



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

October 10, 2024

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
City of Warren
Docket No. C-2024-
I&E Formal Complaint (Damage Prevention)

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Formal Complaint of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission in the above-referenced matter.

Copies are being served on the parties of record in accordance with the attached Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Michael L. Swindler, Deputy Chief Prosecutor, I&E-Enforcement (*via email*)
As per Certificate of Service

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the date as indicated at the top of the Secretarial Letter. *See* 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. Pursuant to *Suspension of Regulatory and Statutory Deadlines; Modification to Filing and Service Requirements*, Docket No. M-2020-3019262 (Emergency Order ratified on March 20, 2020), you must eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage.

Additionally, please electronically serve a copy on:

Grant Rosul, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
grosul@pa.gov

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the administrative penalty and other requested relief.

C. You may elect not to contest this Complaint by paying the administrative penalty within twenty (20) days and performing the corrective actions set forth in the requested relief. A certified check, cashier's check or money order should be payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violations and an agreement to cease and desist from committing further violations. Upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer, which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the administrative penalty and granting the requested relief as set forth in the Complaint.

E. If you file an Answer which contests the Complaint, the matter will proceed before the assigned presiding Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at (717) 787-8714.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-
	:	
City of Warren,	:	
Respondent	:	

FORMAL COMPLAINT

NOW COMES the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission, by its prosecuting attorneys, pursuant to Section 182 of the Underground Utility Line Protection Law (“UULPL” or “PA One Call Law”), Act of October 30, 2017, P.L. 806, No. 50, 73 P.S. § 182.8(c)(2), and files this Formal Complaint (“Complaint”) against the City of Warren alleging violations of the PA One Call Law in connection with an October 4, 2022, strike on a 2-inch medium pressure natural gas main line belonging to National Fuel Gas (“NFG”) in the vicinity of Madison Avenue between Marion St. and North Marion St. in the City of Warren, Warren County, Pennsylvania. It is alleged that J & C Allied Contracting (“J&C”) struck the gas line while excavating for a road reconstruction project on behalf of the City of Warren. In support of its Complaint, I&E respectfully avers as follows:

I. COMMISSION JURISDICTION AND AUTHORITY

1. The Pennsylvania Public Utility Commission (“Commission” or “PUC”), with a primary address of Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate, *inter alia*, project owners, within the Commonwealth pursuant to the PA One Call Law, Act of October 30, 2017, P.L. 806, No. 50, 73 P.S. §§ 176 *et seq.*

2. Complainant is the Commission’s Bureau of Investigation and Enforcement, which is the bureau established to take enforcement action against public utilities and other entities subject to the Commission’s jurisdiction pursuant to 66 Pa.C.S. § 308.2(a)(11). *See also Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

3. Complainant’s prosecuting attorney is as follows:

Grant Rosul, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
grosul@pa.gov
(717) 783-5243

4. Respondent is the City of Warren, with a main mailing address of 318 W. Third Ave., Warren, PA 16365.

5. The City of Warren is a “project owner,” as that term is defined in Section 176 of the PA One Call Law, 73 P.S. § 176.¹

6. Section 181.1 of the PA One Call Law, 73 P.S. § 181.1, imposes duties on project owners.

7. Specifically, Section 181.1(1) of the PA One Call Law, 73 P.S. § 181.1(1), requires project owners to “utilize sufficient quality levels of subsurface utility engineering or other similar techniques whenever practicable to properly determine the existence and positions of underground facilities when designing known complex projects having an estimated cost of four hundred thousand dollars (\$400,000) or more.” 73 P.S. § 181.1(1).

8. Section 181.1(3) of the PA One Call Law, 73 P.S. § 181.1(3), requires project owners to “not release to bid or construction any project until after final design is completed.” 73 P.S. § 181.1(3).

9. Section 181.1(7) of the PA One Call Law, 73 P.S. § 181.1(7), requires project owners to “submit a report of 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 work activities, after a project owner’s contracted excavator strikes or damages a facility owner’s line during excavation or demolition activities or if the project owner believes a violation of this act has been committed in association with excavation or demolition.” 73 P.S. § 181.1(7).

¹ “Project owner” is defined as “any person who or which engages an excavator for construction or any other project which requires excavation or demolition work.” 73 P.S. § 176.

10. “Complex Project” is defined as “an excavation that involves more work than properly can be described in a single locate request or any project designated as such by the excavator or facility owner as a consequence of its complexity or its potential to cause significant disruption to lines or facilities and the public, including excavations that require scheduling locates over an extended time frame.” 73 P.S. § 176.

11. “Subsurface Utility Engineering,” or “SUE,” is defined as those techniques set forth in the American Society of Civil Engineers (ASCE) most recently published standard CI/ASCE 38-02, or its successor document as determined by the One Call System. 73 P.S. § 176.

12. The American Society of Civil Engineers defines Subsurface Utility Engineering as “[a] branch of engineering practice that involves managing certain risks associated with utility mapping at appropriate quality levels, utility coordination, utility relocation design and coordination, utility condition assessment, communication of utility data to concerned parties, utility relocation cost estimates, implementation of utility accommodation policies, and utility design.” *American Society of Civil Engineers*, “Standard Guideline for the Collection and Depiction of Subsurface Utility Data,” ASCE-38-02.

13. Utility Quality Level A is defined as “[p]recise horizontal and vertical location of utilities obtained by the actual exposure (or verification of previously exposed and surveyed utilities) and subsequent measurement of subsurface utilities, usually at a specific point. Minimally intrusive excavation equipment is typically used to minimize the potential for utility damage. A precise horizontal and vertical location, as well as

other utility attributes, is shown on plan documents. Accuracy is typically set to 15-mm vertical and to applicable horizontal survey and mapping accuracy as defined or expected by the project owner.” *American Society of Civil Engineers*, “Standard Guideline for the Collection and Depiction of Subsurface Utility Data,” ASCE-38-02.

14. Utility Quality Level B is defined as the “[i]nformation obtained through the application of appropriate surface geophysical methods to determine the existence and approximate horizontal position of subsurface utilities. Quality level B data should be reproducible by surface geophysics at any point of their depiction. This information is surveyed to applicable tolerances defined by the project and reduced onto plan documents.” *American Society of Civil Engineers*, “Standard Guideline for the Collection and Depiction of Subsurface Utility Data,” ASCE-38-02.

15. Utility Quality Level C is defined as the “[i]nformation obtained by surveying and plotting visible above-ground utility features and by using professional judgment in correlating this information to quality level D information.” *American Society of Civil Engineers*, “Standard Guideline for the Collection and Depiction of Subsurface Utility Data,” ASCE-38-02.

16. Utility Quality Level D is defined as the “[i]nformation derived from existing records or oral recollections.” *American Society of Civil Engineers*, “Standard Guideline for the Collection and Depiction of Subsurface Utility Data,” ASCE-38-02.

17. “Final Design” is defined as “the engineering and construction drawings that are provided to a bidder or other person who is asked to initiate construction on the

bid date or the date the project is set for construction in the absence of a bid.” 73 P.S. § 176.

18. Respondent, as a project owner, is subject to the authority of this Commission pursuant to Section 182.10 of the PA One Call Law, 73 P.S. § 182.10, which requires project owners to comply with the PA One Call Law. 73 P.S. § 182.10.

19. Section 182.8(c)-(d) and Section 182.10 of the PA One Call Law, 73 P.S. §§ 182.8(c)-(d) and 182.10, authorize the Commission to, *inter alia*, hear and determine complaints against project owners for violations of the PA One Call Law and to enforce the provisions of the PA One Call Law. 73 P.S. §§ 182.8(c)-(d) and 182.10.

20. Section 182.8(c)(2) of the PA One Call Law, 73 P.S. § 182.8(c)(2), authorizes the Commission’s prosecutorial staff to bring a formal complaint against entities subject to the PA One Call Law. 73 P.S. § 182.8(c)(2).

21. Section 182.10 of the PA One Call Law, 73 P.S. § 182.10(b)(1)(i)-(ii), authorizes the Commission to impose administrative penalties on any person or corporation, subject to the PA One Call Law, who violates any provisions of the PA One Call Law or any regulation or order issued thereunder governing underground utility lines, of up to \$2,500 per violation or if the violation results in injury, death, or property damage of \$25,000 or more an administrative penalty not to exceed \$50,000. 73 P.S. § 182.10(b)(1)(i)-(ii).

22. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this Complaint and the actions of Respondent related thereto.

II. FACTUAL BACKGROUND

23. On or about October 4, 2022, J&C was excavating in the vicinity of Madison Avenue between Marion Street and North Marion Street in the City of Warren, Warren, County, Pennsylvania, when it struck a 2-inch medium pressure gas main line belonging to NFG, causing the line to rupture and leak. I&E Exhibit 1.

24. J&C was excavating pursuant to a routine excavation ticket submitted to the Pennsylvania One Call System (“POCS”) on September 1, 2022, Serial Number 20222443960, for a project to replace the curb and sidewalk on behalf of the City of Warren. I&E Exhibit 2.

25. At all relevant times, the City of Warren was the project owner for this project, as that term is defined in the PA One Call Law.

26. The last design ticket submitted by the project designer is dated August 30, 2021, a Preliminary Design Ticket with serial number 20212422077. I&E Exhibit 3.

27. On September 18, 2023, as part of its investigation into the incident, the Commission’s Bureau of Investigation and Enforcement, Damage Prevention Section, mailed to the City of Warren a letter informing Respondent that a line was struck during excavation on its project and requesting that it submit an Alleged Violation Report (“AVR”)² to POCS providing “detailed information about the incident.” The letter stated that Respondent’s AVR was due to POCS on October 19, 2022. It was further explained that “[d]etailed information includes pictures and videos, a very detailed summary of the

² The purpose of an AVR is to report to the Commission through POCS an alleged violation of the PA One Call Law. 73 P.S. §§ 176 and 181.1(7).

incident which provides an exact recollection of the event as it unfolded, and any relevant supporting documentation.” I&E Exhibit 4.

28. On March 14, 2024, the City of Warren submitted an AVR to POCS. In the AVR submitted to POCS, the City of Warren stated that this project was a complex project with an estimated cost of \$400,000 or more and that the project utilized Quality Level C SUE. Additionally, the City of Warren identified the length of the project as 2,211 feet. I&E Exhibit 5.

29. The City of Warren failed to submit an Alleged Violation Report (“AVR”) through POCS no later than 10 business days after its contracted excavator struck or damaged a facility owner’s line during excavation or demolition work activities, as required by the Pennsylvania One Call Law.

30. On February 22, 2024, a copy of the report prepared by the Damage Prevention Investigator (“DPI”) from the Commission’s Bureau of Investigation and Enforcement, Damage Prevention Section, was mailed to the City of Warren informing Respondent that it was in violation of the PA One Call Law by failing to utilize sufficient subsurface utility engineering, releasing a project to bid or construction before the final design was completed, and failing to submit an AVR to POCS no later than 10 business days of a line strike.

31. In the letter from the DPI, the City of Warren was informed that they could either accept the findings and pay the assessed administrative penalty or reject the DPI report and present its case before the Damage Prevention Committee (“DPC”) by informing the DPI in writing of its rejection within thirty days of the date of the letter.

32. On March 18, 2024, the City of Warren rejected the findings of the DPI report.

33. On April 10, 2024, the City of Warren was informed by letter that their case would be heard at the May 14, 2024, DPC meeting, and that the City of Warren would have the opportunity to present its position.

34. Respondent presented its case at the May 14, 2024, meeting, and its case was discussed and voted upon by the DPC.

35. On May 15, 2024, the City of Warren was informed by letter of the DPC's informal determination adopting the DPI report and its recommended administrative penalties.

36. In this letter, the City of Warren was advised that if they rejected the DPC's informal determination, the matter could be referred to the Commission's Bureau of Investigation and Enforcement for the purpose of filing a formal complaint.

37. By e-mail dated June 13, 2024, the City of Warren rejected the DPC's informal determination.

III. VIOLATIONS

38. Paragraphs 1-37 are incorporated herein as if stated in their entirety.

Count 1

39. Respondent failed to utilize a sufficient Quality Level of Subsurface Utility Engineering to determine the existence and positions of underground facilities.

Respondent utilized only Quality Level C SUE during the design phase of its complex project when a higher Quality Level was warranted.

If proven, this is a violation of Section 181.1(1) of the PA One Call Law, 73 P.S. § 181.1(1). As a project owner, Respondent was required to “utilize sufficient quality levels of subsurface utility engineering or other similar techniques whenever practicable to properly determine the existence and positions of underground facilities when designing known complex projects having an estimated cost of four hundred thousand dollars (\$400,000) or more.”

Here, Respondent stated in its AVR that it filed with the Commission that the project was a complex project with an estimated cost of \$400,000 or more. Respondent also stated in its AVR that it utilized Quality Level C SUE. This Quality Level of SUE consists of information “obtained by surveying and plotting visible above-ground utility features and by using professional judgment in correlating this information to quality level D information,” with Quality Level D information being information obtained from existing records.

While the statute states that a “sufficient” level of SUE must be used on such projects, the PA One Call User Guide, citing the Common Ground Alliance Best Practices Manual and the ASCE 38-02 Utility Engineering Standard, instructs that “Quality Level B or Quality Level A should be applied for more precise horizontal and vertical data necessary for conflict identification during the design phases,” with only projects under \$400,000 in estimated cost permitted to utilize Quality Level D or Quality Level C SUE.³

³ PA One Call Users Guide, p. 30, Apr. 24, 2023.

Further, the nature of the project, as a “complex project” requiring excavation over multiple locations, spanning 2,211 feet in length, and therefore multiple PA One Call excavation tickets, should have alerted the City of Warren that a higher level of SUE should have been used for this project. Had Quality Level B SUE been utilized, the existence and approximate horizontal position of the NFG 2-inch medium pressure gas main line could have been discovered by geophysical methods and the strike on said gas line could have been avoided. Instead, the City of Warren relied on above-ground survey and existing records only.

The Bureau of Investigation and Enforcement’s proposed administrative penalty for this violation is \$1,000.

Count 2

40. Respondent released its project to bid or construction before the final design was completed.

If proven, this is a violation of Section 181.1(3) of the PA One Call Law, 73 P.S. § 181.1(3). As a project owner, Respondent is required to refrain from releasing its project to bid or construction until after the final design had been completed.

Here, Respondent’s last design ticket was a Preliminary Design Ticket, Serial Number 20212422077, submitted to POCS on August 30, 2021. Excavation occurred on October 4, 2022, with no final design ticket having been submitted through POCS between the August 30, 2021, Preliminary Design Ticket and the date of excavation. Therefore, Respondent released the project to construction before a final design was complete.

The Bureau of Investigation and Enforcement’s proposed administrative penalty for this violation is \$1,000.

Count 3

41. Respondent failed to submit an AVR to the Commission through POCS no later than 10 business days after striking or damaging a facility owner's line during excavation or demolition work activities, or after a project owner’s contracted excavator does so.

If proven, this is a violation of Section 181.1(7) of the PA One Call Law, 73 P.S. § 181.1(7). As a project owner, Respondent was required to notify the Commission of a line strike within 10 business days of such an occurrence. The strike by J&C, Respondent’s contracted excavator for its project, occurred on October 4, 2022. The Damage Prevention Section sent a letter to Respondent requesting that it file an AVR on September 18, 2023. Respondent did not file its AVR until March 14, 2024,

The Bureau of Investigation and Enforcement’s proposed administrative penalty for this violation is \$1,000.

WHEREFORE, for all the foregoing reasons, the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement respectfully requests that the Commission:

- (1) Find the City of Warren to be in violation of the PA One Call Law at 73 P.S. §§ 181.1(1), 181.1(3), and 181.1(7);
- (2) Impose a cumulative administrative penalty upon the City of Warren in the amount of \$3,000;

- (3) Order the City of Warren to attend an educational program for project owners through the Damage Prevention Committee and provide proof of compliance to the Commission; and
- (4) Order such other remedies as the Commission may deem appropriate.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Date: October 10, 2024

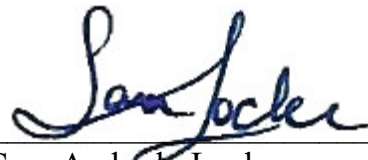
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-
	:	
City of Warren,	:	
Respondent	:	

VERIFICATION

I, Sara Andrade-Locke, Damage Prevention Supervisor, Damage Prevention Section, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau of Investigation and Enforcement will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: October 10, 2024



Sara Andrade-Locke
Damage Prevention Supervisor
Damage Prevention Section
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

I&E Exhibit 1



Alleged Violation Report

PA Act 287, as amended 73 P. S. § 176 et. seq.
Powered by Pennsylvania One Call System, Inc.

AVR Number AVR2023SEP200023

AVR Version 1

First Name ZACHARY **Last Name** CURRAN

Company Name J AND C ALLIED CONTRACTING

Address 465 JEFFERSON RD

City KNOX

State PA

Zip Code 16232

Email JANDCALLIED.CONTRACTING@GMAIL.COM **Phone** 8147971321

Ext

Role

Submitter Role(s) (?)

- Facility Owner
- Excavator
- Locator
- Other
- Designer
- Project Owner
- Enforcement Agency

Are you representing a company other than your own? Yes No

What company or individual are you representing?

Alleged Violation Information

PUC Case Number (if known) 34038

Related AVR Number (?)

Type of Alleged Violation (?)

Reason

When did the alleged violation occur? (?) 10/04/2022

09:55:00 AM

Was the One Call System notified? Yes No

Original Serial Number

Please enter the 11 digit One Call Serial Number under which work was taking place, which will populate the work site information of this alleged violation.

20222443960

Related Damage Serial Number, if applicable

Other Related Serial Numbers (?) 20222443975

Was the excavation exempt from One Call notification? Yes No Unknown

Reason for Exemption

Event Information



County WARREN
Municipality WARREN CITY
Ward 0
Work Site MADISON AVE
Nearest Intersection MARION ST
Second Intersection MARION ST
Geolocation (?)

Affected Facility Information



Primary Right of Way Type Public
Public Right of Way Type City Street
Private Right of Way Type

Affected Operation Gas
Facility Subtype Affected Distribution

Facility Owner Company Name

Contact First Name Last Name

Address

City

State

Zip

Email

Phone

Joint Trench? Yes No Unknown

Involve Cross Bore? Yes No Unknown

Measured Depth from Grade

Exact Measured Depth from Grade Enter the inches or centimeters with number and measurement used

Work Information



Start Date of Excavation (?) 10/04/2022

07:00:00 AM

Excavation Activity ROAD WORK - CONSTRUCTION

Excavator Company Name J & C Allied Contracting, Inc.

Contact First Name Zachary Last Name Curran

Address 465 Jefferson Rd

City Knox

State PA

Zip 16232

Email jandcallied.contracting@
mail.com Phone 814-797-1321

Marked in White Yes No Unknown

Method of Excavation DIGGING

Equipment Used What Equipment was used for excavation or demolition when the event occurred?
BACKHOE/TRACKHOE

Type of Excavator What is the type of excavator for whom the work was being done when the event occurred?
Road Builder

Did Excavator incur down time? Yes No Unknown

How much down time? 3+ hrs

Estimated cost of down time \$1,001-\$5,000

Was a response posted to the One Call System? Yes No Unknown

Was the design serial number on the plans/bid documents? Yes No Unknown

Were the lines shown on the plans/bid documents? Yes No Unknown

What level of subsurface utility engineering was utilized?

Estimated cost of the entire project	\$400,000 or more		
What was the length of the entire project?	2211 ft		
Project Owner Company Name	City of Warren		
Contact First Name	Mike	Last Name	Holtz
Address	318 W 3rd Ave		
City	Warren		
State	PA		
Zip	16365		
Email	mholtz@cityofwarrenpa.gov	Phone	814-726-3050

Event Impact



Did Violation result in underground damage or near miss event?	Damage
OSHA Report Filed?	<input type="radio"/> Yes <input checked="" type="radio"/> No
OSHA Report Number	
Was 911 called?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Name of 911 Caller	Zachary Curran
Fire Response	<input checked="" type="radio"/> Yes <input type="radio"/> No
Police Response	<input checked="" type="radio"/> Yes <input type="radio"/> No
Did the incident cause any injuries?	<input type="checkbox"/> Yes
Number of Injuries (?)	
Did the incident cause any deaths?	<input type="checkbox"/> Yes
Number of Deaths	
Was there an evacuation?	<input type="radio"/> Yes <input type="radio"/> No
Number of people evacuated?	
Traffic Stopped?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Service Interrupted?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Duration of Service Interruption?	Unknown
Exact Value of Service Interruption	
Approximately how many customers were affected?	Unknown

Exact Number of Customers Affected

Cost of Damaged Line Repair? Unknown

Exact Cost of Damaged Line Repair

Was other property damaged? Yes No

What other property was damaged?

Cost of Other Property Repair

Locator/Locate Information



Who was the facility line locator?

Locator Company

Contact First Name

Last Name

Address

City

State

Zip

Email

Phone

Was the line marked? Accurately Inaccurately/Incompletely Not Marked
 Unknown

Were facilities marked according to APWA/CGA temporary marking color code (ANSI standard Z535.1)? Yes No Unknown

What types of marks were present? Paint
 Flags
 Stakes
 Other

Were offset markings used? Yes No Unknown

Condition of Marks Visible

Was the line marked by the response due date or within the agreed upon locate schedule? (?) Yes No Unknown

Reason for Late Locate

Was the excavation within the tolerance zone? (?) Yes No Unknown

Was there an indication of underground facilities (clear evidence) in the excavation area? Yes No Unknown

What was the evidence?
(meter/pedestal, pipeline marker, valve box, hydrant, manhole, etc.)

What method(s) were used to locate the facility? Electronic Records
 Visual Exposed

Did the excavator request payment under PennDOT Form 408 specifications for extra work performed on a force account basis? Yes No

Additional Locate Comments

If this incident involved any locating/markings errors, please include all records related to the locator's training and qualification (including training to meet UULPL standards as well as Operator Qualification).

Summary and Attachments

Provide a summary of the event

J & C Allied Contracting, Inc. was contracted to sawcut and excavate the existing roadway as part of an effort to reconstruct Madison Avenue. J & C was aware of the gas line that crossed at the intersection of Madison Avenue and Marion Street and used prudent excavation methods to successfully uncover a steel line at the location of the yellow paint markings. This steel line was presumed to be the live gas line indicated by the yellow paint markings as it was in the exact location of said paint markings. The steel line was uncovered the entire width of the excavation by hand. Once exposed, J & C continued removing the soil beneath the steel line with an excavator. While attempting to remove soil in front of and beneath the exposed steel line, J & C struck and broke a live plastic gas line with the excavator. J & C was not aware that a second line was present. Also J & C not have reason to suspect that the steel line was abandoned as the type of gas line was not indicated with the yellow paint markings.

If more space is needed, attach additional pages or documents.

Attachments

IMG_5123.HEIC	4.27MB
IMG_5123.MP4	3.38MB
IMG_5124.HEIC	2.64MB
IMG_5124.MP4	4.08MB

Attach pictures and additional documents

Submit Date

09/20/2023

Compliance Update

Research Result

Listed tickets found
 Additional tickets found
 No tickets found

Additional Tickets Found

Additional Serial Numbers 20212422077

Additional Serial Numbers 20203423656

Additional Serial Numbers 20200723195

Ticket Attachment

Comments

I&E Exhibit 2

CDC 00000 POCS MM/DD/YY TT:TT:TT 20222443975-000 NEW XCAV RTN

=====
Serial Number--[20222443975]-[000] Channel#--[2217AWEB][0654][2019-08]
Message Type--[NEW][EXCAVATION][ROUTINE]

County--[WARREN] Municipality--[WARREN CITY]

Work Site--[MADISON AVE]

Nearest Intersection--[MUIR ST]

Second Intersection--[MALVINA ST]

At Intersection--[N] Between Intersections--[Y] Site Marked in White--[Y]

Subdivision--[]

Location Information--

[WORK WILL TAKE PLACE ON MADISON AVE FROM MUIR ST TO MALVINA ST. WORK
CONSISTS OF EXCAVATING THE EXISTING CONCRETE ROADWAY FROM CURB TO CURB AT
A MINIMUM DEPTH OF 13 INCHES AND MAXIMUM DEPTH OF 24 INCHES.]

Caller Lat/Lon--[]

Mapped Type--[P] Mapped Lat/Lon--

[41.833728/-79.124184,41.832164/-79.122363,41.832266/-79.122194,
41.833838/-79.123989]

Attachments--[http://www.pa811.org/attachments/20222443975]

Type of Work--[EXCAVATE CONCRETE ROADWAY FOR RECONSTRUCTION] Depth--[24 INCHES]

Extent of Excavation--[VARIES] Method of Excavation--[DIGGING]

Equip Type--[MINI EXCAVATOR]

Street--[X] Sidewalk--[] Pub Prop--[X] Pvt Prop--[] Other--[]

Private Front--[] Rear--[] Left--[] Right--[]

Lawful Start Dates--[07-Sep-22] thru [16-Sep-22] Response Due Date--[06-Sep-22]

Scheduled Excavation Date--[07-Sep-22] Dig Time--[0700] Duration--[3 WEEKS]

Caller--[PAUL CURRAN]

Caller Phone--[814-797-1321]

Excavator--[J AND C ALLIED CONTRACTING]

Address--[465 JEFFERSON RD]

City--[KNOX]

State--[PA] Zip--[16232]

FAX--[]

Caller Type--[B]

Email--[JANDCALLIED.CONTRACTING@GMAIL.COM]

Work For--[CITY OF WARREN]

Onsite Contact--[ZACH CURRAN]

Onsite Contact Phone--[814-221-4524]

Best Time to Call--[ANYTIME]

Onsite Contact Email--[JANDCALLIED.CONTRACTING@GMAIL.COM]

PennDOT Contract/Permit Number--[115760]

Prepared--[01-Sep-22] at [2228] by [PCURRAN]

Remarks--

[]

CD10 CD1=PAPCO

CJ 0 CJ =COL GAS WARREN

FE 0 FE =VERIZON STCL

IG10 IG1=KIANSTONE PL

LV 0 LV =PENELEC

NDK0 NDK=NFGD/NFGS WARRN

TFO0 TFO=BREEZELINE

WRC0 WRC=WARREN C

WT 0 WT =PAWC WARREN

Serial Number--[20222443975]-[000]

=====
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RESPONSES for S/N: 20222443975:

Ver	CDC	Name	Response	Time	Respondent
0	WT	PENNSYLVANIA AMERICAN WATER WARREN	WT-FIELD MARKED	9/2/2022 8:25:29 AM	FEH-WEBSVC
0	WRC	WARREN CITY	WRC-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/2/2022 8:52:36 AM	TM-WEB
0	TFO	BREEZELINE	TFO-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/6/2022 8:02:10 AM	CLS-WEBSVC
0	NDK	NATIONAL FUEL GAS DIST RC 314	NDK-FIELD MARKED	9/6/2022 1:54:48 PM	AAA-WEBSVC
0	LV	PENNSYLVANIA ELECTRIC CO	LV-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/2/2022 11:05:28 AM	MBR-WEBSVC
0	IG1	KIANTONE PIPELINE CORPORATION	IG1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/1/2022 10:29:06 PM	AAA-WEBSVC
0	FE	VERIZON PENNSYLVANIA LLC	FE-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/1/2022 11:49:36 PM	PRA-WEBSVC
0	CJ	COLUMBIA GAS OF PA INC WARREN	CJ-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/2/2022 10:32:32 AM	AAA-WEBSVC
0	CD1	PAPCO INC	CD1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	9/2/2022 7:02:38 AM	PM-WEB

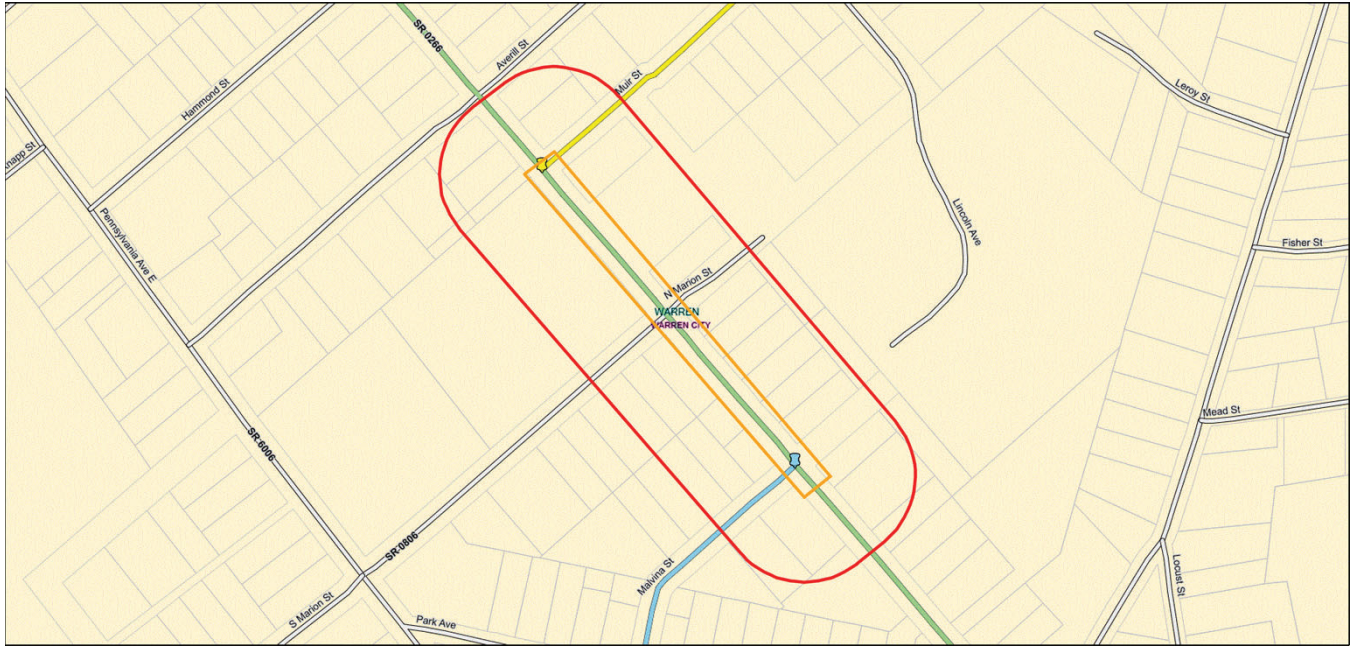
DELIVERIES for S/N: 20222443975:

Ver	CDC	Name	To	Time	Seq	Type
0	WT	PENNSYLVANIA AMERICAN WATER WARREN	WT	9/1/2022 10:28:57 PM	12	MAIL
0	WRC	WARREN CITY	WRC	9/1/2022 10:29:32 PM	8	FM1
0	WEBCFM	WEB CONFIRMATION QUEUE	WEBCFM	9/1/2022 10:28:58 PM	0	MAIL
0	TFO	BREEZELINE	TFO	9/1/2022 10:28:56 PM	6	MAIL
0	NDK	NATIONAL FUEL GAS DIST RC 314	NDK	9/1/2022 10:28:53 PM	12	MAIL
0	LV	PENNSYLVANIA ELECTRIC CO	LV	9/1/2022 10:28:56 PM	594	MAIL
0	IG1	KIANTONE PIPELINE CORPORATION	IG1	9/1/2022 10:28:53 PM	3	MAIL
0	FE	VERIZON PENNSYLVANIA LLC	FE	9/1/2022 10:28:55 PM	118	MAIL
0	CJ	COLUMBIA GAS OF PA INC WARREN	CJ	9/1/2022 10:28:53 PM	11	MAIL
0	CD1	PAPCO INC	CD1	9/1/2022 10:28:52 PM	14	MAIL

NOTIFICATIONS for S/N: 20222443975:

Ver	CDC	To	Dlvr	Show	Place+	Rule+	Renot+	InAct-	Map-	Rule-	OOG-	Renot-	Forced+
0	ZMM		0	0	1	0	0	0	1	0	0	0	0
0	WT	WT	1	1	1	0	0	0	0	0	0	0	0
0	WSE		0	0	1	0	0	0	1	0	0	0	0
0	WRC	WRC	1	1	1	0	0	0	0	0	0	0	0
0	WEBCFM	WEBCFM	1	1	0	0	0	0	0	0	0	0	0
0	TFO	TFO	1	1	1	0	0	0	0	0	0	0	0
0	PLL		0	0	1	0	0	0	1	0	0	0	0
0	PAW		0	0	1	0	0	0	1	0	0	0	0
0	NDK	NDK	1	1	1	0	0	0	0	0	0	0	0
0	LV	LV	1	1	1	0	0	0	0	0	0	0	0
0	IG1	IG1	1	1	1	0	0	0	0	0	0	0	0
0	FE	FE	1	1	1	0	0	0	0	0	0	0	0
0	CSA		0	0	1	0	0	0	1	0	0	0	0
0	CJ	CJ	1	1	1	0	0	0	0	0	0	0	0
0	CD1	CD1	1	1	1	0	0	0	0	0	0	0	0
0	ATM		0	0	1	0	0	0	1	0	0	0	0
0	JCS		0	0	1	0	0	0	1	0	0	0	0

ATTACHMENT for S/N: 20222443975 (20222443975-0.gif):



I&E Exhibit 3

CDC 00000 POCS MM/DD/YY TT:TT:TT 20212422077-000 NEW XCAV DSGN

=====
Serial Number--[20212422077]-[000] Channel#--[1244AWEB] [0831] [2019-08]
Message Type--[NEW] [EXCAVATION] [PRELIMINARY DESIGN]

County--[WARREN] Municipality--[WARREN CITY]

Work Site--[MADISON AVENUE]

Nearest Intersection--[AVERILL]

Second Intersection--[MALVINA]

At Intersection--[N] Between Intersections--[Y]

Subdivision--[]

Location Information--

[SITE IS MADISON AVENUE BETWEEN AVERILL STREET AND MALVINA STREET]

Caller Lat/Lon--[41.832258/-79.122331,41.834103/-79.124478]

Mapped Type--[P] Mapped Lat/Lon--

[41.832237/-79.122459,41.832367/-79.122293,41.834124/-79.124379,
41.834000/-79.124553]

Attachments--[http://www.pa811.org/attachments/20212422077]

Type of Work--[ROADWAY RECONSTRUCTION AND CURB RAMP REPLACE] Depth--[2 FEET]

Extent of Excavation--[50 FT X 850 FT] Method of Excavation--[DIGGING]

Equip Type--[EXCAVATOR]

Street--[X] Sidewalk--[X] Pub Prop--[] Pvt Prop--[] Other--[DESIGN]

Private Front--[] Rear--[] Left--[] Right--[]

Project Dates--[] thru [] Response Due Date--[14-Sep-21]
Scheduled Excavation Date--[DESIGN]

Caller--[CHAD YURISIC]

Caller Phone--[814-725-8659]

Excavator--[GREENMAN PEDERSEN INC]

Address--[8 GIBSON STREET]

City--[NORTH EAST]

State--[PA] Zip--[16428]

FAX--[]

Caller Type--[B]

Email--[CYURISIC@GPINET.COM]

Work For--[CITY OF WARREN]

Project Contact--[CHAD YURISIC]

Project Contact Phone--[814-725-8659]

Best Time to Call--[08:00 TO 16:30]

Project Contact Email--[CYURISIC@GPINET.COM]

Prepared--[30-Aug-21] at [1258] by [CYURISIC1]

Remarks--

[UPDATE TO PRELIMINARY DESIGN TICKET 20203423656]

CD10 CD1=PAPCO

CGD0 CGD=COLUMBIA GAS D

FE 0 FE =VERIZON STCL

IG10 IG1=KIAANTONE PL

LV 0 LV =PENELEC

NDK0 NDK=NFGD/NFGS WARRN

TFO0 TFO=ATL BRODBD WRN

WRC0 WRC=WARREN C

WT 0 WT =PAWC WARREN

Serial Number--[20212422077]-[000]

=====
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RESPONSES for S/N: 20212422077:

Ver	CDC	Name	Response	Time	Respondent
0	WT	PENNSYLVANIA AMERICAN WATER WARREN	WT-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	8/30/2021 1:11:45 PM	TRU-WEBSVC
0	WRC	WARREN CITY	WRC-FIELD MARKED	8/31/2021 10:27:35 AM	TM-WEB
0	TFO	BREEZELINE	TFO-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	8/30/2021 3:25:41 PM	DS-MOBILE
0	NDK	NATIONAL FUEL GAS DIST RC 314	NDK-ENGINEERING COMPLETED	9/16/2021 2:33:30 PM	AAA-WEBSVC
0	NDK	NATIONAL FUEL GAS DIST RC 314	NDK-DESIGN CONFLICT. SEND PLANS	9/1/2021 9:42:01 AM	AAA-WEBSVC
0	LV	PENNSYLVANIA ELECTRIC CO	LV-ENGINEERING COMPLETED	8/30/2021 5:22:31 PM	MBR-WEBSVC
0	IG1	KIANTONE PIPELINE CORPORATION	IG1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	8/30/2021 12:59:13 PM	AAA-WEBSVC
0	FE	VERIZON PENNSYLVANIA LLC	FE-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	8/31/2021 12:12:29 PM	AAA-WEBSVC
0	CGD	COLUMBIA GAS OF PA DESIGN	CGD-ENGINEERING COMPLETED	9/1/2021 2:21:12 PM	AAA-WEBSVC
0	CD1	PAPCO INC	CD1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	8/30/2021 1:01:51 PM	PM-WEB

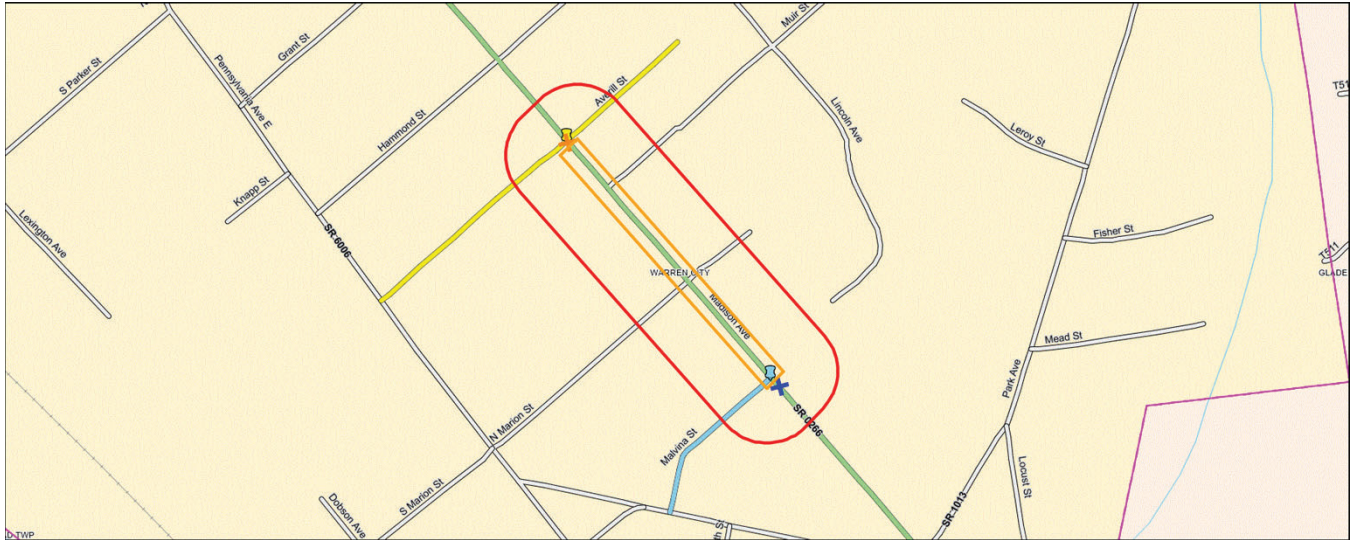
DELIVERIES for S/N: 20212422077:

Ver	CDC	Name	To	Time	Seq	Type
0	WT	PENNSYLVANIA AMERICAN WATER WARREN	WT	8/30/2021 12:58:47 PM	2	MAIL
0	WRC	WARREN CITY	WRC	8/30/2021 1:07:17 PM	2	FM1
0	WEBCFM	WEB CONFIRMATION QUEUE	WEBCFM	8/30/2021 12:58:50 PM	0	MAIL
0	TFO	BREEZELINE	TFO	8/30/2021 12:58:50 PM	2	MAIL
0	NDK	NATIONAL FUEL GAS DIST RC 314	NDK	8/30/2021 12:58:44 PM	6	MAIL
0	LV	PENNSYLVANIA ELECTRIC CO	LV	8/30/2021 12:58:45 PM	314	MAIL
0	IG1	KIANTONE PIPELINE CORPORATION	IG1	8/30/2021 12:58:43 PM	1	MAIL
0	FE	VERIZON PENNSYLVANIA LLC	FE	8/30/2021 12:58:45 PM	68	MAIL
0	CGD	COLUMBIA GAS OF PA DESIGN	CGD	8/30/2021 12:58:43 PM	13	MAIL
0	CD1	PAPCO INC	CD1	8/30/2021 12:58:42 PM	2	MAIL

NOTIFICATIONS for S/N: 20212422077:

Ver	CDC	To	Dlvr	Show	Place+	Rule+	Renot+	InAct-	Map-	Rule-	OOG-	Renot-	Forced+
0	ZMM		0	0	1	0	0	0	1	0	0	0	0
0	WT	WT	1	1	1	0	0	0	0	0	0	0	0
0	WSE		0	0	1	0	0	0	1	0	0	0	0
0	WRC	WRC	1	1	1	0	0	0	0	0	0	0	0
0	WEBCFM	WEBCFM	1	1	0	0	0	0	0	0	0	0	0
0	TFO	TFO	1	1	1	0	0	0	0	0	0	0	0
0	PLL		0	0	1	0	0	0	1	0	0	0	0
0	PAW		0	0	1	0	0	0	1	0	0	0	0
0	NDK	NDK	1	1	1	0	0	0	0	0	0	0	0
0	LV	LV	1	1	1	0	0	0	0	0	0	0	0
0	JCS		0	0	1	0	0	0	1	0	0	0	0
0	IG1	IG1	1	1	1	0	0	0	0	0	0	0	0
0	FE	FE	1	1	1	0	0	0	0	0	0	0	0
0	CSA		0	0	1	0	0	0	1	0	0	0	0
0	CJ	CJ	0	0	1	0	0	0	0	1	0	0	0
0	CGD	CGD	1	1	0	1	0	0	0	0	0	0	0
0	CD1	CD1	1	1	1	0	0	0	0	0	0	0	0
0	ATM		0	0	1	0	0	0	1	0	0	0	0

ATTACHMENT for S/N: 20212422077 (20212422077-0.gif):



I&E Exhibit 4



9/18/2023

MICHAEL HOLTZ
CITY OF WARREN
318 W THIRD AVE
WARREN PA 16365

Re: Please Submit an Alleged Violation Report with Pictures - Case Number 34038

On 10/04/2022, J and C Allied Contracting allegedly hit a 2' medium pressure gas main causing an outage to 48 customers. on Madison Ave. Between Marion St. and N Marion St. in the City of Warren in Warren County.

PA1Call Ticket Numbers: 2018268137, 20203423656, 20212422077, 20222443960 and 20222443975. Please include any other pertinent ticket numbers.

To whom it may concern,

We received an Alleged Violation Report indicating an underground utility line has been struck. With the PA One Call Law, Act 50, anytime an underground facility has been hit, you are required to submit an Alleged Violation Report thru the Pennsylvania One Call website, www.pa1call.org within ten (10) business days of the utility line being struck.

Please be aware that your AVR was due on 10/19/2022, please submit your AVR immediately.

Failure to complete an alleged violation report may make you subject to a penalty of no less than \$500 for first time offenders.

We are asking for detailed information about the incident. Detailed information includes pictures and videos, a very detailed summary of the incident which provides an exact recollection of the event as it unfolded, and any relevant supporting documentation.

What was the total cost and length of the project?

What types of Subsurface Utility Engineering (SUE) was utilized and how was this level justified?

Was 911 and/or the Facility Owner notified?

Please upload pertinent pre – excavation photos and damage photos with your AVR.

Please provide the requested information through the Pennsylvania One Call website. We will continue the investigation with the current information provided to us. If you have any questions, please contact Eva Maki at emaki@pa.gov or call 717.787.6489.

Sincerely,

Eva Maki
Damage Prevention Investigator
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105

I&E Exhibit 5



Alleged Violation Report

PA Act 287, as amended 73 P. S. § 176 et. seq.
Powered by Pennsylvania One Call System, Inc.

AVR Number AVR2024MAR120025

First Name JEFF Last Name ZAVINSKI

Company Name WARREN CITY

Address 318 W THIRD AVE

City WARREN

State PA

Zip Code 16365

Email* jzavinski@cityofwarrenpa.gov

Phone 8147064402

Ext

Role

Submitter Role(s)* (?)

- | | |
|---|---|
| <input type="checkbox"/> Facility Owner | <input type="checkbox"/> Designer |
| <input type="checkbox"/> Excavator | <input checked="" type="checkbox"/> Project Owner |
| <input type="checkbox"/> Locator | <input type="checkbox"/> Enforcement Agency |
| <input type="checkbox"/> Other | |

Are you representing a company other than your own? Yes No

Alleged Violation Information

PUC Case Number (if known) 34038

Related AVR Number (?) AVR2023SEP200023

Type of Alleged Violation (?) Facility Owner Issue

Reason Marked incorrectly §2(5)

When did the alleged violation occur?* 10/04/2022
(?) 09:55:00 AM

Was the One Call System notified?* Yes No

Original Serial Number Please enter the 11 digit One Call Serial Number under which work was taking place, which will populate the work site information of this alleged violation.

20222443960

Related Damage Serial Number, if applicable 20222443975

Other Related Serial Numbers (?) 20203423656

Other Related Serial Numbers (?) 20212422077

Other Related Serial Numbers (?) 20222771549

Was the excavation exempt from One Call notification? Yes No Unknown

Event Information

County* (?) WARREN
Municipality* (?) WARREN CITY
Ward 0
Work Site* MADISON AVE
Nearest Intersection MARION ST
Second Intersection MARION ST
Geolocation (?)

Affected Facility Information

Primary Right of Way Type Public
Public Right of Way Type City Street
Affected Operation* Gas
Facility Subtype Affected* Distribution
Facility Owner Company Name National Fuel Gas

Contact First Name Jason **Last Name** Dietrich

Address

City

State

Zip

Email

Phone

Joint Trench? Yes No Unknown

Involve Cross Bore? Yes No Unknown

Measured Depth from Grade

Work Information



Start Date of Excavation (?) 10/04/2022
07:00:00 AM

Excavation Activity ROAD WORK - CONSTRUCTION

Excavator Company Name J & C Allied Construction

Contact First Name Zachary Last Name Curran

Address

City

State

Zip

Email

Phone

Marked in White Yes No Unknown

Method of Excavation DIGGING

Equipment Used What Equipment was used for excavation or demolition when the event occurred?
BACKHOE/TRACKHOE

Type of Excavator What is the type of excavator for whom the work was being done when the event occurred?
Road Builder

Did Excavator incur down time? Yes No Unknown

How much down time? 3+ hrs

Estimated cost of down time \$1,001-\$5,000

Was a response posted to the One Call System? Yes No Unknown

Was the design serial number on the plans/bid documents? Yes No Unknown

Were the lines shown on the plans/bid documents? Yes No Unknown

What level of subsurface utility engineering was utilized? C (Above ground survey)

Estimated cost of the entire project \$400,000 or more

What was the length of the entire project?

Please include the appropriate measurement: IN, FT, MI, DIA
2211 ft

Project Owner Company Name

City of Warren

Contact First Name

Michael

Last Name

Holtz

Address

318 W. Third Ave

City

Warren

State

Pa

Zip

16365

Email

mholtz@cityofwarrenpa.gov

Phone

814-688-3973

Event Impact



Did Violation result in underground damage or near miss event?

Damage

OSHA Report Filed?

Yes No

Was 911 called?

Yes No

Name of 911 Caller

Zachary Curran

Fire Response

Yes No

Police Response

Yes No

Did the incident cause any injuries?

Yes

Did the incident cause any deaths?

Yes

Was there an evacuation?

Yes No

Number of people evacuated?

unknown, houses within 100 yards

Traffic Stopped?

Yes No

Service Interrupted?

Yes No

Duration of Service Interruption?

Unknown

Approximately how many customers were affected?

11 - 50

Cost of Damaged Line Repair?

Was other property damaged?

Yes No

Locator/Locate Information



Who was the facility line locator?

Locator Company

National Fuel Gas

Contact First
Name

Last Name

Address

City

State

Zip

Email

Phone

Was the line marked?

- Accurately Inaccurately/Incompletely Not Marked
 Unknown

Were facilities marked according to APWA/CGA temporary marking color code (ANSI standard Z535.1)?

- Yes No Unknown

What types of marks were present?

- Paint
 Flags
 Stakes
 Other

Were offset markings used?

- Yes No Unknown

Condition of Marks

Visible

Was the line marked by the response due date or within the agreed upon locate schedule? (?)

- Yes No Unknown

Was the excavation within the tolerance zone? (?)

- Yes No Unknown

Was there an indication of underground facilities (clear evidence) in the excavation area?

- Yes No Unknown

What method(s) were used to locate the facility?

- Electronic Records
 Visual Exposed

Did the excavator request payment under PennDOT Form 408 specifications for extra work performed on a force account basis?

- Yes No

Additional Locate Comments

If this incident involved any locating/marketing errors, please include all records related to the locator's training and qualification (including training to meet UULPL standards as well as Operator Qualification).

Summary and Attachments

Provide a summary of the event

City of Warren - Project Owner.

Failed to understand that Project Owner is also required by law to file AVR, (Lack of Education). We advised our contractor J&C Allied who struck gas line to submit AVR, number AVR2023SEP200023.

During prudent excavation methods J&C Allied uncovered steel line indicated by Facility Owners (National Fuel Gas) yellow paint marks. J&C Allied then continued digging and struck second plastic gas line within the same area as original One Call Street Markings.

J&C Allied had no reason to suspect that the steel gas line was abandoned and that a second plastic gas line would be present.

If more space is needed, attach additional pages or documents.

Attachments

Attach pictures and additional documents

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-
	:	
City of Warren,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Certified Mail and Electronic Mail

City of Warren
Attn: Michael Holtz
318 W. Third Ave.
Warren, PA 16365
mholtz@cityofwarrenpa.gov

Richard W. Saxe, Jr., Esq.
Burns White
48 26th Street
Pittsburgh, PA 15222
rwsaxe@burnswhite.com
Counsel for City of Warren



Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

Dated: October 10, 2024