



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

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

May 26, 2026

**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.  
D.E. Harris Services Inc.  
Docket No. C-2026-  
**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](mailto:grosul@pa.gov)

GR/nb  
Enclosures

cc: Jalen E. Edwards, Prosecutor, I&E-Enf (*via email* – [jaledwards@pa.gov](mailto:jaledwards@pa.gov))  
Stephanie M. Wimer, Deputy Chief Prosecutor, I&E-Enf (*via email* – [stwimer@pa.gov](mailto:stwimer@pa.gov))  
Robert Horensky, Manager, Safety Division (*via email* – [rhorensky@pa.gov](mailto:rhorensky@pa.gov))  
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.

**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](mailto: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-2026-
	:	
D.E. Harris Services Inc.,	:	
Respondent	:	

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**FORMAL COMPLAINT**

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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 D.E. Harris Services Inc. (“D.E. Harris” or “Respondent”) alleging violations of the PA One Call Law in connection with a strike on a half-inch gas line owned or operated by PECO Energy Company - Gas (“PECO”) on May 14, 2025, in Brookhaven Borough, Delaware County, Pennsylvania. 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](mailto:grosul@pa.gov)  
(717) 783-5243

4. Respondent is D.E. Harris, with a main mailing address of 204 Route 43, Salem, NJ 08079.

5. Respondent meets the definition of an “excavator” pursuant to Section 176 of the PA One Call Law, 73 P.S. § 176.<sup>1</sup>

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<sup>1</sup> “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.* “Powered equipment” is defined as “any equipment energized by an engine or motor and used in excavation or demolition work.” *Id.*

6. A “line” or “facility” is defined in pertinent part as an “underground pipe used in carrying, gathering, transporting or providing natural or artificial gas ...to one or more...consumers or customers of such service and the appurtenance thereto....” 73 P.S. § 176.

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

8. Specifically, Section 180(6)(i) of the PA One Call, 73 P.S. § 180(6)(i), requires excavators to “plan the excavation or demolition work to avoid damage to or minimize interference with a facility owner's facilities in the construction area.” 73 P.S. § 180(6)(i).

9. Section 180(16) of the PA One Call Law, 73 P.S. § 180(16), requires excavators to “submit a report of 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 work activities....” 73 P.S. § 180(16).

10. Under Section 180(20) of the PA One Call Law, 73 P.S. § 180(20), excavators must “...renotify the One Call System of an unmarked or incorrectly marked facility, if an original, proper locate request has been made to the One Call System and, upon initial arrival at the proposed work site, it is apparent to the excavator that there is an unmarked or incorrectly marked facility.” 73 P.S. § 180(20).

11. Respondent, as an excavator, is subject to the power and authority of this Commission pursuant to Section 182.10 of the PA One Call Law, which requires excavators to comply with the PA One Call Law. 73 P.S. § 182.10.

12. 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.

13. 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).

14. 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).

15. 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**

16. On April 14, 2025, Respondent was excavating using powered equipment to replace a sewer service line in the vicinity of 4947 Chester Creek Road in Brookhaven Borough, Delaware County, Pennsylvania, when it struck a half-inch plastic gas service line owned or operated by PECO Energy Company - Gas ("PECO").

17. The half-inch gas service line struck by Respondent is a "line" or "facility" as defined by the PA One Call Law.

18. Respondent was excavating pursuant to a valid emergency excavation ticket submitted on April 14, 2025, serial number 20251040015 (“April 14 Ticket”).

19. In response to the April 14 Ticket, PECO responded “Clear. No Facilities or Facilities not involved based on Ticked Information.” The April 14 Ticket is attached hereto as I&E Exhibit 1.

20. Upon investigation by PECO, it was discovered that Respondent exposed a steel line approximately 15 feet away from where PECO had marked its gas line.

21. However, instead of contacting PECO or the Pennsylvania One Call System (“POCS”) to request a re-marking of facilities in the excavation area, Respondent proceeded with its excavation and cut into the steel. The steel was a protective sleeve encasing a half-inch plastic gas service line. While cutting into the steel sleeve, Respondent also cut into the half-inch plastic gas service line. A copy of the AVR submitted by PECO is attached hereto as I&E Exhibit 2.

22. Additionally, because it discovered an unmarked or incorrectly marked facility while excavating, Respondent was obligated to renotify the One Call System of the unmarked or incorrectly marked facility.

23. Because it struck a line while excavating, Respondent was obligated to notify the Commission of the line strike within 30 days by submitting an Alleged Violation Report (“AVR”)<sup>2</sup> to the Pennsylvania One Call System (“POCS”).

24. On May 14, 2025, a Damage Prevention Investigator (“DPI”) from the Commission’s Damage Prevention Section (“DPS”) mailed a letter to Respondent,

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<sup>2</sup> 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).

requesting that Respondent submit an AVR to the Commission, and warned that failure to timely submit an AVR to the Commission would result in an administrative penalty levied by the Commission. This letter is attached hereto as I&E Exhibit 3.

25. However, Respondent did not submit an AVR until August 19, 2025.

26. In its untimely filed AVR, Respondent acknowledges that it struck PECO's half-inch gas line. A copy of Respondent's untimely AVR is attached hereto as I&E Exhibit 4.

27. On July 21, 2025 a copy of the report prepared by a DPI from the Commission's DPS was mailed to Respondent, informing it that it was in violation of the PA One Call Law for failing to plan the excavation or demolition work to avoid damage to or minimize interference with a facility owner's facilities, failing to submit an AVR, failing to comply with all requests for information from Commission staff, and failing to renotify One Call of an unmarked or inaccurately marked facility. The letter further informed 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").

28. Respondent neither accepted nor rejected the findings in the DPI report, as requested in the July 21, 2025 letter.

29. On August 13, 2025, the DPS mailed Respondent a letter informing it that its case would be reviewed and voted upon at the September 9, 2025, DPC meeting.

30. On September 9, 2025, a copy of the DPC's Informal Determination accepting the DPI's report and proposed penalty was mailed to D.E. Harris, informing Respondent 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.

31. On October 8, 2025, Respondent rejected the DPC's Informal Determination via email.

### **III. VIOLATIONS**

32. Paragraphs 1-31 are incorporated herein as if stated in their entirety.

#### **Count 1**

33. Respondent failed to plan the excavation or demolition work to avoid damage to or minimize interference with a facility owner's facilities.

Here, Respondent uncovered a steel-coated line that was unmarked. Instead of inputting a renotify request through POCS, Respondent proceeded with its excavation and cut through the steel casing, damaging the half-inch gas line encased therein. Cutting through an unknown and unmarked pipe discovered during excavation constitutes a failure to plan the excavation work to avoid damage to or minimize interference with underground facilities.

If proven, this is a violation of Section 180(6)(i) of the PA One Call Law, 73 P.S. § 180(6)(i).

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

#### **Count 2**

34. Respondent failed 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.

Here, Respondent cut through a half-inch gas line on April 14, 2025. Pursuant to the PA One Call Law, Respondent was required to submit an AVR to the Commission within 30

days. However, despite a written request from the DPS to submit an AVR, Respondent waited until August to submit its AVR to the Commission. The untimeliness of the submission is a violation of the statute.

If proven, this is a violation of Section 180(16) of the PA One Call Law, 73 P.S. § 180(16).

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

### **Count 3**

35. Respondent failed to renotify the One Call System of the unmarked or incorrectly marked facility.

Here, Respondent discovered a steel-coated line that was unmarked and cut through it, damaging the half-inch gas line encased therein. Respondent did not renotify facility owners via One Call, as required by the statute. If proven, this is a violation of Section 180(20) of the PA One Call Law, 73 P.S. § 180(20).

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

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

- (1) Find D.E. Harris to be in violation of the PA One Call Law as alleged;
- (2) Impose a cumulative administrative penalty upon D.E. Harris in the amount of \$3,000, to be paid within 30 days of the date of a Commission Final Order;

- (3) Order D.E. Harris 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 date of entry of a Commission 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 collection and any other 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](mailto:grosul@pa.gov)

Dated: May 26, 2026

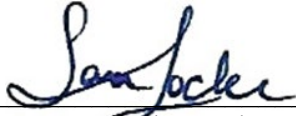
**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-
	:	
D.E. Harris Services Inc.,	:	
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.

Dated: May 26, 2026

  
\_\_\_\_\_  
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**

CDC 00000 POCS MM/DD/YY TT:TT:TT 20251040015-000 NEW XCAV EMER

=====  
Serial Number--[20251040015]-[000] Channel#--[0540A999][0334][2019-08]  
Message Type--[NEW][EXCAVATION][EMERGENCY]

County--[DELAWARE] Municipality--[BROOKHAVEN BORO]  
Work Site--[4947 CHESTER CREEK RD]  
Nearest Intersection--[LINCOLN DR]  
Second Intersection--[BRIDGEWATER RD]  
At Intersection--[N] Between Intersections--[Y] Site Marked in White--[N]  
Subdivision--[ ]

Location Information--

[ ]  
Caller Lat/Lon--[ ]  
Mapped Type--[P] Mapped Lat/Lon--  
[39.866706/-75.404402,39.866294/-75.404252,39.866234/-75.404554,  
39.866694/-75.404669]

Attachments--[http://www.pa811.org/attachments/20251040015]  
Type of Work--[REPL SWR FACILITY] Depth--[4FT]  
Extent of Excavation--[ ] Method of Excavation--[DIGGING]  
Equip Type--[EXCAVATOR]  
Street--[ ] Sidewalk--[X] Pub Prop--[ ] Pvt Prop--[X] Other--[ ]  
Private Front--[X] Rear--[X] Left--[X] Right--[X]

Lawful Start Dates--[ ] thru [ ] Response Due Date--[14-Apr-25]  
Scheduled Excavation Date--[14-Apr-25] Dig Time--[0800] Duration--[1 DAY]

Caller--[KRISTY FEATHERER]  
Caller Phone--[856-935-8888]  
Excavator--[D E HARRIS SERVICES INC]  
Address--[204 ROUTE 45]  
City--[SALEM] State--[NJ] Zip--[08079]  
FAX--[856-935-8899] Caller Type--[B]  
Email--[Kristyf@callharrisnow.com]  
Work For--[LINDSAY OTRUBA]  
Onsite Contact--[KRISTY FEATHERER]  
Onsite Contact Phone--[302-604-2010]  
Best Time to Call--[AFTER 0500]  
Onsite Contact Email--[Kristyf@callharrisnow.com]

Prepared--[14-Apr-25] at [0545] by [DORIS COUSINS]

Remarks--  
[ ]

BHH0 BHH=BROOKHAVEN BORO CR 0 CR =CHESTER WA CR50 CR5=CHESTER WA AHRS  
KE 0 KE =PECO EXELON CO MD10 MD1=MIDDLETOWN TSA SH 0 SH =SW DEL CNTY MA  
SNQ0 SNQ=SUNOCO PIPELINE

Serial Number--[20251040015]-[000]

=====  
Copyright (c) 2025 by Pennsylvania One Call System, Inc. =====

RESPONSES for S/N: 20251040015:

Ver	CDC	Name	Response	Time	Respondent
0	MD1	MIDDLETOWN TWP DELAWARE CO SEWER AUTH	MD1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	4/14/2025 5:50:28 AM	WF-OTM
0	SH	SOUTHWEST DELAWARE COUNTY MUNICIPAL AUTH	SH-NO RESPONSE	4/14/2025 7:48:07 AM	Auto-KARL
0	KE	PECO AN EXELON COMPANY	KE-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	4/14/2025 7:42:43 AM	CLS-WEBSVC
0	SNQ	SUNOCO PIPELINE LP	SNQ-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	4/14/2025 6:09:00 AM	AAA-WEBSVC
0	CR5	CHESTER WATER AUTHORITY AHR5	CR5-NO RESPONSE	4/14/2025 7:48:07 AM	Auto-KARL
0	CR	CHESTER WATER AUTHORITY	CR-FIELD MARKED	4/14/2025 6:56:02 AM	JR-MOBILE
0	BHH	BROOKHAVEN BOROUGH OF	BHH-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	4/14/2025 7:26:20 AM	DE-OTM

DELIVERIES for S/N: 20251040015:

Ver	CDC	Name	To	Time	Seq	Type
0	MD1	MIDDLETOWN TWP DELAWARE CO SEWER AUTH	MD1	4/14/2025 5:45:51 AM	1	MAIL
0	MD1	MIDDLETOWN TWP DELAWARE CO SEWER AUTH	MD1	4/14/2025 5:50:59 AM	0	SPLV
0	SH	SOUTHWEST DELAWARE COUNTY MUNICIPAL AUTH	SH	4/14/2025 5:45:53 AM	1	MAIL
0	KE	PECO AN EXELON COMPANY	KE	4/14/2025 5:45:50 AM	1	MAIL
0	SNQ	SUNOCO PIPELINE LP	SNQ	4/14/2025 5:45:50 AM	1	MAIL
0	CR5	CHESTER WATER AUTHORITY AHRS	CR5	4/14/2025 5:45:51 AM	1	MAIL
0	CR	CHESTER WATER AUTHORITY	CR	4/14/2025 5:45:49 AM	1	MAIL
0	BHH	BROOKHAVEN BOROUGH OF	BHH	4/14/2025 5:45:48 AM	1	MAIL

NOTIFICATIONS for S/N: 20251040015:

Ver	CDC	To	Dlvr	Show	Place+	Rule+	Renot+	InAct-	Map-	Rule-	OOG-	Renot-	Forced+
0	LKC		0	0	1	0	0	0	1	0	0	0	0
0	MD1	MD1	1	1	1	0	0	0	0	0	0	0	0
0	MGY		0	0	1	0	0	0	1	0	0	0	0
0	PLL		0	0	1	0	0	0	1	0	0	0	0
0	SH	SH	1	1	1	0	0	0	0	0	0	0	0
0	TKTCFM	TKTCFM	1	1	0	0	0	0	0	0	0	0	0
0	KE	KE	1	1	1	0	0	0	0	0	0	0	0
0	TLI		0	0	1	0	0	0	1	0	0	0	0
0	TX		0	0	1	0	0	0	1	0	0	0	0
0	YI		0	0	1	0	0	0	1	0	0	0	0
0	SNQ	SNQ	1	1	1	0	0	0	0	0	0	0	0
0	JY		0	0	1	0	0	0	1	0	0	0	0
0	IA		0	0	1	0	0	0	1	0	0	0	0
0	HT		0	0	1	0	0	0	1	0	0	0	0
0	DB1		0	0	1	0	0	0	1	0	0	0	0
0	CR5	CR5	1	1	0	1	0	0	0	0	0	0	0
0	CR	CR	1	1	1	0	0	0	0	0	0	0	0
0	BHH	BHH	1	1	1	0	0	0	0	0	0	0	0
0	ASL		0	0	1	0	0	0	1	0	0	0	0
0	ACW		0	0	1	0	0	0	1	0	0	0	0

ATTACHMENT for S/N: 20251040015 (20251040015-0.gif):



# **I&E Exhibit 2**



# Alleged Violation Report

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

**AVR Number** AVR2025APR150010  
**AVR Version** 1  
**First Name** TOBY **Last Name** TANG  
**Company Name** PECO AN EXELON COMPANY  
**Address** 680 RIDGE PIKE  
**City** PLYMOUTH MEETING  
**State** PA  
**Zip Code** 19462  
**Email** E188632@exelonds.com **Phone** 2672305179  
**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)

**When did the alleged violation occur? (?)** 04/14/2025  
12:00:00 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.

20251040015

Related Damage Serial Number, if applicable

Other Related Serial Numbers (?)

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

Reason for Exemption

## Event Information



County DELAWARE  
Municipality BROOKHAVEN BORO  
Ward 0  
Work Site 4947 CHESTER CREEK RD  
Nearest Intersection LINCOLN DR  
Second Intersection BRIDGEWATER RD  
Geolocation (?)

## Affected Facility Information



Primary Right of Way Type Public  
Public Right of Way Type  
Private Right of Way Type

Affected Operation Gas  
Facility Subtype Affected Distribution  
Facility Owner Company Name PECO  
Contact First Name PATRICK Last Name DUNHAM  
Address 680 RIDGE PIKE  
City PLYMOUTH MEETING  
State PA  
Zip

Email

Phone

Joint Trench?  Yes  No  Unknown

Involve Cross Bore?  Yes  No  Unknown

Measured Depth from Grade >36" / 91 cm

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

## Work Information



Start Date of Excavation (?) 04/14/2025  
12:00:00 AM

Excavation Activity SEWER - SANITARY

Excavator Company Name D E HARRIS SERVICES INC

Contact First Name KRISTY Last Name FEATHERER

Address 204 ROUTE 45

City SALEM

State NJ

Zip 08079

Email Kristyf@callharrisnow.com Phone 856-935-8888

Marked in White  Yes  No  Unknown

Method of Excavation DIGGING

Equipment Used What Equipment was used for excavation or demolition when the event occurred?  
UNKNOWN/OTHER

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

Did Excavator incur down time?  Yes  No  Unknown

How much down time? 2- < 3 hrs

Estimated cost of down time \$5,001-\$25,000

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

What was the length of the entire project?

Project Owner Company Name LINDSAY OTRUBA

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 UNK

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? 6 - < 12 hrs

Exact Value of Service Interruption

Approximately how many customers were affected? Unknown

Exact Number of Customers Affected

Cost of Damaged Line Repair?

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? Contract Locator

Locator Company USIC

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? PECO FACILITIES  
(meter/pedestal, pipeline marker, valve box, hydrant, manhole, etc.)

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

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

D E HARRIS SERVICES INC was excavating with a excavator to replace the sewer service under ticket number 20251040015 when they exposed a steel line 15.2' away from the gas mark outs instead of calling in an exposed unknown or re note the original ticket D E HARRIS SERVICES INC proceeded to cut into the steel sleeve that housed the 1" plastic gas service with a saw while cutting into the steel sleeve they cut into the 1/2" plastic gas service., it was found that D E HARRIS SERVICES INC was not digging prudently and cut into the exposed gas service.

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

Attachments

Damage\_Details\_2025.04.14\_13.04.15\_462... 5.5MB  
Attach pictures and additional documents

Submit Date

04/15/2025

## 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 3**



5/14/2025

D E Harris Services  
204 Route 45  
Salem, NJ 08079  
CC: Kristyf@callharrisnow.com

Please Submit an Alleged Violation Report with Pictures - Case Number 54165

On 4/14/2025, at 4947 Chester Creek Rd, in Brookhaven Borough, Delaware County, D E Harris Services allegedly hit a gas utility line.

Dear D E Harris Services,

We received an Alleged Violation Report indicating an underground utility line has been struck. With the Underground Utility Line Protection Law, Act 127 of 2024, 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](http://www.pa1call.org) within thirty (30) calendar days of the utility line being struck.

Please be aware that your AVR is overdue, please submit your AVR immediately.

Failure to complete an alleged violation report will 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, a very detailed summary of the incident which provides an exact recollection of the event as it unfolded, and any relevant supporting documentation.

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 us at [derrmichae@pa.gov](mailto:derrmichae@pa.gov).

Sincerely,

Derrick Michael  
Damage Prevention Investigator  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

# **I&E Exhibit 4**



Submitter Information (?)

AVR Number	<input type="text" value="AVR2025AUG190015"/>				
First Name	<input type="text" value="KRISTY"/>	Last Name	<input type="text" value="FEATHERER"/>		
Company Name	<input type="text" value="D E HARRIS SERVICES INC"/>				
Address	<input type="text" value="204 ROUTE 45"/>				
City	<input type="text" value="SALEM"/>	State	<input type="text" value="NJ"/>	Zip Code	<input type="text" value="08079"/>
User Email *	<input type="text" value="Kristyf@callharrisnow.com"/>			Phone	<input type="text" value="856-935-8888"/>
				Phone Ext	<input type="text"/>

Summary

Provide a summary of the event

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

Role

Submitter Role(s) \* (?)

<input type="checkbox"/> Facility Owner	<input type="checkbox"/> Designer
<input checked="" type="checkbox"/> Excavator	<input 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

What company or individual are you representing?

Alleged Violation Information

Do you have related AVR Number(s)?

How many Alleged Violations are related to this event?

When did the alleged violation occur? \*  at

Was the One Call System notified prior to excavation? \*  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.

PUC Case Number (if known)

Related Damage Serial Number, if applicable

Do you have other Related Serial Numbers?

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

Event Information

County \*

Municipality \*

Work Site \*

Nearest Intersection

Second Intersection

Geolocation (?)

Choose Right of Way Type

- Public
- City Street
- State Highway
- County Road
- Interstate Highway
- Unknown/Other

- Private
- Business
- Land Owner
- Easement
- Pipeline
- Power/Transmission Line
- Federal Land
- Railroad
- Unknown/Other

Affected Operation \*

Gas

Facility Subtype Affected \*

Service/Drop/Lateral

Facility Owner Company Name

Contact First Name

Kristy

Contact Last Name

Featherer

Address

204 Rt 45

City

Salem

State

NJ

Zip

08079

Email

kristyf@callharrisnow.com

Phone

856-935-8888

Joint Trench?

Yes  No  Unknown

Involve Cross Bore?

Yes  No  Unknown

Measured Depth from Grade

18" - 36" / 46 - 91 cm

Start Date of Excavation (?) 04/14/2025 at 08:00 AM

Excavation Activity EMERGENCY REPAIR

Excavator Company Name D.E. Harris Services Inc

Contact First Name Kristy Last Name Featherer

Address 204 Rt 45

City Salem State NJ Zip 08079

Email kristyf@callharrisnow.com Phone 856-935-8888

Marked in White  Yes  No  Unknown

Method of Excavation DIGGING

Equipment Used BACKHOE/TRACKHOE

Type of Excavator What is the type of excavator for whom the work was being done when the event occurred?  
Property Owner/Leaser (business)

Did Excavator incur down time?  Yes  No  Unknown

How much down time? \* 2 - < 3 hrs

Estimated cost of down time \* \$1-\$1,000

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

What level of subsurface utility engineering was utilized? Select the level of subsurface utility engineering utilized

Estimated cost of the entire project Less than \$400,000

What was the length of the entire project?  
Please include the appropriate measurement IN, FT, MI, DIA

Project Owner Company Name

Contact First Name Kristy Last Name Featherer

Address 204 Rt 45

City Salem State NJ Zip 08079

Email kristyf@callharrisnow.com Phone 856-935-8888

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

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

Traffic Stopped?  Yes  No

Service Interrupted?  Yes  No

Cost of Damaged Line Repair?

Was other property damaged?  Yes  No

Locator/Locate Information

Who was the facility line locator? Contract 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

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  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

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).

Uploaded Files	File Size
<a href="#">4947 chester creek_email_clear_no_conflict_on_PECO.pdf</a>	167.1 KB
<a href="#">4947 chester 3.jpg</a>	1.3 MB
<a href="#">4947 chester creek 1.jpg</a>	1.1 MB
<a href="#">4749 chester creek 2.jpg</a>	1.2 MB
<a href="#">4947 chester 4.jpg</a>	1.3 MB
<a href="#">4947 chester 5.jpg</a>	1.3 MB

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-
	:	
D.E. Harris Services 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 Certified Mail**

D.E. Harris Services Inc.  
Attn: Kristy Featherer  
204 Route 45  
Salem, NJ 08079



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

Dated: May 26, 2026