



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 25, 2025

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.
HTC Associates, Inc. A/K/A Hi-Tech Construction Company, Inc.
Docket No. C-2024-3052351
I&E Prehearing Conference Memorandum

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Prehearing Conference Memorandum of the Bureau of Investigation and Enforcement 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', is 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: The Honorable Gail M. Chiodo, Administrative Law Judge (*via email* – gchiodo@pa.gov)
Michael L. Swindler, Deputy Chief Prosecutor, I&E-Enforcement (*via email*)
As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-3052351
	:	
HTC Associates, Inc.	:	
A/K/A Hi-Tech Construction Company, Inc.,	:	
Respondent	:	

**PREHEARING CONFERENCE MEMORANDUM
OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

TO ADMINISTRATIVE LAW JUDGE GAIL M. CHIDO:

The Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”) files this Prehearing Conference Memorandum in accordance with Section 5.222(d)(1) of the Commission’s regulations, 52 Pa. Code § 5.222(d)(1), in advance of the prehearing conference scheduled for April 2, 2025.

I. HISTORY OF THE PROCEEDING

On December 2, 2024, I&E filed a Formal Complaint against HTC Associates, Inc. A/K/A Hi-Tech Construction Company, Inc. (“HTC”), at Docket No. C-2024-3052351 in connection with an October 12, 2022, incident wherein HTC struck and damaged a gas service line while excavating in the vicinity of 449 Rahn’s Road in the Borough of Collegeville, Montgomery County, Pennsylvania. I&E alleges that HTC committed violations 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. § 176 *et seq.*

Specifically, I&E alleges that HTC violated the following:

- 1) Section 180(2.1) of the PA One Call Law by failing to request the location and type of facility owner lines at each work site by notifying the facility owner through the One Call System;
- 2) Section 180(8) by failing to immediately notify 911 when a damaged line resulted in the escape of a flammable, toxic, or corrosive gas or liquid which endangers life, health, or property.
- 3) Section 180(16) by failing to submit an Alleged Violation Report (“AVR”) to the Commission through the Pennsylvania One Call System.
- 4) Section 180(17) by failing to respond to requests for information from Commission staff; and
- 5) Section 184 by failing to use best efforts to comply with the Common Ground Alliance Best Practices Manual for failing to notify emergency services of a gas leak.

In its Formal Complaint, I&E requested a total administrative penalty of \$9,000 for these violations.

On December 22, 2024, HTC filed an Answer and New Matter to I&E’s Complaint.

On January 6, 2025, I&E filed a Reply to New Matter.

On February 27, 2025, a Prehearing Conference Notice was issued by the presiding officer, the Honorable Gail Chiodo, Administrative Law Judge, setting

Tuesday, April 2, 2025, as the date for the Prehearing Conference in this matter.

On March 7, 2025, a Prehearing Conference Order was issued by the presiding officer, directing the parties to file and serve a Prehearing Memorandum no later than Friday, March 28, 2025.

A. Proposed Plan and Schedule of Discovery

I&E does not have a proposed plan or schedule for discovery at this time. The parties are discussing a settlement of the case. In the event that settlement discussion is not fruitful, I&E does not expect to deviate from the discovery rules set forth in the Commission's regulations.

B. Possibility of Settlement

The parties have conferred via phone and e-mail several times prior to the prehearing conference. I&E believes it is possible to settle this matter, and the parties are actively discussing settlement.

C. Issues

Because the parties are actively discussing a settlement, I&E is not currently proposing any issues to be addressed prior to an evidentiary hearing.

D. Amount of Hearing Time

Because the parties are actively discussing a settlement, I&E does not currently have an estimated amount of time needed for a hearing. Should the parties not be able to reach an amicable resolution, I&E does not expect a hearing in this matter to take longer than 2 hours.

E. Witnesses

Because the parties are actively discussing a settlement, I&E does not currently have a list of witnesses.

F. Schedule for Submission of Testimony, Hearings, and Briefs

Because the parties are actively discussing a settlement of the case, I&E is not currently offering a schedule for the submission of testimony, hearings, or briefs.

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
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Date: March 25, 2025

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Bureau of Investigation and Enforcement,	:	
Complainant	:	
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	:	
HTC Associates, Inc.	:	
A/K/A Hi-Tech Construction Company, Inc.,	:	
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 Electronic Mail

Patrick T. Duffy, Esq.
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Dated: March 25, 2025