHIGAN AVE, SWARTHMORE, DELAWARE At the DPC meeting on 7/13/2021, Mr. Ferri made the motion to accept the recommendations AS IS. The motion was seconded by Mr. Clark. Mr. German, Mr. Canfield, Mr. Fleming, Mr. Kiger, Mr. Shaw, Mr. Swartley and Mr. Santayana did not vote in favor of the motion. Mr. Clark, Mr. Dacey, Mr. Dippo, Mr. Ferri and Mr. Moslen accepted the motion. The motion failed.</p> <p>~A new motion was amended by Mr. Swartley to accept violations and waive penalties which was seconded by Mr. Fleming. Mr. German, Mr. Canfield, Mr. Dippo, Mr. Fleming, Mr. Kiger, Mr. Moslen, Mr. Shaw, Mr. Swartley and Mr. Santayana voted in favor of the motion and Mr. Clark, Mr. Dacey and Mr. Ferri voted against the motion. Motion carries.</p> <p>*****</p> <p>A request to rescind two counts of Section 2(4)- failing to respond Designer's request for information within 10 Business Days for ticket(s) #20190282190 and #20190282189 for PECO and one count of 2(4) for ticket #20190282190 for Swarthmore Borough which was before the DPC's determination of Design Ticket's date of 1/1/2020.</p> <p>*****</p> <p>On 5/7/2019, AJ Jurich Inc. contacted One Call for a new excavation ticket to begin excavation on 5/10/2019 to repair sanitary sewer lines for Swarthmore Borough.</p> <p>On 7/30/2019 PECO received notification an unmarked 1-inch plastic gas service was damaged with a backhoe by AJ Jurich. PECO stated, the original marks were obliterated and an Update Ticket was not placed to have the area remarked after the lines were gone.</p> <p>An Emergency Ticket was not placed to the One Call Center and 911 was not called after the service line was struck and damaged by the excavator.</p> <p>PECO is cited for failure to respond to design tickets 20190282189 and 201902872190. Both tickets had a response due date of 2/11/2019.</p>	<p>PECO ENERGY: \$0.00 Section 2(4) 1st Offense \$0.00</p> <p>Section 2(4) 1st Offense \$0.00</p> <p>AJ JURICH Inc: \$1,750.00 Section 5(16) 1st Offense \$250.00</p> <p>Section 5(8) 1st Offense \$1,000.00</p> <p>Section 5(3) 1st Offense \$500.00</p> <p>Swarthmore Borough: \$500.00 Section 6.1(7) 1st Offense \$250.00</p> <p>Section 2(4) 1st Offense \$250.00</p> <p>Pennoni: \$250.00 Section 4(8) 1st Offense \$250.00</p> <p>RCN Telecom Services Inc.: \$500.00 Section 2(4) 2nd Offense \$500.00</p> <p>Verizon: \$3,000.00 Section 2(4) Subsequent \$1,500.00</p> <p>Section 2(4) Subsequent \$1,500.00</p>

Full Session

Case Number	Stakeholders	Summary	Violations & Recommendation
7260	<p>Facility Owner: PPL Electric Utilities Contractor/Excavator: Allan Myers LP Project Owner: Allan Myers LP Other: Caernarvon Township Authority C T A Other: Windstream</p>	<p>On 6/5/2019 9:00:00 PM at 3417 MAIN ST, CAERNARVON TWP, BERKS Incident occurred on 6/15/2019 at 3417 Main St. Caernarvon Twp., Berks County.</p> <p>PPL responded to a no-light call at 3417 Main St., Morgantown on June 5 at 9pm. The crew discovered a damaged service line beneath a recently installed curb and sidewalk ADA ramp (see photos of markout and sidewalk post-excavation). Allan Myers LP had a valid One Call Ticket, although the company that sent the letters to residents regarding this incident was Andrews Excavating LLC. At this time it is assumed than Allan Myers did the excavation since they placed the One Call Ticket. Allan Myers LP did not report the line strike to PPL when it happened, nor did they submit an AVR after PPL contacted them the following day to discuss the event.</p> <p>On 8/29/2019 DPI Andrade sent a letter to Allan Myers LP requesting their AVR report. This is a courtesy letter. This policy has been in effect for over a year and Allan Myers is cited for failing to use prudent techniques during excavation, and for failing to report the line damage to the facility owner. PPL is claiming damages of \$5001-25000 which would result in a fine factor from 20 % to 80%. I have used the figure 50% to split the difference for the failure to use prudent techniques and for failing to report the strike so that PPL could come out and fix the damage immediately. I have not fined them for not submitting an AVR within 10 days of a line strike as they seem to be unaware that there was damage before the deadline and they did respond promptly to the letter, albeit they did not submit an AVR, but submitted an email stating that they don't know how to log on. The email (attached) states that they did the work on May 20, 2019 and don't believe that they struck the line. However, PPL's photos show that the work done was the work that Allan Myers stated they were going to do in their AVR. There is no evidence that anyone else was digging in the vicinity for any other purpose between May 20, and June 5.</p> <p>Windstream is cited for responding 1 day late to Ticket No. 20191290873. Caernarvon Twp Auth/ C T M is cited for not responding to Ticket No. 20191290873 (only response is "Conflict DCTF" with no follow up that the line was marked or that there were no lines).</p>	<p>Allan Myers LP: \$0.00</p> <p>Caernarvon Township Authority C T A: \$0.00 Section 2(5)(v) 1st Offense \$0.00</p> <p>Windstream: \$250.00 Section 2(5)(v) 1st Offense \$250.00</p>

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7281	<p>Contractor/Excavator: Homeowner Project Owner: Homeowner Other: Charter Communications Other: Erie Water Works Other: First Energy/Penelec</p>	<p>On 6/8/2019 12:00:00 AM at 5661 GARDNER DR, MILLCREEK TWP, <u>ERIE</u>***No Damage Reported****</p> <p>Incident occurred beginning May 28, 2019 at 5661 Gardner Drive, Millcreek Twp., Eric County.</p> <p>On May 28, 2019, the homeowner placed One Call Ticket 20191481389 for a fence that she was planning to install. The official start date was listed as June 8 with a response due date of June 7. On June 4, the homeowner placed update ticket 20191555024 with a due date of June 6, with excavation planned for June 7 because her start date had changed. On June 8, at 9:24 am, 2:08 pm, and 4:41pm renotification tickets were placed calling out Charter Communications, Erie Water, and Penelec who had all responded with Scheduled Mark, but had not yet marked. The renotification tickets ask the excavators to contact the homeowner directly. All 3 companies did not finalize their responses until June 9 for Ticket No. 20191481389 (2 days late) and June 8 for Ticket No 20191555024 (also 2 days late).</p> <p>On August 29, 2019 DPI Andrade left a phone message with homeowner asking if any of the companies had actually contacted her. There is also a concern that a fencing company may have told her to place the One Call tickets because the wording in the AVR mentions the safety of the "workers". Unfortunately the homeowner did not respond to requests for information.</p> <p>Given that three out of six companies listed in a ticket failed to respond on time, the DPC may wish to add an educational component to these three entities.</p>	<p>Charter Communications: \$500.00 Section 2(5)(v) 1st Offense \$250.00</p> <p>Section 2(5)(v) 1st Offense \$250.00</p> <p>Erie Water Works: \$500.00 Section 2(5)(v) 1st Offense \$250.00</p> <p>Section 2(5)(v) 1st Offense \$250.00</p> <p>First Energy/Penelec: \$250.00 Section 2(5)(v) 1st Offense \$250.00</p>

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7389	<p>Facility Owner: National Fuel</p> <p>Contractor/Excavator: Klingensmith Enterprises Inc</p> <p>Project Owner: Erie Water Works</p> <p>Designer: KLH Engineers</p>	<p>On 6/12/2019 7:30:00 AM at E LAKE RD, HARBORCREEK TWP, <u>ERIE</u> Incident occurred on 6/12/2019 on East Lake Rd., Harbor Creek Township, Erie County.</p> <p>***Klingensmith Enterprises accidentally marked that there was one fatality, please see file "Correction (no deaths) to AVR2019JUN130015.pdf!***</p> <p>On June 12, 2019 Klingensmith Enterprises was excavating to install water mains and services for Erie Water when they struck National Fuel's gas service line. According to the AVRs submitted by Erie Water and Klingensmith Enterprises, the line was mismarked by 32-inches. NFG did not submit an AVR, but they did submit photos the day before this case went before the DPC as an omnibus case.</p> <p>Erie Water is cited for failing to respond to PUC requests for information within 30 days. The most recent design ticket is from July 2017. On September 12, 2019, DPI Andrade emailed Erie Water asking them to provide a more recent design ticket or to state when the project was started since the date of the line strike is nearly two years after the 2017 ticket was created.</p> <p>National Fuel is cited for failing to mark their line with in 18 inches.</p>	<p>National Fuel: \$500.00 Section 2(5)(i) 1st Offense \$500.00</p> <p>Erie Water Works: \$1,250.00 Section 6.1(3) 2nd Offense \$1,000.00</p> <p>Section 5(17) 1st Offense \$250.00</p>

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7636	<p>Facility Owner: Jenkintown Borough Contractor/Excavator: Caddick Utilities, LLC. Project Owner: Aqua Other: PECO Other: Verizon</p>	<p>On 6/24/2019 11:15:00 AM at WALNUT ST, JENKINTOWN BOROUGH, MONTGOMERY July DPC meeting decision - PECO - Waive violation and penalty Section 2(5)(v) Late response to a routine One Call Ticket – Ticket No. 20191581858 – 1st offense \$250.00. Information verifying communication response was received.</p> <p>~Incident occurred on 6/24/2019 at the intersection of Walnut Street and West Avenue, Jenkintown Borough (Montgomery County) PA.</p> <p>~Disagree: PECO states that USIC responded to ticket 20191581858. Response due date was 6/11/2019. They verified that a due date extension was approved. 6/11/2019 at 14:28 they scheduled mark, at 15:20, they responded with Conflict DCTF. On 6/15/2019 at 15:20, they field marked. This information was received after the Administrative Penalty Invoice was received.</p> <p>~AVR from Caddick Utilities reported that during their excavation installing an Aqua water main, services and hydrants, an unmarked conduit containing wiring for the intersection of Walnut Street and West Avenue traffic lights was hit. The Jenkintown Borough's electric line for the crosswalk switch was damaged. Caddick Utilities provided photos of the work area.</p> <p>~Jenkintown Borough failed to respond in POCS emergency damage ticket #20191751866 but were on site to perform necessary repairs - no violation.</p> <p>~Jenkintown Borough failed to respond to a designer's request for information within 10 business days for new design ticket 20163192754 - date is out of the PUC jurisdiction - no violation.</p> <p>~Jenkintown Borough failed to respond to a designer's request for information within 10 business days for a final design ticket 20190731742. This is a violation of Section 2(4) Penalty is applied.</p> <p>~Jenkintown Borough failed to respond to routine One Call ticket # 20191581858. This is a violation of Section 2(5)(v) and penalty is applied.</p> <p>~Jenkintown Borough called on 12/24/2019 and stated, they are having trouble with submitting their AVR. I gave him 811's and 1800 # then informed him we will keep an eye out for the AVR. The AVR was completed on 2/24/2020.</p>	<p>Jenkintown Borough: \$750.00 Section 2(5)(v) 1st Offense \$500.00 Section 2(4) 1st Offense \$250.00</p> <p>PECO: \$0.00</p> <p>Verizon: \$1,750.00 Section 2(5)(v) 3rd offense \$750.00 Section 2(5)(v) 3rd offense \$750.00 Section 2(4) 1st Offense \$250.00</p>

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7528	<p>Facility Owner: PECO Contractor/Excavator: Caddick Utilities, LLC. Project Owner: AQUA PA Other: Abington Township Other: Abington Township Wastewater Utilities</p>	<p>On 6/18/2019 2:00:00 PM at 1736 HIGH AVE, ABINGTON TWP, MONTGOMERY Incident occurred on 6/18/2019 at 1736 High Avenue, Abington Township, Montgomery County. ***No Damage*** Caddick Utilities and Aqua Pennsylvania have both reported that on June 18, 2019, Caddick exposed a two-inch plastic service line in front of 1736 High Avenue that was mis-marked by three feet. There was no damage done to the line. DPI Andrade sent an email to Caddick on 10/3/19 asking them about the frequency of their One Call Tickets and about PECO's late responses to four of them (see attached). Caddick did not respond to the email and is cited for failing to respond to requests for information within 30 days. On October 3, 2019, DPI Andrade sent a letter to PECO requesting an AVR for this case. PECO has not submitted an AVR as of November 4, 2019 PECO Energy is cited for failing to locate their line within 18-inches. PECO is also cited for responding late to Ticket Nos. 20191083671 (3 days late), 20191192372 (6 days late), 20191283001 (3 days late), and 20191491513 (2 days late). Abington Township failed to respond to One Call Ticket Nos. 20191083671, 20191192362, 20191283001, 20191372651, 20191491513, 20191581349, and 20191692490, but has since provided the DPC with documentation showing that they have updated their procedures to ensure this does not continue to happen. The DPC found this information sufficient, and therefore, Abington Twp is not receiving any penalties. Abington Township Wastewater Utilities is cited for responding late to One Call TicketNo. 20191083671. Response due 4/22/19, responded</p>	<p>PECO: \$1,750.00 Section 2(5)(i) 3rd Offense \$1,500.00 Section 2(5)(v) 1st Offense \$250.00 Caddick Utilities, LLC.: \$250.00 Section 5(17) 1st Offense \$250.00 Abington Township Wastewater Utilities: \$250.00 Section 2(5)(v) 1st Offense \$250.00</p>

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7534	<p>Facility Owner: PA American Water</p> <p>Contractor/Excavator: NORTHERN PIPELINE CONSTRUCTION</p> <p>Other: COLUMBIA GAS of PA - Central</p> <p>Other: Cross Creek Township</p> <p>Other: Independence - Cross Creek Joint Sewer Authority</p>	<p>On 6/11/2019 10:00:00 AM at BROWNTOWN RD, CROSS CREEK TWP, WASHINGTON Incident occurred on 6/11/19 on Browntown Rd., Cross Creek Township, Washington County.</p> <p>Northern Pipeline (NPL) and Columbia Gas both state in their AVR that NPL's operator struck and damaged PA American's 2-inch water main that was marked correctly. NPL states in their AVR that NPL made the necessary notifications and made the area safe. They also coached the equipment operator about excavating within the tolerance zone. PA American's AVR also states that the line was marked accurately.</p> <p>Northern Pipeline has been cited for failure to excavate prudently within the tolerance zone.</p> <p>Cross Creek Township has been cited for failure to respond to One Call Tickets 20191431397 and 20191431398.</p> <p>Independence-Cross Creek Township Joint Sewer Authority has been cited for failure to respond to One Call Tickets 20191431397 and 20191431398.</p>	<p>NORTHERN PIPELINE CONSTRUCTION: \$500.00 Section 5(4) 1st Offense \$500.00</p> <p>Cross Creek Township: \$500.00 Section 2(5)(v) 1st Offense \$500.00</p> <p>Independence - Cross Creek Joint Sewer Authority: \$1,000.00 Section 2(5)(v) 1st Offense \$500.00 Section 2(5)(v) 1st Offense \$500.00</p>

Case Number	Stakeholders	Summary	Violations & Recommendation
7611	<p>Facility Owner: UGI Utilities Contractor/Excavator: RL Livingston Inc Contractor/Excavator: RL LIVINGSTON INC Project Owner: CHR CORPORATION/Rutters' Farm Stores Project Owner: Kinsley Construction Other: Leesport Borough Authority Other: Leesport Borough Water Authority Other: Ontelaunee Township Water and Sewer Dept.</p>	<p>On 6/14/2019 10:30:00 AM at 15 QUAKER MAID RD, ONTELAUNEE TWP, BERKS Incident occurred on June 14, 2019 at 15 Quaker Maid Rd. ,Ontelaunee Twp., Berks County.</p> <p>Ontelaunee Township rejects their penalties and has asked the DPC to remove them saying the DPC made a mistake.</p> <p>On June 14, 2019 R L Livingston struck an unmarked UGI line. RL Livingston states in their AVR that UGI did not mark the line because they believed the line had been capped off. UGI states that the scope of the One Call Ticket was incorrect. RL Livingston states that they struck the line in front of Schneider Electric, and the photos confirm that. However, the scope of their ticket covers the lot next to Schneider, and it states the site is the "open field next to Schneider Electric & Berks Products Masonry & Concrete, across the street from Ozzy's Family Fun Center. Schneider is located further down Pottsville Road and no part of their lot is across from Ozzy's property. Please see image "Capture" for a map showing a line marking out slightly over 1200 feet from the corner, and a circle where the excavation took place. This excavation is far outside of the "1200 x 1200" scope of Livingston's ticket.</p> <p>Based on the design ticket filed, this excavation was 1200' x 1200', which exceeds the minimum criteria for a complex project. RL Livingston is cited for failing to place a complex project ticket. Livingston is also cited for operating outside of the scope of their One Call Ticket which is for the lot that the Rutters Store is now located on, and does not cover the road in front of Schneider Electric.</p> <p>On 10/24/2019, DPI Locke Sent AVR letters to CHS Corp (Rutters). CHR submitted their AVR on 10/30/2019.</p>	<p>RL LIVINGSTON INC: \$500.00 Section 5(13) 1st Offense \$250.00 Section 5(3.1) 1st Offense \$250.00</p> <p>Leesport Borough Authority: \$250.00 Section 2(5)(v) 1st Offense \$250.00</p> <p>Leesport Borough Water Authority: \$250.00 Section 2(5)(v) 1st Offense \$250.00</p> <p>Ontelaunee Township Water and Sewer Dept.: \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00</p>

Case Number	Stakeholders	Summary	Violations & Recommendation
9034	<p>Facility Owner: PECO ENERGY Contractor/Excavator: H2O Infrastructure Project Owner: Chester City Designer: H2O Infrastructure Other: Chester Housing Authority</p>	<p>On 7/16/2019 2:00:00 PM at 1000 POTTER ST, CHESTER, DELAWARE*Rejection- PECO rejected the DPC's decision of the violation 2.5(i), 1st offense of \$500.</p> <p>*****</p> <p>The incident occurred on Tuesday, July 16, 2019, on Potter Street in Chester City, Delaware County. H2O Infrastructure was digging for a storm water retrofit and while using a backhoe an unmarked multiple electric duct bank was hit and damaged. PECO stated, H2O Infrastructure started the excavation before the lawful dig date; the lawful start dates were 7/17/2019 - 7/26/2019. PECO responded to the excavation ticket as "Clear No Facilities", but their unmarked underground facility was hit and damaged. H2O Infrastructure did not submit an Alleged Violation report.</p> <p>*Chester City- No Response to Ticket No. 20191931168. *Chester Hosing Authority- No Response to Ticket No. 20191931168.</p> <p>*H2O Infrastructure is in violation of 5(2.1)- Excavating before the lawful start dates. *PECO Energy is in violation of 2.5(i)- Failed to locate underground lines. *Chester City is in violation of 2.5(v)- Failed to response to a routine excavation ticket. *Chester Hosing Authority is in violation of 2.5(v-) Failed to response to a routine excavation ticket.</p>	<p>PECO ENERGY: \$0.00 Section 2(5)(i) 1st Offense \$0.00</p> <p>H2O Infrastructure: \$1,000.00 Section 5(2.1) 1st Offense \$1,000.00</p> <p>Chester City: \$500.00 Section 2(5)(v) 1st Offense \$500.00</p> <p>Chester Housing Authority: \$500.00 Section 2(5)(v) 1st Offense \$500.00</p>

Case Number	Stakeholders	Summary	Violations & Recommendation
7983	<p>Facility Owner: PECO</p> <p>Contractor/Excavator: Clendaniel Fence Company</p> <p>Project Owner: The Enclave at Fireside Homeowners Association</p> <p>Other: Comcast Cable Communications</p>	<p>On 6/26/2019 10:00:00 AM at 6/26/2019, BUCKINGHAM TWP, BUCKS Incident occurred on 6/26/2019 at 3869 Nanlyn Farm Circle, Buckingham Township, Bucks County.</p> <p>PECO alleges in their AVR that Clendaniel Fence Company struck their half-inch plastic service line while installing fencing for The Enclave at Fireside Homeowners Association. PECO's AVR states that Clendaniel was excavating on an expired One Call Ticket and that they were working outside of the scope of that ticket. Clendaniel placed Ticket No. 20191552075 on June 4, 2019 and the scope of this ticket was to replace a handrail on the walkway to the direct left of 3869 Nanlyn Farm Circle, and this is the ticket that their AVR states they were working from when the strike took place. A search of Google Maps shows that if you are viewing the walkway from the street, the railing referred to in this ticket would be on the right-hand side of the walkway. I have included a screenshot of the satellite view with my report for reference. This ticket had a lawful start date window of 6/7-6/18. On June 26 (approximately 42 minutes after the strike), Clendaniel placed ticket No. 20191771367 which expands the scope of the ticket to replacing the split rail fence on both sides of the walkway between 6839 and 6371 Nanlyn Farm Circle. The photos sent by PECO show that their line was struck on the left hand side of the pavement as viewed from the road, and therefore this scope of this ticket was only encompassed by Ticket No. 20191771367, which as stated, was placed after the line strike.</p> <p>On October 31, 2019, DPI Andrade sent an AVR letter to Clendaniel Fence Company and an AVR email request to The Enclave at Fireside Homeowners Association. Clendaniel submitted their AVR on 11/4/2019 The Homeowners Association did not respond.</p> <p>The Enclaves at Fireside Homeowners Association has been cited for failure to submit an AVR within 10 business days of a violation by their contractor.</p> <p>Clendaniel Fence Company is cited for failing to submit an AVR within 10 business days of striking a line and for excavating without a valid One Call ticket. As Clendaniel's Ticket No. 20191552075 was placed after the line was struck, this ticket was not valid at the time of the line strike because the ticket had not been called in at the time of the strike, and Ticket No. 20191771367 was placed only for the fence on the side of the pathway near unit No. 3869.</p> <p>PECO Energy is cited for responding 1 day late to Ticket No. 20191552075. Response was due 6/6/19. PECO gave two responses on 6/6 of "Scheduled Mark", and "Not marked, no access" at the same time (11:26:37), but did not mark until 6/7/19.</p> <p>Comcast Cable is cited for responding 1 day late to Ticket No. 20191552075. Response was due 6/6/19 and they made no response until 6/7/19. They are further cited for responding 4 days late to Ticket No. 20191771367 which was due on 6/28 and they made no response to until 7/1.</p>	<p>PECO: \$0.00</p> <p>Clendaniel Fence Company: \$1,250.00 Section 5(16) 1st Offense \$250.00 Section 5(2.1) 1st Offense \$1,000.00</p> <p>The Enclave at Fireside Homeowners Association: \$250.00 Section 6.1(7) 1st Offense \$250.00</p> <p>Comcast Cable Communications: \$1,500.00 Section 2(5)(v) 3rd offense \$750.00 Section 2(5)(v) 3rd offense \$750.00</p>

Case Number	Stakeholders	Summary	Violations & Recommendation
8280	<p>Facility Owner: National Fuel Gas Distribution Contractor/Excavator: Figurski Construction</p>	<p>On 7/8/2019 5:00:00 PM at 114 E 32nd St, Erie City, Erie Incident occurred on 7/8/2019 at 114 E 32nd St, Erie City, Erie County.</p> <p>On July 8, 2019, National Fuel Gas workers spotted Figurski Construction using a jack hammer to break up and remove concrete with no One Call ticket. Excavation was taking place over top of a 2-inch medium pressure gas line. PAOC has confirmed that there was no ticket for this excavation, and that Figurski Construction has not placed One Call tickets in the past so they are not a member of One Call.</p> <p>On November 5, 2019, DPI Andrade-Locke sent a letter to Figurski Construction asking for an AVR. As of December 18, 2019, Figurski Construction has not made contact or filed an AVR. Figurski Construction is cited for: Failure to place a One Call ticket before excavation or after being informed by NFG and the DPI that they needed to place one. Failure to submit an AVR within 10 business days of violation Act 50. Failure to make a locate request to the One Call system prior to excavation or demolition work and pay the applicable fee for the requests.</p>	<p>Figurski Construction: \$1,000.00 Section 5(2.1) 1st Offense \$1,000.00</p>
8535	<p>Facility Owner: UGI Utilities Contractor/Excavator: Reed Concrete Works LLC Project Owner: Keystone Custom Homes Other: Union Township Municipal Authority</p>	<p>On 6/5/2019 12:00:00 AM at 25 EDISON ROAD, UNION TWP, BERKS July DPC decision was to accept Union Township Municipal Authority: Section 2.(5)(v) Failure to respond to routine One Call Ticket 20191410863- 1st offense - \$250.00 as presented by the DPI.</p> <p>Reed Concrete Works LLC struck UGI's marked gas stub on 6/5/19 but did not report hitting the line at 25 Edison Road near Furlong Road, Union Township Berks County. UGI received this information from Scott Tryansky the Construction manager for Keystone Custom Homes. UGI attempted to reach out to Reed Concrete Works regarding this damage twice on 6/7/19 and they hung up both times. UGI provided photos of the marks in relation to the damage.</p>	<p>Reed Concrete Works LLC: \$2,500.00 Section 5(4) 1st Offense \$500.00 Section 5(7) 1st Offense \$1,000.00 Section 5(8) 1st Offense \$1,000.00 Keystone Custom Homes: \$750.00 Section 6.1(7) 1st Offense \$250.00 Section 6.1(3) 1st Offense \$500.00 Union Township Municipal Authority: \$500.00 Section 2(5)(v) 1st Offense \$500.00</p>

Full Session

Case Number	Stakeholders	Summary	Violations & Recommendation
9047	<p>Facility Owner: VERIZON Contractor/Excavator: Snyder Environmental Services Inc. Project Owner: Highland Sewer and Water Authority Designer: THE EADS GROUP, INC. Other: Atlantic Broadband LLC Other: Peoples Gas</p>	<p>On 8/12/2019 10:00:00 AM at ELTON, RICHLAND TWP, CAMBRIA, July DPC decision was to waive the violation and penalty for Peoples Gas. ~Incident occurred on August 5, 2019. A near miss to a Verizon line occurred at 7:00 a.m. in Richland Township, Cambria County, PA ~Another incident occurred on August 12, 2019. A Verizon Duct Bank with six - 4" conduits, encased in concrete, was damaged at the intersection of Elton Rd. and Theater Dr. near the same work area, as the near miss incident on August 5, 2019. *Disagrees: Peoples Gas Disagrees with violation 2(5)(v). People's Gas states that they responded to ticket 20191991077 in the required amount of time. Ticket response was due on 7/22/2019. Peoples gas scheduled markings on 7/22/2019, but ticket # 20191991077 was not field marked until 7/23/2019 at 16:40. This case was omnibus on 11/10/2020. Notice of Violation was mailed to Peoples Gas on 11/05/2020. Email from Peoples Gas was received on December 23, 2020, after the PUC Administrative penalty invoice was received. Peoples Gas stated that they had responded in KARL as scheduled mark and worked with the contractor for an acceptable locate time frame. DPI agrees that this is acceptable and no violation would have been assessed, if this information would have been shared before the case went to the DPC Omnibus meeting. ***No Damage Another incident occurred on August 12, 2019. A Verizon Duct Bank with six - 4" conduits, encased in concrete, was damaged at the intersection of Elton Rd. and Theater Dr. near the same work area, as the near miss incident on August 5, 2019, while Snyder Environmental Services was excavating to rehabilitate the sewer system. This is part of a complex project that began in July 2019. This is prior to the Complex Project redefinition. No Violation. ****Damage New Damage Emergency ticket # 20192242065 was called in by Excavator, Snyder Environmental Services Inc. The emergency would include, but not limited to, serious breaks or defects in a facility owners' line. Concrete encasement was broken off. This is a second incident in a month, that involved Snyder Environmental Services and Verizon. Letter requesting an AVR was mailed to Verizon on 12/19/2019. Another AVR request was emailed to Verizon on 7/30/2020. The incidents were seven days apart. AVR was not submitted by Verizon. This is a second offence violation of section 2(10) There was a near miss violation and a hit within the same month. Penalty is applied. ~New Damage Emergency ticket # 20192242065: Verizon responded Clear no facilities to this emergency ticket. This is a violation of Section 2(5)(vii) and penalty is applied. Clearly there are facilities there. This is a third time offence by Verizon. Verizon did go out to mark, but mismarked. Citation 2(5)(i) applied because they failed to locate underground lines within 18" of the outside wall of the line. Emergency ticket also states that Verizon had marked this area on two separate tickets and by two different locators, mismarking lines both times. Photos show there are lines branching out from the cable manhole, but none of the lines look to be within the 15" tolerance zone. Routine ticket# 20192133146 shows that Verizon missed marking to the manhole. While the excavators were in the manhole, they could see the Verizon lines running from the manhole then up the pole. This is a violation of Section 2(5)(i.1) and penalty applied. Violation Section 2(5)(v) applied for failing to respond to a routine ticket. ~Excavator would like it noted that the incurred cost of for the delay was between \$5,000.00 to \$25,000.00. They would like to see Verizon held accountable for the costs. They would also like it noted that there is much disappointment in the way Verizon disregards marking requests. Case 4044, which was accepted by DPC on July 10, 2020, was a very similar issue. This excavator shared other AVR's found for different locations, where a Verizon duct bank was damaged due to the same non-compliant issues with Verizon. The AVR's are not part of this complex project, but worth mentioning because of the severity of the problem with Verizon's noncompliance. ~Design ticket 20172972603: ~Verizon North responded that there is a design conflict, an interim response. Citation 2(5)(v) applied. This is the third time this year that Verizon has received the same Citation. ~Citation 2(5) applied to Atlantic Broadband LLC, who also responded with a conflict. ~Final design ticket # 20183313053: Verizon responded with Clear no facilities. Verizon Lines were damaged. This is a violation of Section 2(5)(i.1) for Failure to locate a actually known point of connection to its facilities. Atlantic Broadband LLC Responds with a conflict. DCTF. Citation 2(5)(v) applied for an</p>	<p>VERIZON: \$12,000.00 Section 2(5)(i.1) 2nd Offense \$500.00 Section 2(5)(v) Subsequent \$2,000.00 Section 2(5)(i.1) 2nd Offense \$500.00 Section 2(5)(v) Subsequent \$1,000.00 Section 2(5)(i.1) 2nd Offense \$500.00 Section 2(5)(v) Subsequent \$2,000.00 Section 2(5)(v) Subsequent \$1,000.00 Section 2(10) 2nd Offense \$500.00 Section 2(5)(vii) 3rd Offense \$2,000.00 Section 2(5)(i.1) Subsequent \$1,000.00 Section 2(5)(v) Subsequent \$1,000.00 Highland Sewer and Water Authority: \$0.00 Section 2(5)(v) 1st Offense \$0.00 Section 2(5)(v) 1st Offense \$0.00 Atlantic Broadband LLC: \$1,000.00 Section 2(5)(v) 1st Offense \$500.00</p>

Case Number	Stakeholders	Summary	Violations & Recommendation
8525	<p>Facility Owner: NATIONAL FUEL GAS DIST</p> <p>Contractor/Excavator: Richards Construction</p> <p>Project Owner: Homeowner</p>	<p>On 7/12/2019 2:00:00 PM at 116 DEPOT ST, RIDGWAY BORO, ELK*Rejection- Richards Construction rejected the violations: 5(2.1) I did make a PA-1 Call prior to pulling out existing sidewalks, 5(16) There absolutely was no line struck by me or my equipment on that job. I had spoken to two representatives pertaining to the incident and thought it was taken care of, and 5(21) We do not pay individual jobs we pay an annual fee per year to PA-1 Call. So payment should have been included in that cost.</p> <p>*****</p> <p>This near miss incident occurred on 7/12/2019, involving National Fuel Gas (NFG) and Richards Construction. NFG stated that the Richards was excavating directly over a 2-inch plastic medium pressure gas main; soon after Richards called PA One Call to submit a locate notification, even though the job was completed. On 1/8/20, I emailed and sent a letter to Richards Construction requesting an Alleged Violation Report (AVR). Sam Richards called on 1/20/20 responding to the AVR request. I returned his call the next day and Richards explained what happened saying they were not digging but lifting concrete slab. Richards placed an insufficient dig ticket on July 12 which states that the "digging is now complete", and the ticket was being placed because the gas company told them to call 811 and place a ticket. I expressed to Mr. Richards the importance of submitting an AVR; as of 2/3/20 we have not received a report from Richards Construction.</p>	<p>Richards Construction: \$1,500.00</p> <p>Section 5(2.1) 1st Offense \$1,000.00</p> <p>Section 5(16) 1st Offense \$250.00</p> <p>Section 5(21) 1st Offense \$250.00</p>