

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

**PA Public Utility Commission Bureau of
Investigation and Enforcement v. McClain
Brothers Plumbing**

**Public Meeting held November 6, 2025
DOCKET NO. C-2024-3050015
3050015-OSA**

STATEMENT OF COMMISSIONER KATHRYN L. ZERFUSS

On July 10, 2024, the Commission's Bureau of Investigation and Enforcement (I&E) filed a Formal Complaint (Complaint) against McClain Brothers Plumbing (McClain Brothers) alleging multiple violations of the PA One Call Law¹. These claims stem from a September 30, 2022, incident in which a backhoe, used during excavation, struck and damaged a properly marked 1.25-inch plastic gas service line owned by PECO Energy Company – Gas Division (PECO), near 8209 MacArthur Road, Springfield Township, Montgomery County, Pennsylvania. The incident resulted in a gas leak. Although McClain Brothers did contact PECO's customer service to report the damaged gas line, they did not call 911 nor did they follow other required protocols.

In the Complaint, I&E alleged that McClain Brothers was in violation of the PA One Call Law by: (1) failing to exercise due care and employ prudent excavation techniques; (2) failing to call 911 when damage to a line results in the escape of any flammable, toxic, or corrosive gas or liquid which endangers life, health or property; (3) failing to submit an Alleged Violation Report (AVR) requested by I&E; (4) failing to comply with all requests for information from Commission Staff; (5) failure to use best efforts to comply with the Common Ground Alliance Best Practices.

Fortunately, no injuries or major property damage occurred in this case, but such outcomes remain a serious possibility. In recent years, several major natural gas explosions have led to tragic loss of life, severe injuries, property damage, and significant economic setbacks for affected communities. These recent events serve as a vital reminder of the need for strict safety precautions when working in proximity to natural gas pipelines.

The safety of Pennsylvania residents remains the top priority. The Commission is charged with investigating incidents and potential violations and for enforcing penalties that ensure accountability. In this case McClain Brothers struck a gas line, failed to notify emergency services, did not submit an AVR as required, and neglected to provide requested information to the Commission. Given the extent of noncompliance, I firmly believe that imposing the maximum administrative penalty of \$12,500 is fully justified.

DATE: November 6, 2025


Kathryn L. Zerfuss, Commissioner

¹ Underground Utility Line Protection Law, Act of October 30, 2017, P.L. 806, No. 50, 73 P.S. § 176 *et seq.*