



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

October 31, 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.
PPL Electric Utilities Corp.
Docket No. C-2023-3044727
I&E Motion to Admit Joint Stipulation of Facts to the Record

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion to Admit Joint Stipulation of Facts to the Record in the above-referenced proceeding.

Copies have been served on the parties of record in accordance with the 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', is written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
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GR/ac
Enclosures

cc: Hon. Dennis Buckley, Administrative Law Judge (*via email* – debuckley@pa.gov)
Per Certificate of Service

6. Pursuant to the October 17, 2024, communication from ALJ Buckley, the Parties hereby file this Joint Stipulation of Facts and Motion for the Court's consideration.

Respectfully submitted,

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

Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
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400 North Street
Harrisburg, PA 17120
(717) 783-5243
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Date: October 31, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3044727
	:	
PPL Electric Utilities Corp.,	:	
Respondent	:	

**BUREAU OF INVESTIGATION AND ENFORCEMENT
AND PPL ELECTRIC UTILITIES CORPORATION'S
JOINT STIPULATION OF FACTS**

Pursuant to the direction of the Honorable Dennis Buckley, Administrative Law Judge, the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E" or "Complainant") and PPL Electric Utilities Corp. ("PPL," "Company," or "Respondent") hereby submit this Joint Stipulation of Facts, and state that the agreed-upon facts of the case are as follows:

1. On June 22, 2022, a worker from Precision Pipeline Solutions ("Precision Pipeline"), a third-party contractor, was hand-digging with a shovel to install new gas meters on behalf of UGI Utilities, Inc. — Gas Division ("UGI Gas") in a grassy area outside of an apartment unit at the Lakewood Hills Apartment Complex at 880 Dartmouth Street, Lower Paxton Township, Dauphin County, Pennsylvania.
2. Precision Pipeline was excavating with a valid routine PA One Call ticket.
3. PPL had responded to the PA One Call ticket submitted by Precision Pipeline that their facilities were "field marked."

4. However, a 120/240 volt secondary line belonging to PPL had been mismarked by PPL's contractor, USIC, LLC ("USIC").
5. While hand-digging with a shovel to expose marked communication lines, a worker from Precision Pipeline made contact with PPL's 120/240 volt secondary wire.
6. As a result of contacting the live electric wire belonging to PPL, there was an arc flash, and the metal head of the shovel was deformed.
7. Emergency Services were called, and the worker was taken to the hospital where he was admitted and kept overnight for observation.
8. On June 23, 2022, PPL submitted its alleged violation report ("AVR") with the Commission, thereby reporting the incident.
9. Because this PA One Call matter involved an injury, it was referred directly to I&E prosecutors and bypassed the Damage Prevention Committee. *See* 73 P.S. § 182.8(d).
10. On December 7, 2023, I&E filed a Complaint with the Commission at Docket No. C-2023-3044727. I&E's Complaint included allegations that:
 - a. On June 22, 2022, Precision Pipeline was excavating in a grassy area outside of an apartment unit at the Lakewood Hills Apartment Complex at 880 Dartmouth Street, Lower Paxton Township, Dauphin County;
 - b. The purpose of the excavation was to replace gas meters for UGI Gas;
 - c. Precision Pipeline was excavating under a valid, routine PA One Call Ticket;
 - d. PPL is the facility owner of electric lines and facilities, including the 120/240 volt secondary line, that run underground in the vicinity of the work site;

- e. An underground electric line is a "line" or "facility" as defined in 73 P.S. § 176;
- f. At all material times hereto, Respondent was a “facility owner” as defined in Section 73 P.S. § 176;
- g. On June 21, 2022, PPL responded “FIELD MARKED” to Precision Pipelines’ routine ticket through the Pennsylvania One Call System (“POCS”) indicating that PPL had located and marked its underground lines at the work site;
- h. Unbeknownst to Precision Pipelines, PPL’s contractor, USIC, had mismarked one of its lines in the area, specifically a 120/240 volt secondary line;
- i. On June 22, 2022, while hand-digging with a shovel to uncover a marked communication line, one of Precision Pipelines workers made contact with PPL’s 120/240 volt secondary wire;
- j. Upon making contact with the 120/240 volt secondary wire with the shovel, there was an arc flash and the shovel head was deformed;
- k. As a result, a worker for Precision Pipeline was injured. Emergency services were called, and the worker was taken to the hospital where he was admitted and kept overnight for observation;
- l. On June 23, 2022, PPL submitted its AVR to the Commission; and
- m. In its AVR, PPL stated that its electric line was mismarked.

11. In the Complaint, I&E requested that the Commission impose an administrative penalty upon Respondent in the amount of Twenty-Five Thousand Dollars (\$25,000.00) and require PPL to undergo education for facility owners provided through the Damage Prevention Committee.

12. On December 27, 2023, Respondent, through counsel, filed an Answer to I&E's Complaint at the above-referenced docket.

13. Subsequently, settlement discussion between the parties commenced.

14. On March 22, 2024, the parties reached a settlement in principle.

WHEREFORE, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement and PPL Electric Utilities Corporation respectfully request that the Commission approve this Joint Stipulation of Facts.

**Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement**

By:



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Date: October 31, 2024

Respectfully Submitted,

PPL Electric Utilities Corp.

By:



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Date: October 31, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3044727
	:	
PPL Electric Utilities Corp.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Motion to Admit Joint Stipulation of Facts to the Record**, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via Electronic Mail

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Dated: October 31, 2024