



Pipeline Safety Division Investigation Report

Investigation regarding: **Asplundh Construction Corporation**

UPPAC Database Record ID: 4538

Report Date: 11/18/2013

Investigator: Mike Orr

Damage Date: 3/5/2013 9:20:06 AM

Damage Address: 705 Victoria Station Way, Aboite, Allen

The Parties

Excavator: **Asplundh Construction Corporation**

Address: 136 Mill St, Columbus, Oh 43230

Facility Owner: **NIPSCO**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Electric

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes
3/6/2013

Indiana 811 Ticket Number: 1303041990

Original Start Date:

Locate Instructions: LOCATE ENTIRE PROPERTY

Follow-Up Locate Instructions (if applicable):

Synopsis: Excavator struck and damaged an underground natural gas service while performing electric work.

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 9/19/2013. The excavator failed to call for a new locate ticket while the first locate ticket was still valid in order to continue working without interruption instead of having to wait for the new ticket to be valid. This is a case which was remanded back to PS for correction.

Conclusion: There was a failure to provide notice of excavation.

Violation: IC 8-1-26-16(g)(expire) Failure to provide notice of excavation - expired ticket.



150 West Market Street, Suite 600
Indianapolis, IN 46204

April 23, 2012

Via Electronic Transmission – PipelineDamageCase@urc.in.gov

Pipeline Safety Division – Case No. 4538
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 4538

To Whom It May Concern:

Attached please find Northern Indiana Public Service Company's ("NIPSCO") written information, and supporting documentation, relating to the following event:

Date of Event: 3/5/2013

Event Location: 705 Victoria Station Way

City: Aboite

Facility Owner: Northern Indiana Public Service Company

Excavator: Asplundh Construction Corporation

Other Party: N/A

Pipeline Division Case No. 4538

NIPSCO has reviewed its recovery and damage prevention files for this matter and has provided answers, when known, to the list of questions set forth in the Information Request. To the extent available, NIPSCO is also providing a copy of the Damage Information Report – Pipeline Safety Division previously submitted by NIPSCO to IURC Pipeline Safety as well as additional documentation relating to this Event Location.

Upon completion of the investigation, NIPSCO requests that it be provided with a copy of the Pipeline Division's Investigation Report with findings that will be forwarded to the Underground Plant Protection Advisory Committee. If there are any additional questions, please contact the undersigned.

Very truly yours,

Christopher C. (Kit) Earle
NiSource Corporate Services - Legal
Phone: 317-684-4904
Fax: 317-684-4918
Email: cearle@nisource.com

IURC INFORMATION REQUEST	
Pipeline Safety Division Case No. 4538	
Date of Event	3/5/2013
Event Location	705 Victoria Station Way
Event City	Aboite
Facility Owner	Northern Indiana Public Service Company
Excavator	Asplundh Construction Corporation
Date of IURC Information Request	3/27/2012
THE PARTIES	
EXCAVATOR:	
BUSINESS NAME	ASPLUNDH CONSTRUCTION CORPORATION
RESPONSIBLE PARTY PERSONAL NAME	
TITLE (IF ANY)	
ADDRESS	136 Mill Street
CITY/ STATE/ZIP	Columbus / OH / 43230
PREFERRED TELEPHONE	(614)626-8910
CELL PHONE TELEPHONE	
EMAIL ADDRESS	
FACILITY INFORMATION - OWNER/OPERATOR OF UTILITY LINE:	
BUSINESS NAME	NORTHERN INDIANA PUBLIC SERVICE COMPANY
RESPONSIBLE PARTY PERSONAL NAME	LUKE SELKING
TITLE	
ADDRESS	1501 HALE AVENUE
CITY/STATE/ZIP	FORT WAYNE, IN 46802
PREFERRED TELEPHONE	260/439-1290
SECONDARY TELEPHONE	
EMAIL ADDRESS	LSELKING@NISOURCE.COM
LOCATOR SERVICE INFORMATION	
BUSINESS NAME	USIC
RESPONSIBLE PARTY PERSONAL NAME	Morgan Thompson
TITLE (IF ANY)	Claims Coordinator
ADDRESS	9045 N. River Rd. Suite 300
CITY/ STATE/ZIP	Indianapolis, IN 46240
PREFERRED TELEPHONE	1-317-538-7301
CELL PHONE TELEPHONE	Same
EMAIL ADDRESS	morganthompson@usicinc.com
OTHER (WITNESS, POLICE, FIRE, OTHER) INFORMATION	
PERSONAL CONTACT	
BUSINESS/ORGANIZATION NAME	
TITLE (IF ANY)	

ADDRESS	
CITY/ STATE/ZIP	
PREFERRED TELEPHONE	
CELL PHONE TELEPHONE	
EMAIL ADDRESS	
UTILITY LINE IMPACT	
LOCATION OF DAMAGE	
ADDRESS	705 Victoria Station Way Lot 6
CITY/STATE/ZIP	Fort Wayne / IN / 46815
NEAREST INTERSECTION	Grand Station Drive
PRODUCT TYPE (Select One)	
NATURAL GAS	X
LIQUID PIPELINE	
UNKNOWN/OTHER	
FACILITY TYPE (Select One)	
DISTRIBUTION	
GATHERING	
SERVICE/DROP	X
TRANSMISSION	
UNKNOWN/OTHER	
SIZE (DIAMETER/ETC.)	3/4"
PRESSURE (PSIG/INCHES)	
INTERRUPTION IN SERVICE (YES/NO)	Y
NUMBER OF CUSTOMERS AFFECTED	1
EVACUATION (YES/NO)	N
IF YES, HOW MANY EVACUATED	
REPAIR COST (IF KNOWN) (\$)	
CAUSE OF DAMAGE INFORMATION:	
TYPE OF EQUIPMENT (Select One)	
Auger	
Backhoe/Trackhoe	X
Boring/Drilling	
Directional Drilling	
Explosives	
Farm Equipment	
Grader/Scraper	
Hand Tools	
Milling Equipment	
Probing Device	

Trencher	
Vacuum Equipment	
Unknown/Other	
TYPE OF WORK PERFORMED (Select One)	
Agriculture	
Cable TV	
Curb/Sidewalk	
Bldg. Construction	
Bldg. Demolition	
Drainage	
Driveway	
Electric	X
Engineering/Surveying	
Fencing	
Grading	
Irrigation	
Landscaping	
Liquid Pipeline	
Milling	
Natural Gas	
Pole	
Public Transit Authority	
Railroad Maintenance	
Road Work	
Sewer (Sanitary/Storm)	
Site Development	
Steam	
Storm Drain/Culvert	
Street Light	
Telecommunications	
Traffic Signal	
Traffic Sign	
Water	
Waterway Improvement	
Unknown/Other	
RELEASE OF PRODUCT (YES/NO)	Y
IGNITION AND/OR FIRE (YES/NO)	N
EXCAVATOR NOTIFY 811 (YES/NO)	Y – 1303050557
LOCATE INFORMATION:	
EXCAVATOR REQUEST LOCATE (YES/NO)	Y

INDIANA 811 LOCATE TICKET NUMBER	1303041990
LOCATE MARKS VISIBLE (YES/NO)	Y
LOCATE MARKS CORRECT (YES/NO)	Y
EXCAVATOR "WHITE LINED" (YES/NO)	N
MAPS USED TO MARK FACILITIES (YES/NO)	Y
OPERATOR EMPLOYEES ON-SITE DURING EXCAVATION (YES/NO)	N
INCIDENT IMPACT INFORMATION	
NUMBER OF OUTPATIENT TREATED	0
NUMBER OF INPATIENT TREATED	0
NUMBER OF FATALITIES	0
FIRE DEPARTMENT RESPONSE (YES/NO)	N/A
POLICE DEPARTMENT RESPONSE (YES/NO)	N/A
AMBULANCE RESPONSE (YES/NO)	N/A
ADDITIONAL INFORMATION/COMMENTS	
Failure to use hand tools where required (excavator hit accurately marked facility).	

Facility: Distribution Lines; Folder: N/A; Assigned To: N/A

NIPSCO 00446 IUPPSa 03/04/2013 15:26:38 1303041990-00A NORM NEW STRT

NORMAL NOTICE REMARK

Ticket : 1303041990 Date: 03/04/2013 Time: 15:25 Oper: KATHY.TICHLER.IN Chan:000
Old Tkt: 1302121178 Date: 02/12/2013 Time: 11:27 Oper: KATHY.TICHLER.IN Rev: 00A

State: IN Cnty: ALLEN Twp: ABOITE
Cityname: FORT WAYNE Inside: N Near: Y
Subdivision: WEST HAMILTON CROSSING Lot: 6

Address : 705
Street : VICTORIA STATION WAY
Cross 1 : GRAND STATION DR Within 1/4 mile: Y
Location: LOCATE ENTIRE PROPERTY
:
Grids : 4104A8518C 4105D8518C
Boundary: n 41.084737 s 41.083012 w -85.307259 e -85.305360

Work type : INSTALLING UG ELECTRICAL SERVICE
Done for : AEPBIM0000001
Start date: 03/06/2013 Time: 15:45 Hours notice: 48/048 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : 3 WEEKS Depth: 10 FEET

Company : ASPLUNDH CONSTRUCTION CORPORATION Type: CONT
Co addr : 136 MILL ST
City : COLUMBUS State: OH Zip: 43230
Caller : KATHY TICHLER Phone: (614)626-8910
Contact : ERIC COPELAN - CELL Phone:
BestTime:
Mobile : (260)705-1649
Fax : (614)626-8915
Email : KTICHLER@ASPLUNDH.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
PLEASE FEEL FREE TO CALL IF ANY QUESTIONS
Will you be white-lining the dig site area? NO
:

Submitted date: 03/04/2013 Time: 15:25
Members: AEPIN AQUA CC ID2034 ID5857 NIPSCO SM

Facility: Distribution Lines; Folder: N/A; Assigned To: USIC

NIPSCO 00077 IUPPSa 03/05/2013 09:20:14 1303050557-00A EMER DAMG STRT

DAMAGE SEE REMARKS

Ticket : 1303050557 Date: 03/05/2013 Time: 09:16 Oper: MMOELLER Chan:039

State: IN Cnty: ALLEN Twp: ABOITE
Cityname: FORT WAYNE Inside: N Near: Y
Subdivision: WEST HAMILTON CROSSING Lot: 6

Address : 705
Street : VICTORIA STATION WAY
Cross 1 : GRAND STATION DR Within 1/4 mile: Y
Location: LOCATE ENTIRE PROPERTY
:
Grids : 4104A8518C 4105D8518C
Boundary: n 41.084737 s 41.083012 w -85.307259 e -85.305360

Work type : INSTALLING UG ELECTRICAL SERVICE
Done for : AEPBIM0000001
Start date: 03/05/2013 Time: 09:17 Hours notice: 0/000 Priority: EMER
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: Y
Duration : 3 WEEKS Depth: 10 FEET

Company : ASPLUNDH CONSTRUCTION CORPORATION Type: CONT
Co addr : 136 MILL ST
City : COLUMBUS State: OH Zip: 43230
Caller : JASON BLOOM Phone: (614)626-8910
Contact : ERIC COPELAN - CELL Phone:
BestTime:
Mobile : (260)705-1649
Fax : (614)626-8915
Email : KTIHLER@ASPLUNDH.COM

Remarks : All tickets are taken and processed on Eastern Daylight Time
PER JASON BLOOM - CUT NIPSCO GAS LINE IN THE FRONT OF THE PROPERTY - CAN SMELL
GAS - YELLOW 3/4 INCH PLASTIC LINE - WILL CALL 911 AND NIPSCO - CREW IS ON SITE
- PREVIOUS TICKET 1303041990 - THANK YOU
Will you be white-lining the dig site area? NO
:

Submitted date: 03/05/2013 Time: 09:16
Members: AEPIN AQUA CC ID2034 ID5857 NIPSCO SM

NORTHERN INDIANA PUBLIC SERVICE COMPANY
FACILITY DAMAGE REPORT

** COMPLETE FORM FOR ALL DAMAGES TO NIPSCO FACILITIES **

REPORTING OPERATING AREA 220 FtW MAXIMO WO #
OPERATING AREA CONTACT JASON OTIS JOB ORDER # 564485
TRACKING NUMBER 018 2013 03050N LOCATE REF # 1303041990
Locate Performed By:

DATE AND TIME OF ACCIDENT 3-5 2013 M DATE OF REPORT 3-5-13
PLACE OF DAMAGE (INCLUDE CITY) 705 Victoria Station Way

DAMAGE WAS TO:
ELECTRIC - POLE / TRANSFORMER: # SIZE YEAR INSTALLED BROKEN YES () NO ()
OTHER (DESCRIBE)

GAS: SERVICE MAIN () SIZE 5/8 MATERIAL: PLASTIC () STEEL () METER () REG STATION () STUB ()
OTHER (DESCRIBE)

DEPTH OF FACILITY (inches) 18" PRESSURE (PSI) 45 Lbs.

RELEASE OF GAS: YES () NO () IGNITION OF GAS: YES () NO () EVACUATION REQUIRED: YES () # NO ()

INTERRUPTION OF SERVICE: YES () NO () NUMBER OF CUSTOMERS LOST: 1

DURATION OF INTERRUPTION: TIME REPORTED 8:31 TIME SHUT OFF 10:15 TIME RESTORED 11:00

DIAMETER/MEASUREMENT OF HOLE IN GAS FACILITY: complete cut Flow Valve on Service Line

LOCATE MARKS ON SITE: YES () NO () DISTANCE BETWEEN FACILITY AND LOCATE MARKS Accurate NO ()
HOW LOCATED: PAINT () FLAGS () BOTH () WHITE LINED ()

PARTY THAT CAUSED DAMAGES (NAME) Jason Bloom Asplundh Const.

ADDRESS OF PARTY (INCLUDE CITY)

WHO WAS IN CHARGE OF THE WORK SITE AT TIME OF DAMAGE Jason Bloom 260-418-4145

WITNESS NAME AND ADDRESS P. TAYLOR - N. BAUER - L. HUNTER

WITNESS REMARKS hit SERVICE - SERVICE LOCATED ACCURATELY

AGENCIES NOTIFIED / ONSITE: POLICE () AGENCY REPORT #
FIRE () AGENCY REPORT #
OTHER () Any Injuries? () YES # () NO

PHOTOS TAKEN: YES () NO () TAKEN BY: (ATTACH PHOTOS TO REPORT)
MEDIA ON SITE YES () NO ()

- WORK IN PROGRESS WHEN FACILITY DAMAGED - CHECK APPROPRIATE CHOICE BELOW
() AGRICULTURE/FARMING () CABLE TV () CURB/SIDEWALK () TELECOMMUNICATIONS
() BLDG CONSTRUCTION () DEMOLITION () DRAINAGE () WATER
() DRIVEWAY () ELECTRIC () SURVEYING () DRAINS/CULVERTS
() FENCING () GRADING () IRRIGATION () MOWING
() LANDSCAPING () PIPELINE () MILLING () OTHER
() POLE/SIGN POST () ROAD WORK () SEWER

- TYPE OF EQUIPMENT USED - CHECK APPROPRIATE CHOICE BELOW
() AUGER () HAND TOOLS () BACKHOE/TRACKHOE
() MILLING EQUIPMENT () PROBING DEVICE () BORING / DRILLING
() EXPLOSIVES () TRENCHER () FARM EQUIPMENT
() VACCUUM EQUIPMENT () GRADER () OTHER

- REASON DAMAGE OCCURRED - CHECK APPROPRIATE CHOICE BELOW
() AUTOMOTIVE ACCIDENT () EXCAVATING BEFORE LOCATES DUE () CARELESS MACHINE OPERATOR
() NO NOTIFICATION () MARKS DISTURBED () STUB () OTHER

COMMENTS: New construction, our trench
clearly visible
5/8 PL SERVICE WAS BENT AND TAPPED - ADVISED CONTRACTOR

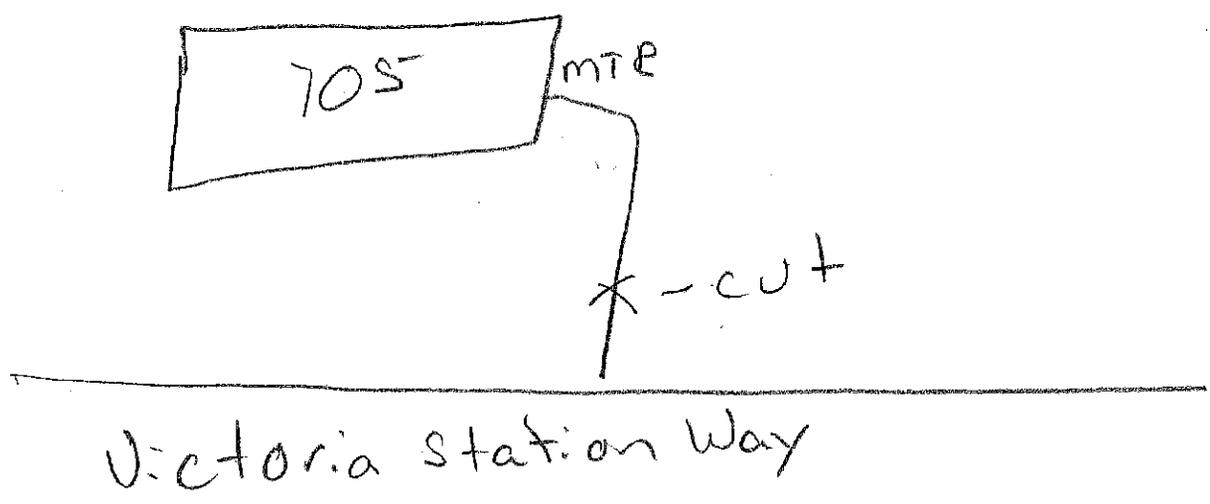
PERSON PREPARING REPORT Hunter

FIELD SUPERVISOR [Signature]

FIELD MANAGER _____

- ORIGINAL REPORT AND SUPPORTING INFORMATION IS TO BE SENT TO FACILITY DAMAGE RECOVERY
- COPY OF REPORT IS TO BE SENT TO DAMAGE PREVENTION

SKETCH: - Show position of all pertinent information



FOR OFFICE USE ONLY:

- | | | |
|---|-----|----|
| • DID EXCAVATION OCCUR BEFORE LOCATES WERE DUE | YES | NO |
| • NO IN 811 LOCATE CALLED IN | YES | NO |
| • DAMAGE CAUSED FROM EXCAVATION WITHIN 24" ZONE | YES | NO |
| • EXPIRED LOCATE | YES | NO |
| • WAS WHITE LINING INDICATED ON LOCATE REQUEST | YES | NO |

COMPLETED BY: _____ DATE: _____

Fact Based Investigation Report

Notification ID 01820130305001
Damage Date 03/05/2013 09:20
Notified By JASON BLOOM ()
Damage Address 705 VICTORIA STATION WAY
FORT WAYNE, IN
District Northern Indiana
Notification Date 03/05/2013 09:25

Damaged Customer NIPSCO

Investigation Date From 03/05/2013 09:35:00 **To** 03/05/2013 10:00:00

Excavator Involved ASPLUNDH CONSTRUCTION
Type of Excavation ELECTRIC

Orig. Locate Request 1303041990 **Start Date**
Type of Ticket **Locate Req. Info** N/A

Damage Request # **Start Date**

Pictures Taken By RON STEPHENS **Date** 03/05/2013 09:50
Photography Type Disposable **Frame #** N/A

Investigator Emp. # 123132 **Investigator Name** RON STEPHENS
Based on your investigation, is further investigation needed? No

Fact Based Investigation Customer Information

Facility Description Low Profile **Facility ID** service

Locator Name & EMP # Stephens Ron - 123132 **Locator Not Known**

Investigation Findings

Facility Marked Accurately

Other Notes

Investigation Methods

Visual, Facility Exposed At Time Of Investigation

Investigator Statement/Causal Factors

CONTRACTOR CUT TRYING TO EXPOSE WITH BACK HOE BECAUSE GROUND FROZEN

Names of Utility Representatives Contacted or on Site and Statement

N/A

Names of Excavator's Representatives Contacted or on Site and Statement

N/A

Other individuals on site

N/A

Were any markings visible on the damage site upon arrival? Yes

Were any other indicators of facility present in the area? Yes

Was the excavation within the tolerance zone of marks? Yes

Extent of facility damage CUT 5/8 PLASTIC SERVICE

Replacement Footage	2
Was contractor assistance required? If yes, who?	No
What contractor equipment was used?	N/A
Is the facility shown on the utility records?	No
If yes, list record numbers	N/A



Property of United States Infrastructure Corporation
Photo taken on 3/5/2013 9:52:34 AM

Utility Business Services, Inc.
1206 Savannah Lane
Monroe, GA 30655
678 635-5823 Fax
770 377-7501

Web Site: www.ubsinfo.com
E-Mail: ralph@ubsinfo.com

Via email to DPoon@urc.in.gov

September 19, 2013

Pipeline Safety Division – Case #4092 and 4538
Indiana Utility Regulatory Commission
Attn: Ms. DeAnna L. Poon
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

Regarding case number: 4092
Incident Date: 11/1/12
Address: 813 Beal Brook Pass
City: Fort Wayne
County: Allen

Regarding case number: 4538
Incident Date: 3/5/13
Address: 705 Victoria Station Way
City: Aboite
County: Allen

Dear Ms. Poon:

Thank you for allowing us additional time to respond to these two case file.

In the incident described in case #4092 Asplundh is alleged to have violated IC 8-1-26-20(a)(3)(a) - Failure to make a 2nd request when there is evidence of an unmarked facility. After reviewing the information available Asplundh has decided not to contest this charge. They either have or will administer additional training to the crew members involved.

In the incident described in case #4538 t Asplundh is alleged to have violated IC 8-1-26-20(a)(2) - Failure to maintain 2' clearance with mech. equipment. The gas facility was properly marked and the Asplundh crew was attempting to expose it using hand tools. However, the ground was frozen on this date and the crew was having great difficulty penetrating the soil with hand tools. They attempted to use a backhoe to remove the top frozen layer and that is when the damage occurred. Asplundh does not dispute the allegation but does ask that the Advisory Committee take the site conditions into account.

Given the circumstances of these two cases we are asking the Advisory Committee to either waive any civil penalty or else allow Asplundh to mitigate the penalty through training.

Thank you again for allowing us to present this delayed response. Please let me know if you need additional information from me or from Asplundh.

Best regards,

Ralph Byrd

Cc: Mike Lewis, Asplundh

From: [Poon, DeAnna](#)
To: [Ralph Byrd](#)
Cc: ["Mike Lewis"; Orr, Michael](#)
Subject: RE: IURC cases 4092 and 4538
Date: Wednesday, September 18, 2013 3:59:19 PM

Mr. Byrd,

You client will be permitted one thirty-day extension for these cases (unless you think you will have the information by this Monday, September 23rd). Please send any documentation directly to the pipeline inbox at PipelineDamageCase@urc.in.gov. I will remove these cases from the September agenda and add them to the October case list.

DeAnna L. Poon
Assistant General Counsel
Indiana Utility Regulatory Commission
(317) 232-6735
dpoon@urc.in.gov

From: Ralph Byrd [mailto:ralph@ubsinfo.com]
Sent: Wednesday, September 18, 2013 2:27 PM
To: Poon, DeAnna
Cc: 'Mike Lewis'
Subject: IURC cases 4092 and 4538

Good afternoon Ms. Poon,

The Asplundh Company has asked me to assist them in providing responses to the Advisory Committee on cases 4092 and 4538. It is my understanding that these cases will go before the committee on September 24, 2013 and that any additional information was due to be provided seven days in advance. I am requesting that these cases be postponed for one month in order to give me time to submit a proper response. Please let me know if that can be arranged.

Best regards,

Ralph Byrd
Utility Business Services, Inc.
PO Box 199, Monroe, GA 30655
p (770) 377-7501
ralph@ubsinfo.com
www.ubsinfo.com



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Utility Business Services, Inc.
1206 Savannah Lane
Monroe, GA 30655
678 635-5823 Fax
770 377-7501

Web Site: www.ubsinfo.com
E-Mail: ralph@ubsinfo.com

Via email to DPoon@urc.in.gov

September 19, 2013

Pipeline Safety Division – Case #4092 and 4538
Indiana Utility Regulatory Commission
Attn: Ms. DeAnna L. Poon
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

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Ralph Byrd

Cc: Mike Lewis, Asplundh