



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

October 16, 2025

Via Electronic Filing

Matthew L. Homsher, 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.
Rock Bottom Construction LLC
Docket No. C-2025-
I&E Formal Complaint (Damage Prevention)

Dear Secretary Homsher:

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', 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/nb
Enclosures

cc: Per Certificate of Service
Allison C. Kaster, Director, I&E (via email – akaster@pa.gov)
Carrie B. Wright, Deputy Chief Prosecutor (via email – carwright@pa.gov)
Robert Horensky, Manager, Safety Division (via email – rhorensky@pa.gov)

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.

In Addition to filing your Answer with the Commission’s Secretary, 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, if any, 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:

Matthew L. Homsher, 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-2025-
	:	
Rock Bottom Construction LLC	:	
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 29, 2024, P.L. 1106, No. 127, 73 P.S. § 182.8(c)(2), and files this Formal Complaint (“Complaint”) against Rock Bottom Construction LLC (“Rock Bottom” or “Respondent”) alleging violations of the PA One Call Law in connection with a strike on a 1-inch plastic gas service line operated by UGI Utilities – Gas (“UGI”) while excavating to repair a sewer line for the homeowner at 613 Timber Lane in Clark’s Summit, Lackawanna County, Pennsylvania, on or about January 6, 2025. 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 mailing address of the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate, *inter alia*, excavators, within the Commonwealth pursuant to the PA One Call Law, Act of October 29, 2024, P.L. 1106, No. 127, 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 actions 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 Rock Bottom Construction LLC, with a main mailing address of 1022 Eynon Jermyn Road, Archbald, PA 18433.

5. Rock Bottom is an "excavator" pursuant to Section 176 of the PA One Call Law, 73 P.S. § 176.¹

6. Section 180 of the PA One Call Law, 73 P.S. § 180, imposes duties on excavators.

7. Specifically, Section 180(4) of the PA One Call Law, 73 P.S. § 180(4), requires excavators to "exercise due care and to take all reasonable steps necessary to avoid injury to or otherwise interfere with all lines...." 73 P.S. § 180(4).

¹ "Excavator" is defined as any person who or which performs excavation or demolition work for himself or for another person." 73 P.S. § 176. "Excavation work" is defined as "the use of powered equipment or explosives in the movement of earth, rock or other material, and includes, but is not limited to, anchoring, augering, backfilling, blasting, boring, digging, ditching, drilling, driving-in, grading, plowing-in, pulling-in, ripping, scraping, trenching and tunneling." *Id.*

8. Section 180(7) of the PA One Call Law, 73 P.S. § 180(7), requires excavators to “report immediately to the facility owner any break or leak on its lines, or any dent, gouge, groove or other damage to such lines or to their coating or cathodic protection, made or discovered in the course of the excavation or demolition work.” 73 P.S. § 180(7).

9. Section 180(8) of the PA One Call Law, 73 P.S. § 180(8), requires excavators to “immediately notify 911 and the facility owner if the damage results in the escape of any flammable, toxic or corrosive gas or liquid.” 73 P.S. § 180(8).

10. Section 180(16) of the PA One Call Law, 73 P.S. § 180(16), requires excavators to submit a report of an alleged violation to the Commission through the One Call System not more than thirty days after striking or damaging a facility owner's line during excavation or demolition or if the excavator believes a violation of this act has been committed in association with excavation or demolition work. 73 P.S. § 180(16).

11. Section 180(17) of the PA One Call Law, 73 P.S. § 180(17), requires excavators to “comply with all requests for information by the commission relating to the commission's enforcement authority under this act within thirty days of the receipt of the request. 73 P.S. § 180(17).

12. Respondent, as an excavator, 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 excavators to comply with the PA One Call Law. 73 P.S. § 182.10.

13. 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 excavators 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.

14. 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).

15. 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 dollars or more an administrative penalty not to exceed \$50,000. 73 P.S. § 182.10(b)(1)(i)-(ii).

16. 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

17. On or about January 6, 2025, Rock Bottom was excavating by digging with powered equipment to repair a sewer line at 613 Timber Lane, near Noble Road and Haven Lane, in Clarks Summit, Lackawanna County, Pennsylvania, when it struck and damaged a 1-inch plastic gas service line operated by UGI. I&E Exhibit 1.

18. Rock Bottom was operating pursuant to a properly submitted New Excavation Emergency Ticket. I&E Exhibit 2.

19. The New Excavation Emergency Ticket submitted by Rock Bottom provided a lawful start date of January 3, 2025, and specified a work duration of one day. Id.

20. On January 19, 2025, UGI was notified of a potential "no gas" situation at 613 Timber Lane in Clarks Summit. See I&E Exhibit 1, supra.

21. UGI dispatched a service technician who discovered that there was no signal emanating from the utility's signaling device. See I&E Exhibit 1, supra.

22. UGI knew that this area had been excavated by Rock Bottom earlier in that month, as the utility had received notification of and responded to the New Excavation Emergency Ticket submitted by Rock Bottom.

23. Upon excavating the area itself, UGI discovered that the 1-inch gas service line to the 613 Timber Lane property had been severed, with one side of the service line taped shut in an attempt to prevent any leaking gas from escaping. I&E Exhibit 3a-b.

24. Photographs of the area show that the excavation carried out by Rock Bottom occurred directly over top of the buried 1-inch gas service line, and directly in front of the gas meter at the home at 613 Timber Lane. Id.; I&E Exhibit 4a-b.

25. After striking the gas line and causing a gas leak, Rock Bottom did not alert emergency services by calling 911 to report the gas leak.

26. Further, at no time after the line strike was UGI ever notified about the damage to its facilities by Rock Bottom.

27. Additionally, after striking the UGI-operated 1-inch gas service line, Rock Bottom did not submit an Alleged Violation Report ("AVR")² to the Commission through POCS, as required by the PA One Call Law.

28. On March 13, 2025, during the course of the investigation of the line strike by the Bureau of Investigation and Enforcement, Damage Prevention Section ("DPS"), Respondent was mailed a letter requesting that it submit an AVR to the Pennsylvania One Call System ("POCS") providing "detailed information about the incident." It was further explained that "[d]etailed

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 180(16).

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.”

29. The last day for Rock Bottom to submit a timely AVR to the Commission through POCS was February 6, 2025.

30. Despite receiving the courtesy letter from the DPS, Rock Bottom never submitted an AVR to the Commission through POCS.

31. Additionally, Rock Bottom never provided the information requested by the DPS in any other format, such as through an email or phone call to the DPS.

32. On May 19, 2025, a copy of the report prepared by the Damage Prevention Investigator (“DPI”) from the DPS was mailed to Rock Bottom informing Respondent that it was in violation of the PA One Call Law for failing to exercise due care and employ prudent excavation techniques, failing to submit an AVR within 30 days of a line strike incident, failing to immediately report to the facility owner any break or leak in its lines, failing to comply with all requests for information within 30 days of the receipt of the request, and failing to notify 911 after causing a gas leak, and further informing Respondent that it could either accept the findings in the DPI’s report or reject them and present its case to the Damage Prevention Committee (“DPC”).

33. On June 3, 2025, Respondent rejected the findings in the DPI’s report via an email to the DPI and requested to present its case before the DPC.

34. On July 9, 2025, a notice of the DPC meeting was sent to Rock Bottom, informing Respondent that it could present its case before the DPC at the August 12, 2025, meeting.

35. Rock Bottom Construction did not appear to present its case at the August 12, 2025, meeting. Nevertheless, its case was discussed and voted upon by the DPC.

36. On August 13, 2025, a copy of the DPC's Informal Determination accepting the DPI's report and imposing penalties was mailed to Respondent, informing Rock Bottom that it could either accept the DPC's Informal Determination or reject it in writing within thirty (30) days of the date of the notification letter, and that if the Informal Determination is rejected the case may be sent to I&E prosecutory staff for issuance of a formal complaint.

37. On August 14, 2025, Respondent informed the DPI via email that it would reject 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 exercise due care and to take all reasonable steps necessary to avoid injury to or otherwise interfere with all lines.

If proven, this is a violation of Section 180(4) of the PA One Call Law, 73 P.S. § 180(4). Respondent used powered equipment to dig a trench directly in front of the gas meter at the home at 613 Timber Lane, and directly over top of the properly marked 1-inch gas service line operated by UGI. As a consequence, the gas line was damaged and leaked gas.

When excavating within 18 inches horizontally of either side of a line, excavators are required to use prudent techniques, such as hand-digging or vacuuming. By excavating directly over the gas line with powered equipment, Respondent failed to exercise due care and take all reasonable steps necessary to avoid interfering with the 1-inch gas service line operated by UGI.

The Bureau of Investigation and Enforcement's proposed administrative penalty for this violation is \$1,500.

Count 2

40. Respondent failed to immediately report to the facility owner a break or leak in its lines, or any dent, gouge, groove, or other damage, made or discovered during the course of excavation or demolition work.

If proven, this is a violation of Section 180(7) of the PA One Call Law, 73 P.S. § 180(7). As an excavator, Respondent was required to notify the facility owner of any damage to or leak from its facilities. However, Respondent never informed UGI of the line strike as a result of its excavation work at 613 Timber Lane, and in fact attempted to cover up the damage by taping over the severed 1-inch gas service line. UGI only discovered the damage after receiving a report of a “no gas” situation at the 613 Timber Lane property and then investigating the issue by uncovering the gas service line.

The Bureau of Investigation and Enforcement’s proposed administrative penalty for this violation is \$2,000.

Count 3

41. Respondent failed to immediately notify 911 when a damaged line resulted in the escape of any flammable, toxic, or corrosive liquid or gas.

If proven, this is a violation of Section 180(8) of the PA One Call Law, 73 P.S. § 180(8). As an excavator, Respondent was required to notify 911 when a damaged line results in the escape of gas. However, Respondent failed to notify emergency personnel. Instead, Respondent attempted to cover up the line strike and resulting damage by taping over the severed 1-inch gas service line. UGI, the operator of the gas line, only discovered the damage after receiving a report of a “no gas” situation at the 613 Timber Lane property and then investigating the issue by uncovering the gas service line.

The Bureau of Investigation and Enforcement's proposed administrative penalty for this violation is \$2,000.

Count 4

42. Respondent failed to submit an AVR not more than thirty days after striking the 1-inch gas service line operated by UGI.

If proven, this is a violation of Section 180(16) of the PA One Call Law, 73 P.S. § 180(16). As an excavator, Respondent was required to submit an AVR not more than 30 days after striking a line. However, Respondent did not submit an AVR to the Commission through POCS at all, even after being contacted by the DPS instructing them to do so.

The Bureau of Investigation and Enforcement's proposed administrative penalty for this violation is \$2,000.

Count 5

43. Respondent failed to comply with all requests for information by the commission relating to the commission's enforcement authority under this act within thirty days of the receipt of the request.

If proven, this is a violation of Section 180(17) of the PA One Call Law, 73 P.S. § 180(17). As an excavator, Respondent was required to respond to requests for information from the DPS. The DPS contacted Respondent and requested information regarding the strike on the 1-inch gas service line at the 613 Timber Lane property, but Respondent failed to provide the information or even attempt to communicate with the DPS regarding the incident.

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 Rock Bottom Construction LLC to be in violation of the PA One Call Law at 73 P.S. §§ 180(4), 180(7), 180(8), 180(16), and 180(17);
- (2) Impose a cumulative administrative penalty upon Rock Bottom Construction LLC in the amount of \$8,500; and
- (3) Order Rock Bottom Construction LLC to attend Online Compliance Training through the Pennsylvania One Call System for excavators and provide proof of compliance to the Commission within 30 days of the entry of a Final Commission Order; and
- (4) Order such other remedies as the Commission may deem appropriate.
- (5) If payment of the administrative penalty is not made as set forth, the Bureau of Investigation and Enforcement requests that this matter be referred to the Pennsylvania Office of the Attorney General for appropriate action.

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 16, 2025

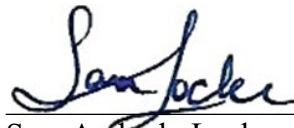
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
Rock Bottom Construction LLC	:	
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 16, 2025



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 AVR2025JAN310011

AVR Version 1

First Name MICHAEL **Last Name** PEHONICH

Company Name UGI UTILITIES INC

Address 511 E NORTHAMPTON ST BLDG E

City WILKES BARRE

State PA

Zip Code 18711

Email DAMAGEINQUIRY@UGI.COM **Phone** 570-855-1326

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)

Related AVR Number (?)

Type of Alleged Violation (?) Excavator Issue

Reason Failed to use prudent techniques in the tolerance zone §5(4)

Type of Alleged Violation (?) Excavator Issue

Reason Failed to immediately notify 911 and the facility owner if damage results in the escape of any hazardous material which endangers life, health or property §5(8)

Type of Alleged Violation (?) Excavator Issue

Reason Failed to protect and preserve the markings after beginning excavation, or contact the One Call System to request the facilities be marked again §5(3)

Type of Alleged Violation (?) Excavator Issue

Reason Failed to immediately report any break, leak, dent, gouge, groove, or other damage to lines, made or discovered during the work §5(7)

Type of Alleged Violation (?) Excavator Issue

Reason Failed to notify all facility owners as soon as possible in an emergency before, during or after excavation or demolition work §5(9)

Type of Alleged Violation (?) Excavator Issue

Reason Failed to provide support and mechanical protection for known facility owner's lines at the site during excavation or demolition work §5(6)(ii)

When did the alleged violation occur? (?) 01/06/2025
09:00:00 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.
20250022878

Related Damage Serial Number, if applicable

Other Related Serial Numbers (?) 20242563810

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

Reason for Exemption

Event Information



County LACKAWANNA

Municipality CLARKS SUMMIT BORO

Ward 0

Work Site 613 TIMBER LN

Nearest Intersection NOBLE RD

Second Intersection HAVEN LN

Geolocation (?)

Affected Facility Information



Primary Right of Way Type Private

Public Right of Way Type

Private Right of Way Type Other

Affected Operation Gas

Facility Subtype Affected Distribution

Facility Owner Company Name UGI Utilities Inc.

Contact First Name See Filer

Last Name

Address

City

State

Zip

Email

Phone

Joint Trench? Yes No Unknown

Involve Cross Bore? Yes No Unknown

Measured Depth from Grade 18" - 36" / 46 - 91 cm

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

Work Information



Start Date of Excavation (?)

Excavation Activity SEWER - SANITARY

Excavator Company Name Rock Bottom Construction

Contact First Name See ticket

Last Name

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?
Other

Did Excavator incur down time? Yes No Unknown

How much down time?

Estimated cost of down time

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

What was the length of the entire project?

Project Owner Company Name

Contact First Name Last Name

Address

City

State

Zip

Email Phone

Event Impact



Did Violation result in underground damage or near miss event? Damage

OSHA Report Filed? Yes No

OSHA Report Number

Was 911 called? Yes No

Name of 911 Caller

Fire Response Yes No

Police Response Yes No

Did the incident cause any injuries? Yes

Number of Injuries (?)

Did the incident cause any deaths? Yes

Number of Deaths

Was there an evacuation? Yes No

Number of people evacuated?

Traffic Stopped? Yes No

Service Interrupted? Yes No

Duration of Service Interruption? Exact Value

Exact Value of Service Interruption 13 days

Approximately how many customers were affected? 1

Exact Number of Customers Affected

Cost of Damaged Line Repair? \$5,001-\$25,000

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 Not 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.) Paint, Flags, Gas Meter

What method(s) were used to locate the facility? Electronic Visual Records 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 Gas meter was approx. 10 feet from excavation.
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

On Jan 19th, 2025, UGI utilities was notified of a potential no gas situation at 613 Timber Lane Clarks Summit. Upon investigation by a UGI service technician it was found that our locate signal was lost in an area previously excavated by Rock Bottom Construction to replace a sewer lateral. After UGI excavated it was found that a 1" plastic gas service had been severed, and the active side of the service had been taped shut to prevent any leaking gas to escape. The gas service was replaced by UGI on 4/28/2021 and did have an excess flow valve installed at that time. The damage location was at the intersection of the sewer lateral excavation and the 2021 gas service. Pictures have been attached which show a retired ½" plastic UGI gas facility and a severed 1" active plastic gas service. The pictures were provided by the homeowner's son who had been sent them by a member of the Rock Bottom Const. crew.

In speaking with the Homeowner's, son it was found that the sewer line had been previously repaired in Sept 2024. The son stated that the section from the white PVC clean out which is visible in the photos attached was replaced along with the section leading into the house and at no point was any excavation done near the active UGI gas facility. The son also stated that this project was done at the time the front porch of the home was being replaced. As you can see in our locate photos attached, the porch was being replaced at the time ticket number 20242563810 was called in and located by UGI. The Homeowner's son said they continued to have issues with the sewer line after that repair, so they continued through their insurance program to seek repair to their lateral. The homeowner's son also stated that the primary source of heat used in the home is electric and a gas heater was used occasionally as a supplemental heat source for the home. The homeowner's son stated that the gas appliances did work a couple weeks prior to the Rock Bottom Construction excavation activity found to happen on Jan 6th, 2025.

UGI received an emergency locate request from Rock Bottom Const. to replace the sewer lateral to 613 Timber Lane Clarks Summit, ticket number 20250022878 on Jan 2nd, 2025. Pictures from that locate request are attached. In the locate photos there is evidence of excavation activity in the area however none that intersects the location of the gas facility that was struck. The sections of dirt are congruent with the excavation activity that the homeowner's son stated occurred before Rock Bottom Construction's arrived. The homeowner's son stated that the gas heater worked a couple weeks prior to the excavation done by Rock Bottom Const. on Jan 6th, 2025. On Jan 6th, 2025, UGI received a call from the contractor stating that an odor of gas was detected. Upon the arrival and investigation of UGI's service technician no gas readings were detected. The service technician also stated that while they were on site, they witnessed the excavator uncover the active and retired gas facilities and they were not damaged at that time. UGI was unable to detect or pinpoint the location of the odor that was reported by Rock Bottom Const. on Jan 6th, 2025.

Based on the finds of Jan 19th, 2025, and the post incident investigation UGI believes that the gas service was struck by the Rock Bottom Construction crew that was replacing the sewer lateral on Jan 6th, 2025. The AVR will reflect the violations alleged against the excavation activities done by Rock Bottom Construction on Jan 6th, 2025.

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

Attachments

Jan 2nd Locate 2.jpg	697.75KB
Jan 19th pic 2.jpeg	2.95MB
Jan 19th UGI pic 1.jpeg	3.06MB
Markup 1.pdf	72.56KB
Markup 2.pdf	1018.97KB
Markup 3.pdf	731.28KB
Markup 4.pdf	429.68KB
Sept locate pic 1.jpg	512.69KB
Sept locate pic 2.jpg	577.55KB
20250121_134702.jpg	3.76MB
20250121_134703.jpg	3.75MB
20250121_134713.jpg	2.72MB
20250121_134725.jpg	3.56MB
20250121_134727.jpg	4.23MB
20250121_134752.jpg	4.1MB
20250121_134755.jpg	4.04MB
20250121_134756.jpg	4.22MB
20250121_134757.jpg	4.36MB
20250121_134812.jpg	4.37MB
20250121_134817.jpg	4.19MB
Homeowner pic 1.jpeg	10.32KB
Homeowner pic 2.jpeg	646.71KB
Homeowner pic 3.jpeg	22KB
Homeowner pic 4.jpeg	160.29KB
Homeowner pic 5.jpeg	646.71KB
Jan 2nd Locate 1.jpg	660.46KB
613 Timber AVR narrative.docx	15KB

Attach pictures and additional documents

Submit Date

01/31/2025

Compliance Update

Research Result

- Listed tickets found
- Additional tickets found
- No tickets found

Additional Tickets Found

Additional Serial Numbers

Ticket Attachment

Comments

I&E Exhibit 2

CDC 00000 POCS MM/DD/YY TT:TT:TT 20250022878-000 NEW XCAV EMER

=====PENNSYLVANIA UNDERGROUND UTILITY LINE PROTECTION REQUEST=====

Serial Number--[20250022878]-[000] Channel#--[1543A999][0501][2019-08]
Message Type--[NEW][EXCAVATION][EMERGENCY]

County--[LACKAWANNA] Municipality--[CLARKS SUMMIT BORO]
Work Site--[613 TIMBER LN]
Nearest Intersection--[NOBLE RD]
Second Intersection--[HAVEN LN]
At Intersection--[N] Between Intersections--[Y] Site Marked in White--[N]
Subdivision--[]

Location Information--
[CLARKS SUMMIT. MARKED IN PINK OR RED.]
Caller Lat/Lon--[41.492670/-75.717880]
Mapped Type--[P] Mapped Lat/Lon--
[41.492650/-75.717552,41.492442/-75.717834,41.492716/-75.718232,
41.492920/-75.718002]

Attachments--[http://www.pa811.org/attachments/20250022878]
Type of Work--[REPAIR SWR LINE] Depth--[6-7FT]
Extent of Excavation--[15FT X 3FT] Method of Excavation--[DIGGING]
Equip Type--[EXCAVATOR]
Street--[] Sidewalk--[X] Pub Prop--[] Pvt Prop--[X] Other--[]
Private Front--[X] Rear--[] Left--[] Right--[]

Lawful Start Dates--[] thru [] Response Due Date--[02-Jan-25]
Scheduled Excavation Date--[03-Jan-25] Dig Time--[1200] Duration--[1 DAY]

Caller--[COREY ELLICOTT]
Caller Phone--[570-906-5058]
Excavator--[ROCK BOTTOM CONSTRUCTION]
Address--[1022 EYNON JERMYN RD]
City--[ARCHBALD] State--[PA] Zip--[18433]
FAX--[570-876-1053] Caller Type--[B]
Email--[coreyrbc@gmail.com]
Work For--[ROCK BOTTOM CONSTRUCTION]
Onsite Contact--[COREY ELLICOTT]
Onsite Contact Phone--[570-906-5058]
Best Time to Call--[ANYTIME]
Onsite Contact Email--[coreyrbc@gmail.com]

Prepared--[02-Jan-25] at [1552] by [NICOLE SIEG]
Remarks--
[]

AQ10 AQ1=COMCAST CMB0 CMB=CLARKS SUMMIT B GN 0 GN =UGI ARCHBALD
PF 0 PF =PAWC CLARK SUMT PT 0 PT =PPL ELEC SRTN WW 0 WW =PAWC WILKES-BAR

Serial Number--[20250022878]-[000]
===== Copyright (c) 2025 by Pennsylvania One Call System, Inc. =====

RESPONSES for S/N: 20250022878:

Ver	CDC	Name	Response	Time	Respondent
0	WW	PENNSYLVANIA AMERICAN WATER WILKES BARRE	WW-FIELD MARKED	1/2/2025 4:18:16 PM	QUI-WEBSVC
0	PT	PPL ELECTRIC UTILITIES CORPORATION	PT-SCHEDULED MARK	1/2/2025 4:42:35 PM	CLS-WEBSVC
0	PT	PPL ELECTRIC UTILITIES CORPORATION	PT-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	1/3/2025 8:47:31 AM	CLS-WEBSVC
0	PF	PENNSYLVANIA AMERICAN WATER	PF-FIELD MARKED	1/2/2025 4:18:16 PM	QUI-WEBSVC
0	GN	UGI UTL ARCHBALD	GN-FIELD MARKED	1/2/2025 5:22:44 PM	AAA-WEBSVC
0	CMB	CLARKS SUMMIT BOROUGH	CMB-FIELD MARKED	1/2/2025 4:24:16 PM	VK-OTM
0	AQ1	COMCAST	AQ1-SCHEDULED MARK	1/2/2025 4:42:32 PM	CLS-WEBSVC
0	AQ1	COMCAST	AQ1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	1/3/2025 8:47:29 AM	CLS-WEBSVC

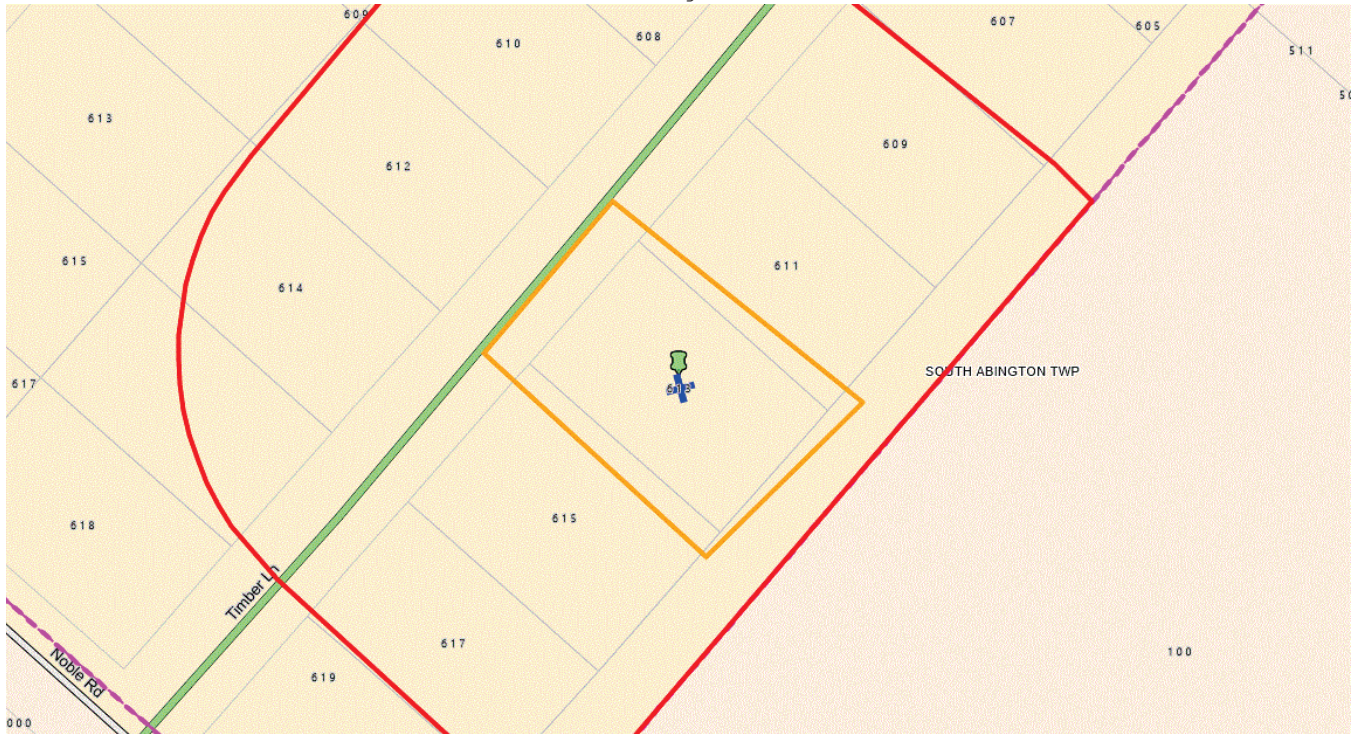
DELIVERIES for S/N: 20250022878:

Ver	CDC	Name	To	Time	Seq	Type
0	WW	PENNSYLVANIA AMERICAN WATER WILKES BARRE	WW	1/2/2025 3:52:35 PM	88	MAIL
0	PT	PPL ELECTRIC UTILITIES CORPORATION	PT	1/2/2025 3:52:35 PM	75	MAIL
0	PF	PENNSYLVANIA AMERICAN WATER	PF	1/2/2025 3:52:34 PM	8	MAIL
0	GN	UGI UTL ARCHBALD	GN	1/2/2025 3:52:32 PM	50	MAIL
0	CMB	CLARKS SUMMIT BOROUGH	CMB	1/2/2025 3:52:34 PM	5	MAIL
0	AQ1	COMCAST	AQ1	1/2/2025 3:52:32 PM	75	MAIL

NOTIFICATIONS for S/N: 20250022878:

Ver	CDC	To	Dlvr	Show	Place+	Rule+	Renot+	InAct-	Map-	Rule-	OOG-	Renot-	Forced+
0	WW	WW	1	1	1	0	0	0	0	0	0	0	0
0	US		0	0	1	0	0	0	1	0	0	0	0
0	TKTCFM	TKTCFM	1	1	0	0	0	0	0	0	0	0	0
0	PT	PT	1	1	1	0	0	0	0	0	0	0	0
0	PF	PF	1	1	1	0	0	0	0	0	0	0	0
0	ION		0	0	1	0	0	0	1	0	0	0	0
0	GN	GN	1	1	1	0	0	0	0	0	0	0	0
0	CMB	CMB	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	AQ1	AQ1	1	1	1	0	0	0	0	0	0	0	0
0	ET		0	0	1	0	0	0	1	0	0	0	0

ATTACHMENT for S/N: 20250022878 (20250022878-0.gif):



I&E Exhibit 3a



I&E Exhibit 3b



I&E Exhibit 4a



I&E Exhibit 4b



I&E Exhibit 5



3/14/2025

CORY ELLICOT
ROCK BOTTOM CONSTRUCTION
1022 EYNON JERMYN RD
ARCHBALD PA 18433

Re: Please Submit an Alleged Violation Report with Pictures - Case Number: 52511

On 01/06/2025, Rock Bottom Construction allegedly hit a gas line at 613 Timber Ln in Clarks Summit Borough in Lackawanna County.

PA1Call Ticket Numbers: 20242563810 and 20250022878

To whom it may Concern,

We received an Alleged Violation Report (AVR) indicating an underground utility line has been struck. With the PA One Call Law, Act 127 of 2024, anytime an underground facility has been hit, you are required to submit an Alleged Violation Report through the Pennsylvania One Call website, www.pa1call.org within 30 days of the utility line being struck. Please submit an 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.

Please be aware that your AVR was due by 2/05/2025. Please submit your AVR immediately.

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.

Was the Facility Owner notified?

Was 911 notified?

Please describe details that led to the incident.

Please upload pertinent pre – excavation photos, damage photos and design documents 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
400 North Street
Harrisburg, PA 17105

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
Rock Bottom Construction LLC	:	
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

Rock Bottom Construction LLC
Attn: Nanette Colachino
1022 Eynon Jermyn Road
Archbald, PA18433



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

Dated: October 16, 2025