



Pipeline Safety Division Investigation Report

Investigation regarding: Qc Communications

UPPAC Database Record ID: 4880

Report Date: 7/31/2013

Investigator: Mike Orr

Damage Date: 5/30/2013 12:20:00 PM

Damage Address: Center St, Pleasant, Johnson

The Parties

Excavator: **Qc Communications**

Address: 7925 W. - 100 S., Wabash, In 46992

Facility Owner: **Vectren**

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Boring

Type of Work Performed: Telecommunications

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$1259

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes
5/22/2013

Indiana 811 Ticket Number: 1305201147

Original Start Date:

Locate Instructions: FROM THE INTERSECTION - LOCATE NORTH ON THE EAST SIDE OF THE ROAD FOR APPROX 750 FEET - AREA IS MARKED WITH WHITE FLAGS

Follow-Up Locate Instructions (if applicable):

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

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 7/19/2013. The excavator had a valid locate ticket and the gas operator provided documentation of locate accurate locate markings; however, the excavator failed to use hand tools within the tolerance zone due to faint markings.

Conclusion: There was a failure to use hand tools within the tolerance zone.

Violation: IC 8-1-26-20(a)(2) Failure to maintain two (2) feet clearance with mechanized equipment.



DAMAGE INFORMATION REPORT – PIPELINE SAFETY DIVISION

State Form 54122 (R2 / 7-11)
INDIANA UTILITY REGULATORY COMMISSION

INITIAL DOCUMENTS -
OPERATOR

CASE # 4880

Submitted to IURC-Pipeline Safety on: 07/31/2013

Who is submitting this information?

Name of person providing this information: Darlene Kulhanek

Business address (number and street): 1 Main Street

City, State, and ZIP code: Evansville, IN 47711

Telephone number (area code): 812-491-4227

Fax number (area code): 812-491-4504

E-mail address: dkulhanek@vectren.com

Excavator Information, if known

Full name: QC Communications

Business address (number and street): 8 West Boulevard

City, State, and ZIP code: Peru, IN 46970

Telephone number (area code): 765-469-2336

Fax number (area code): Unknown

E-mail address: Unknown

Excavation or Demolition Information

Excavator type: Utility

Excavation or demolition equipment: Boring

Type of work performed: Cable TV

Date and Location of Damage

Date of damage (month, day, year): 5-30-2013

County: Johnson

City: whiteland

Street address (number and street, city, state, and ZIP code):
501 Center Street, Whiteland, IN

Nearest intersection: Unknown

Right of way where damage occurred: Private - Land Owner

Was there a release of product? Yes

If yes, was there an ignition of product? No

Were evacuations necessary as a result of release? No

If yes, how many evacuated? 0

Was there a customer service interruption? Yes

If yes, how many affected? 1

Time to restore service (in hours): 3

Enter number of injuries, if applicable and known: 0

Enter number of fatalities, if applicable and known: 0

Property damage, Estimate \$ 1,259.04

Affected Facility Information

What type of pipeline was damaged? Natural Gas

What was the affected facility? Service/Drop

What was the depth of the facility, in inches?

Notification, Locating, Marking

Did excavator request locates prior to commencing work? Yes

Enter Indiana 811 ticket number, if known: 1305201147

Was the locate request completed within two working days? Yes

If locates were performed, were they done so by a contractor or pipeline employee? Contract Locator

If a contractor locator, enter the company name, if known: USIC

Were facility marks visible in the area of excavation? Yes

Were facilities marked correctly? Yes

Type of markings used: Paint and Flags

If other, please specify: None

Was site marked by "White Lining"? Yes

Were special instructions part of the locate request? Unknown/Other

Were maps used to complete the locate request? No

Were pipeline company representatives on site during excavation? No

Did the excavator notify the operator in the event of this damage? Yes

Did the excavator notify Indiana 811 in the event of this damage? Yes

Did the excavator notify 911 in the event of a release of product? Unknown/Other

Description of Cause

Select from the list the most accurate cause for the damage: --Failure to use hand tools where required

Additional Comments

1" plastic service severed by bore. Not hand exposed & Failure to maintain marks.



2 VECTREN ENERGY DELIVERY OF INDIANA - NORTH

NOW DUE

\$1,259.04

Q C COMMUNICATIONS
7925 W COUNTY RD 100 S
WABASH, IN 46992

Type: GAS
Invoice: FDS0017853
BillToID: 33327
Billing Date: 6/27/2013
Date of Loss: 5/30/2013
5835 103.0510

Please return this portion with your remittance.



Mail Payment To:
Vectren Utilities Holdings Company
1239 Reliable Parkway
Chicago, IL 60686-0012
Inquiries: 1-877-902-2934, Mon.-Fri., 8-5
Risk Management/Claims Department

Q C COMMUNICATIONS
7925 W COUNTY RD 100 S
WABASH, IN 46992

Type: GAS
Invoice: FDS0017853
BillToID: 33327
Billing Date: 6/27/2013
Date of Loss: 5/30/2013

NOW DUE

\$1,259.04

Invoice For Costs to Repair and Reconstruct Damaged Property

Address: 501 CENTER ST, WHITELAND

1" PLASTIC SERVICE SEVERED BY BORE. NOT HAND EXPOSED & FAILURE TO MAINTAIN MARKS.

Material:	\$40.37
Company Labor:	\$218.21
Contract Labor:	\$771.58
Transportation/Equipment:	\$39.36
Misc:	\$0.00
Gas Loss:	\$189.52
Adjustments:	\$0.00
Payments:	\$0.00
Total:	\$1,259.04

5835 103.0510

Remember, call two (2) working days before digging. Contact I.U.P.P.S. at 1-800-382-5544.

Vectren Claim Number: _____

FDS 0017853

Task No: 103.0510 Capital / C&M (circle one)

Police Report /MO #: _____

Date of Damage 5 / 30 / 13

Cost Center # 5835

FACILITIES DAMAGE REPORT

Time Occurred 12:15 am / pm

Time Found 12:35 am / pm

Latitude 39.558050 Longitude: -96.091650

Vectren Claims Camera:

VE02108

DAMAGE SITE: 501
Address Center St.

FACILITY TYPE:
 Distribution Propane
 Service Storage
 Transmission: (include supplemental report)

County Johnson City Whiteland State IN Township Pleasant

FACILITIES DAMAGED:	ORIFICE SIZE(S):	(1)	(2)	(3)
<input type="checkbox"/> Farm Tap	0.50 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Heater	5/8 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Main	0.75 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meter (Residential)	1.00 inch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Meter (Industrial / Commercial)	1.25 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Odorizer	2.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Regulator Station	3.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Relief Valve	4.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Riser	5.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Service Line	6.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Valve	10.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	12.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	16.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other _____	20.00 inch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other _____			

VISUAL OBSERVATION AT DAMAGE SITE: 5/31

Visual Observation: Above Ground Below Ground

Locate Applicable Yes No N/S

Facilities Properly Marked Yes No N/S

Marking Methods: Conventional Flags None Whiskers
 Offset Paint Stakes

Locate Marking Faded: Yes No N/S

Wrong Address Requested Yes No N/S

Facilities Improperly Located:

Qualified Locator Could Not Have Accurately Located

Inaccurate Maps / Cards

Broken or No Tracer Wire (Plastic)

Insulation Preventing Accurate Locate

Locator Error:

Failure to Follow Policy

Inappropriate Site Markings

Incomplete Locate

No Locates Performed

Qualified Locator Could Have Accurately Located

Wrong Address Located

Marking Off By: _____ (Feet / Inches)

TYPE OF MATERIAL: DAMAGE TYPE:

Cast Iron Severed

Plastic (HDPE) Not Cut

Plastic (MDPE) Severed

Steel Size _____ x _____

Other _____

PRESSURE:

25 PSIG

40 PSIG

50 PSIG

60 PSIG

6 WC (.2163)

7 WC (252)

Other _____

PROTECTION IN PLACE:

Building Fence None

Post Rail Vault N/A

Other _____

DURATION OF ESCAPING GAS:

Minutes: 85

LEAK REPORT NUMBER:

EFV Activated Yes No N/S

FEED TYPE:

One-Way Feed

Two-Way Feed

Number of Customers Affected: 1

Total Hours Service Was Off: 3

SERVICE ORDER NUMBER: N5665927

DAMAGED BY:

Company Crew

Contractor

County

Developer

Farmer

Municipality

Property Owner/ Tenant

Railroad

State

Unknown

Utility

Vehicle Accident

Other _____

TYPE OF CONSTRUCTION:

Agriculture

Building Construction

Building Demolition

Cable TV

Curbs / Sidewalk

Drainage

Driveway

Electric

Engineering / Surveying

Fencing

Grading

Irrigation

Landscaping

Liquid Pipeline

Milling

Pole

Natural Gas

Public Transit Authority

Railroad Maintenance

Other _____

NOTIFICATIONS AND OTHER DETAILS OF LOCATE:

Locate Ticket: 1305201147

Date: 5-20-13 Time: 10:15 am / pm

TYPE OF REQUEST:

Regular Request Emergency Request

Locate Company Notified

Contact Name: USIC

Time Called: 12:00 am / pm

Time Locator Arrived at the Site: 12:30 am / pm

Company Notified of Locate Near Critical Facilities Yes No N/S

Copy of Mark Out Request Provided Within 2 Working Days Yes No N/S

ONE-CALL CENTER:

JUPPS

OUPS

Unknown

5/4/13
Tom
photos

JUN 5 2013

Vectren Claim Number: _____

TYPE OF EQUIPMENT:

- Auger
- Backhoe / Track hoe
- Boring
- Drilling
- Explosives
- Farm Equipment
- Grader / Scraper
- Hand Tools
- Milling Equipment
- Plow
- Probing Device
- Trencher
- Vacuum Equipment
- Vehicle
- Other _____

ROOT DAMAGING CAUSE:

- Abandoned Facility
- Deteriorated Facility
- Facility Could Not be Found/ Located
- Facility Was Not Located / Marked
- Failure to Maintain Clearance
- Failure to Maintain Marks
- Failure to Support Exposed Facility
- Failure to Use Hand Tools Where Required
- Improper Backfilling
- Incorrect Records / Maps
- Marking or Location Not Sufficient
- No Notification Made to One-Call
- One-Call Notification Error
- Previous Damage
- Wrong Information Provided
- Other _____

CONTRACTOR REPAIRS:

- Contractor Working for Vectren Made Repairs at Own Expense
 Yes No N/S
- Contractor Repaired Damage
 Yes No N/S

Name of Contractor: Miller Pipeline
 # of Regular Hours: 3
 # of Overtime Hours: _____
 # of Regular Hours: _____
 Crew Type: 1-locally

MATERIALS OR ROAD WORK:

- Meter was replaced _____ (Stores Code)
- Regulator Was Replaced _____ (Stores Code)
- Temporary Asphalt Repair: _____ (sq. ft.)
- Permanent Asphalt Repair: _____ (sq. ft.)

Did Excavator Notify You

- Yes No

Excavation Required

- Yes No

Media at Site

- Yes No

Was There Ignition of Gas?

- Yes No

RIGHT OF WAY:

- Dedicated Utility Easement
- Federal Utility Easement
- Pipeline
- Power / Transmission Line
- Private - Business
- Private - Easement
- Private - Land Owner
- Public - County Road
- Public - Interstate Highway
- Public - Other
- Public - State Highway
- Public - City Street
- Unknown

INVOICE:

- Yes No N/S

DAMAGING PARTY:
 Name: QC Communications
 Address: 7925 W 100 S
 City/ State/ Zip: Walbash, In.
 Phone: (800) 421-0582
 Prepared / Investigated By: [Signature] Date: 5-30-13

PARTY TO INVOICE:
 Name: SAME
 Address: _____
 City/ State/ Zip: _____
 Phone: (_____) _____
 Reviewed by Field Supervisor: [Signature] Date: 5/31/13

Ticket Portal Production

Ticket Text Photos

Ticket Text

ID7131 00404 IUPPSa 05/20/2013 10:02:09 1305201147-00A NORM NEW GRID
 NORMAL NOTICE
 Ticket : 1305201147 Date: 05/20/2013 Time: 09:55 Oper: AGRIGGS Chan:074
 State: IN Cnty: JOHNSON Twp: PLEASANT
 Cityname: WHITELAND Inside: Y Near: N
 Subdivision:
 Address :
 Street : CENTER ST
 Cross 1 : CHRISTINA DR Within 1/4 mile: Y
 Location: FROM THE INTERSECTION - LOCATE NORTH ON THE EAST SIDE OF THE ROAD FOR
 APPROX 750 FEET - AREA IS MARKED WITH WHITE FLAGS
 ***Boring Where = UNDER GRASS AND DRIVEWAY
 :
 Grids : 3933B8604A 3933B8605D 3933C8604A
 Boundary: n 39.559887 s 39.557165 w -86.084521 e -86.080868
 Work type : INSTALL FIBER
 Done for : METRONET
 Start date: 05/22/2013 Time: 10:15 Hours notice: 48/048 Priority: NORM
 Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: N
 Duration : 3 WEEKS Depth: 6 FEET
 Company : QC COMMUNICATIONS Type: CONT
 Co addr : 8 WEST BOULEVARD
 City : PERU State: IN Zip: 46970
 Caller : RODNEY CRESS Phone: (765)469-2336
 Contact : RODNEY CRESS - CELL Phone:
 BestTime:
 Mobile : (765)469-2336
 Remarks : All tickets are taken and processed on Eastern Daylight Time
 Will you be white-lining the dig site area? YES
 :
 Submitted date: 05/20/2013 Time: 09:55
 Members: ID2034 ID3734 ID4664 ID5531 ID5693 ID5857 ID7053 ID7131 ID7288 SM

 Email_From: irth@iupps.org
 Email_Subject: IUPPS ID7131 2013/05/20 #00404 1305201147-00A NORM NEW
 Email_Sent_Date: 2013-05-20 09:02:10 CDT
 Email_host: tickets7.811tickets.com
 Email_user: 811.in.oc-vvc
 Email_To: 811.in.oc-vvc@tickets.811tickets.com
 Email_ContentType: text/plain; charset=us-ascii

Ticket Portal Production

Ticket Text Photos

Ticket Text

ID7131 00819 IUPPSa 05/30/2013 12:20:07 1305302005-00A EMER DAMG GRID
 DAMAGE SEE REMARKS
 Ticket : 1305302005 Date: 05/30/2013 Time: 12:16 Oper: CDEEDRICK Chan:092
 State: IN Cnty: JOHNSON Twp: PLEASANT
 Cityname: WHITELAND Inside: Y Near: N
 Subdivision:
 Address :
 Street : CENTER ST
 Cross 1 : CHRISTINA DR Within 1/4 mile: Y
 Location: FROM THE INTERSECTION - LOCATE NORTH ON THE EAST SIDE OF THE ROAD FOR
 APPROX 750 FEET - AREA IS MARKED WITH WHITE FLAGS
 ***Boring Where = UNDER GRASS AND DRIVEWAY
 :
 Grids : 3933B8604A 3933B8605D 3933C8604A
 Boundary: n 39.559887 s 39.557165 w -86.084521 e -86.080868
 Work type : INSTALL FIBER
 Done for : METRONET
 Start date: 05/30/2013 Time: 12:19 Hours notice: 0/000 Priority: EMER
 Ug/Oh/Both: U Blasting: N Boring: Y Railroad: N Emergency: Y
 Duration : 3 WEEKS Depth: 6 FEET
 Company : QC COMMUNICATIONS Type: CONT
 Co addr : 8 WEST BOULEVARD
 City : PERU State: IN Zip: 46970
 Caller : RODNEY CRESS Phone: (765)469-2336
 Contact : RODNEY CRESS - CELL Phone:
 BestTime:
 Mobile : (765)469-2336
 Remarks : All tickets are taken and processed on Eastern Daylight Time
 A VECTREN GAS LINE WAS HIT IN THE FRONT EASEMENT APPROX 5 FEET OFF CENTER STREET
 - GAS LINE IS BLOWING - 3/4 INCH IN DIAMETER - YELLOW IN COLOR- PLASTIC MATERIAL
 - CALLER HAS CALLED 911 - CREW IS ON SITE - 911 HAS CALLED VECTREN - PREVIOUS
 TICKET NUMBER IS 1305201147 - THANK YOU
 Will you be white-lining the dig site area? YES
 :
 Submitted date: 05/30/2013 Time: 12:16
 Members: ID2034 ID3734 ID4664 ID5531 ID5693 ID5857 ID7053 ID7131 ID7288 SM

 Email_From: irth@iupps.org
 Email_Subject: IUPPS ID7131 2013/05/30 #00819 1305302005-00A EMER DAMG
 Email_Sent_Date: 2013-05-30 11:20:07 CDT
 Email_host: tickets7.811tickets.com
 Email_user: 811.in.oc-vvc
 Email_To: 811.in.oc-vvc@tickets.811tickets.com
 Email_ContentType: text/plain; charset=us-ascii



Property of United States Infrastructure Corporation
Photo taken on 5/29/2013 1:46:12 PM



Property of United States Infrastructure Corporation
Photo taken on 5/30/2013 12:38:38 PM



Property of United States Infrastructure Corporation
Photo taken on 5/30/2013 12:38:42 PM



Property of United States Infrastructure Corporation
Photo taken on 5/30/2013 12:38:51 PM



Property of United States Infrastructure Corporation
Photo taken on 5/30/2013 12:38:59 PM



Property of United States Infrastructure Corporation
Photo taken on 5/30/2013 12:39:30 PM

Service Order Status

Wednesday, June 5, 2013

Enter Service Order Number:

5665927



Order Type: Order Status

Banner Instance: CS03PROD CS01PROD CS02PROD

Order Number: N5665927

Order Type: LEAK

Order Status: Completed

Customer: 620349033 - SHEETS MARGOT K

Prem: 5418005 - 491 CENTER ST

Technician: 5476 - Johnson, David

Order Dates and Times

Need Date: 5/30/2013 12:30:00 PM
Time Created: 5/30/2013 12:22:02 PM
Time Dispatched: 5/30/2013 12:22:02 PM
Time In Route: 5/30/2013 12:22:50 PM
Time On-Site: 5/30/2013 12:35:07 PM
Tech Complete: 5/30/2013 1:28:48 PM
Time Closed: 5/30/2013 1:28:48 PM

Events Performed/Completion Code

LKOT - CMP

Meter Information

Current ReadStatus

Old Meter: 1027 Active
New Meter:

Completion Notes

correct address for cut, check 501 Center St.

Request Notes

HIT LINE BLOWING PER JOHNSON CTY 911....POLICE DEPT ONSITE...FIRE DEPT INROUTE....QC COMMUNICATIONS
 HIT LINE...PH 260-228-1102....XST CHRISTINA....911'S #317-736-5155....NOT SURE IF LINES WERE LOCATED
 ...THANKS

MDSI Event Dates and Times

Event	Date/Time	User
AsnAssignmentManualAck_evt	5/30/2013 12:22:44 PM	Johnson, David
AsnAssignmentEnRoute_evt	5/30/2013 12:22:50 PM	Johnson, David
AsnAssignmentOnSite_evt	5/30/2013 12:35:07 PM	Johnson, David
OrdOrderComplete_evt	5/30/2013 1:28:48 PM	Johnson, David

NOTE:The Reporting database replicates in near real-time; it has been approximately 0 minute(s) since the last transaction replicated.

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 W. WASHINGTON STREET, SUITE 1500E
INDIANAPOLIS, INDIANA 46204-3407

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

June 28, 2013

Rodney Cress
Qc Communications
8 West Boulevard
Peru, In 46970

*QC Communications Inc.
7925 W. 100S.
Wabash IN 46992*

Re: Notice of Preliminary Determination of Violation
Pipeline Safety Division Case No. 4880

RECEIVED

JUL 19 2013

**INDIANA UTILITY
REGULATORY COMMISSION**

Date of Event: 5/30/2013
Event Location: Center St, Pleasant, Johnson County
Excavator: Qc Communications
Facility Owner: Vectren

Dear Rodney Cress,

On behalf of the Indiana Utility Regulatory Commission ("Commission"), I am writing to inform you that information has been filed with the Commission's Pipeline Safety Division regarding an alleged violation of Indiana Code chapter 8-1-26, the Indiana Damage to Underground Facilities Act ("the Act"). You are receiving this letter because you have been identified as the Respondent Excavator.

To ensure safety, the Indiana Underground Plant Protection Service (Indiana 811) and gas operators routinely provide reports to the Pipeline Safety Division when an operator's facility is damaged. The Division has received a report from one of these entities that on **5/30/2013**, you or your business damaged a pipeline facility owned by **Vectren** and located at **Center St, Pleasant, Johnson County**.

Based upon the information received, the Pipeline Safety Division is commencing an investigation into the event concerning you or your business to determine whether any statutory violations were committed regarding public safety, specifically the following:

- IC 8-1-26-16(g): Failure to provide notice of excavation.
- IC 8-1-26-16(h): Failure to perform required white lining.
- IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment.
- IC 8-1-26-18(f): Failure to properly locate facilities (operator violation)

The Division provides both you and Vectren with an opportunity to send in documentation explaining what occurred. This may include maps, photographs, narrative statements, and any other evidence you wish to provide. You have thirty (30) days from the date this letter is received to send in information, but an extension may be given for good cause shown. Please note that the Division's investigation will be completed after this time period, even if you do not respond or fail to provide

additional evidence for the Pipeline Safety Division to consider. The Division's findings will then be forwarded to the Advisory Committee. If the Advisory Committee confirms the violation, it will send its recommendation on the appropriate penalty to the Commission.

If you are a business entity, please provide your full personal name and business title, as well as your legal authority to represent the business in this matter. If you lack such authority or are mistakenly named as the Respondent, please notify the Pipeline Safety Division as soon as possible, providing the name of the proper representative, if known.

If you believe there are other parties or witnesses with relevant information for the Pipeline Safety Division to consider in its investigation, we request that you *immediately* provide their name, address, telephone number and email address *in writing* to the Pipeline Safety Division.

You are encouraged to fill out the required information form electronically by going to <http://www.in.gov/iurc/2335.htm> and clicking on the "Excavator Information Request Form" under the Indiana's Damage to Underground Facilities Act section. You may call Kelsey Klingler at (317) 232-0037 to request a hard copy to return by mail. In addition to the information form, you can forward additional documentation such as maps and drawings by mailing them to the address below or by scanning and emailing them. Please include your assigned Pipeline Safety Division Case Number on all communications and add your Case Number and denote "INITIAL DOCUMENTS - EXCAVATOR" at the top of your materials or in the subject heading of your email.

Mail: Pipeline Safety Division – Case No. 4880
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

Email: PipelineDamageCase@urc.in.gov

Included with this letter is a *Summary of Procedures and Respondent's Rights* to assist in answering your questions, including information on the procedure for determining violations and possible civil penalties that may be assessed. Please note that your case will be handled according to administrative rule 170 IAC 5-5, found at http://www.in.gov/legislative/iac/iac_title?iact=170.

For questions regarding the pipeline damage identified above, or our investigation, please contact me at (317) 232-2718. Should you have legal questions regarding the Advisory Committee or the IURC, please contact DeAnna L. Poon, Legal Advisor to the Advisory Committee and Assistant General Counsel at the IURC, at (317) 232-6735. Thank you for your assistance.

Sincerely,



William Boyd, Program Manager, Pipeline Safety Division

Enclosures: Summary of Procedures and Respondent's Rights



Summary of Procedures and Respondent's Rights

Please note that the following is offered for informational purposes and does not constitute legal advice. Anyone involved in this process is entitled to individual legal representation and is encouraged to retain their own counsel in order to be fully apprised of their rights.

What is the purpose of Indiana's Damage to Underground Facilities Act, IC 8-1-26?

The purpose of this Act is to promote excavation and pipeline safety and to reduce imminent danger to life, health, property, or loss of service associated with unsafe digging practices.

Who reports possible violations?

Any person or entity may report a violation of the Indiana Damage to Underground Facilities Act ("Act") to the Indiana Utility Regulatory Commission ("Commission") Pipeline Safety Division ("Division"), but most reports of violations are communicated regularly to the Pipeline Division from the Indiana Plant Underground Protection Service, commonly referred to as Indiana 811 Association Office. Pursuant to 170 IAC 5-5-2(b), violations shall be reported to the Pipeline Division within thirty (30) days of their occurrence.

What is the process for investigating alleged violations?

The Division shall commence an investigation of each report by contacting the excavator and gas operator involved by sending a written request for information within sixty (60) days, per 170 IAC 5-5-3(a). The initial letter you received requesting information commenced the investigation in your case. If there was a contact person from your company listed on the letter, that is the name the Division was provided with from Indiana 811 (i.e. the person who called in the locate ticket or reported the line hit).

You have thirty (30) days to respond to the investigation with information that demonstrates that you called in a proper locate ticket and hand excavated within two (2) feet of the gas pipeline. You also have the opportunity to provide the names of anyone else who may have information in your case. A similar letter was provided to the gas operator. The Division will review the excavator and operator responses and from there provide their findings to the Underground Plant Protection Advisory Committee ("Advisory Committee") regarding whether you or the gas operator violated a provision of Indiana's Damage to Underground Facilities Act, IC 8-1-26. If the Division does not find a violation was committed, you will receive a letter stating that the case will be closed and the Division will not forward findings to the Advisory Committee.

The Advisory Committee meets monthly to review the Division's findings. If your case will go before the Advisory Committee, you will receive a letter noting the date, time, and location of the meeting and a copy of the Division's Investigation Report for your case. You will have an additional opportunity to provide documentation disputing the Division's findings.

If the Advisory Committee agrees with the Division's findings, they will assess a civil penalty. You will be notified of the penalty assessed and provided the opportunity to accept the penalty or request a public hearing to dispute it. If you accept the penalty or fail to properly request a public hearing, the Commission will consider the penalty and approve or disapprove the findings.

Who is on the Advisory Committee?

Pursuant to IC 8-1-26-23(b), the Advisory Committee was created by the Act and includes seven (7) members, representing a cross section of participants, appointed by the Governor from the following entities: two (2) representing commercial excavators; one (1) representing the 811 Association; one (1) representing investor owned gas utilities; one (1) representing operators of pipeline facilities or pipelines; one (1) representing municipal gas utilities; one (1) representing providers of facility locate marking service companies.

Do I have to attend the Advisory Committee meeting? What happens there?

No, you do not have to attend. The Advisory Committee's deliberations will be conducted in public and you are entitled to attend because it is a public meeting. However, at this stage of the proceedings there is not yet an opportunity for a hearing. There will be no opportunities to present witnesses, cross examine witnesses, or to present verbal evidence. If you have additional documentation, you may bring it to the meeting; we request you bring eight (8) copies for the Committee members and their attorney.

In lieu of bringing documents to the Advisory Committee meeting, you may send correspondence to the Advisory Committee regarding the Pipeline Division's findings so long as it is received seven (7) days in advance of the meeting. This deadline is necessary in order to allow administrative staff adequate time to photocopy, organize and distribute the additional documents to the Advisory Committee members.

At the meeting, the Advisory Committee meeting will accept or dismiss the Division's findings of violation. If they accept a finding, they will assess a civil penalty to recommend to the Commission.

What penalties are possible?

Pursuant to the Act, civil penalties may include any or all of the following:

1. A warning letter.
2. Required participation of employees in a mandatory education and training program sponsored by the IURC.
3. Required development of a plan to avoid future violations, which must be approved by the IURC.
4. A civil penalty up to a maximum of ten thousand dollars (\$10,000).

For first time violators in an instance where no one was personally injured, generally the initial civil penalty is a warning letter. Multiple violations, evidence of recklessness, personal injury, and property damage over ten thousand dollars (\$10,000) may be grounds for the Advisory Committee to institute monetary penalties.

What if I disagree with the assessed penalties?

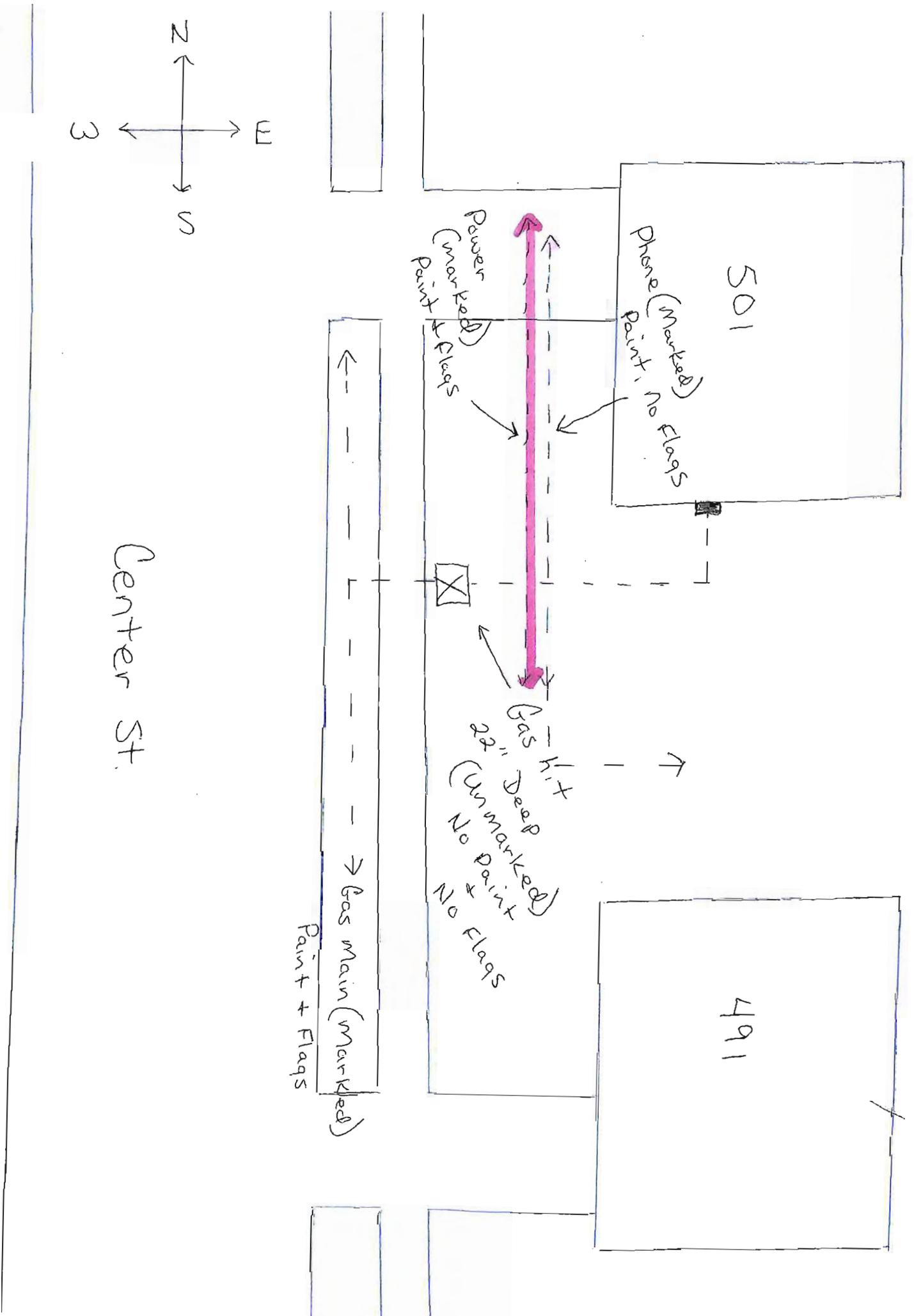
Once you have been notified of the assessed penalties, you have thirty (30) days to request a public hearing to dispute the Advisory Committee's penalty recommendation. Please note that requests for public hearing must be drafted according to the Commission's rules for practice and procedure, found at 170 IAC 1-1.1: http://www.in.gov/legislative/iac/iac_title?iact=170. Individuals may represent themselves, but companies must be represented by legal counsel. You are strongly encouraged to seek legal counsel if you plan to request a public hearing before the Commission.

Does the Division determine criminal violations?

No, the Pipeline Safety Division's investigation under IC 8-1-26 does not entail determining criminal liability or a civil determination of fault or damages. It determines whether any statutory violations were committed regarding public safety.

I still have questions.

For technical questions, you can contact the Division Director, Bill Boyd, at (317) 232-2718. Legal inquiries should be directed to DeAnna L. Poon, Advisor to the Advisory Committee and Assistant General Counsel at the IURC, at (317) 232-6735.





CONRAIL RAILROAD

CENTER ST

CHRISTINA DR

Location of the gas damage

58.0'

58.0'

157.0'

50.0'

WH07-17

166.0'

50.0'

81.0'

146.0'

58.0'

119.0'

P22A58

99.0'

15.0'

84.0'

P22A56

94.0'

P22A57

126.0'

P22A53

182.0'

P22A52

196.0'

202.0'

UNDERGROUND UTILITY ACCIDENT REPORT

Company Name <u>QC Communications</u> Address <u>Wabash IN.</u> (Main Office)	Job Name <u>Cinergy / Metronet</u> Address <u>491 / 501 Center St, Whiteland IN.</u>	
Crew Members Names Supervisor: <u>Rodney Cress</u> Workers <u>Eric Beachy</u> <u>Billy Watts</u>	Name of Other Witnesses (include phone #, address or employer's name, if possible) <u>N/A</u>	
Description of Job <u>Fiber Installation</u>		
Were Utility Lines marked? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Name/Phone # of Locator Service: <u>USIC</u>		
Locator Log # (Confirmation #) <u>1305201147</u> Date Marked: <u>12-20-13</u> By Whom: <u>usic</u> <u>Damage ticket # 1305302005</u>		
Date of Accident <u>5-30-13</u> Time of Accident <u>12:30 p.m.</u>		
Accident Description (Describe How the Accident Occurred) <u>Bored into a 3/4" gas service</u>		
Describe Damaged Property <u>none</u>		
List Owner of Damaged Property Name: <u>unknown</u> Address: <u>501 Center St, Whiteland</u> Phone # <u>unknown</u>		
Sketch of Job Where Accident Occurred (Sketch) Show Trench Point of Damage (approx.) Location & Depth of Utility Line Where were Marked & Unmarked Identify Location of Photos Show Direction of North <u>" See Attached "</u>		
List Names of Emergency Response Personnel (Police, Fire, EMTs, etc.) Names: <u>Dave Grabbard</u> Badge # <u>701</u>		
Name of Person Completing This Report: (Print Name) <u>Rodney Cress</u> (Signature) <u>Rodney Cress</u>	Name of Photographer (If Video or Photo(s) were taken) (Print Name) <u>Rodney Cress</u>	When was Report Completed (Date) <u>5-30-13</u> (Time) <u>1:00 p.m.</u>



INFORMATION REQUEST

State Form 54909 (2-12)

INDIANA UTILITY REGULATORY COMMISSION – PIPELINE SAFETY DIVISION

Case Number: 4880

The Pipeline Safety Division of the Indiana Utility Regulatory Commission requests any and all information you can provide regarding the following criteria.

Upon completion of answers select email button for submission.

The Parties

Excavator Information:

Business Name: QC Communications Inc.

Responsible Party Personal Name: Rodney Cross

Title (if any): Taeman

Address (number and street): 7925 W. 1005

City, State and ZIP Code: Wabash In 46992

Preferred Telephone Number (area code): 1-800-421-0582

Cellular Telephone Number (area code): _____

Email Address: lprather@qccommunications.com

Facility Information:

Business Name: Vection

Responsible Party Personal Name: _____

Title (if any): _____

Address (number and street): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): _____

Cellular Telephone Number (area code): _____

Email Address: _____

Locator Service Information:

Business Name: USIC _____

Responsible Party Personal Name: _____

Title (if any): _____

Address (number and street): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): _____

Cellular Telephone Number (area code): _____

Email Address: _____

Cause of Damage Information

Type of Equipment (select one): Bore Machine

Type of Work Performed (select one): Fiber Installation

Other Information (Witness, Police, Fire, Other):

Personal Contact: _____

Business/Organization Name: _____

Title (if any): _____

Address (number and street): _____

City, State and ZIP Code: _____

Preferred Telephone Number (area code): _____

Cellular Telephone Number (area code): _____

Email Address: _____

Utility Line Impact

Location of Damage:

Address (number and street): 501 Center St.

City, State and ZIP Code: Pleasant Whitland W.Va.

Nearest Intersection: _____

Product Type (select one):

Facility Type (select one): Vectron (gas)

Size (Diameter/etc.): _____

Pressure (PSIG/Inches): _____

Interruption in Service: Yes No **Number of Customers Affected:** _____

Evacuation: Yes No **If yes, How Many Evacuated?** _____

Repair Cost (if known): \$ _____

Release of Product: Yes No

Ignition and/or Fire: Yes No

Excavator Notify 811: Yes No

Locate Information

Excavator Request Locate: Yes No

Indiana 811 Locate Ticket Number: 1305201147

- Locate Marks Visible: Yes No
- Locate Marks Correct: Yes No
- Excavator "White Lined": Yes No
- Maps Used to Mark Facilities: Yes No
- Was Locate Provided within Two (2) Working Days: Yes No
- Operator Employees On-site during Excavation: Yes No

Incident Impact Information

Number of Outpatient Treated: 0

Number of Inpatient Treated: 0

Number of Fatalities: 0

Fire Department Response: Yes No

Police Department Response: Yes No

Ambulance Response: Yes No

Additional Information / Comments

Please see notes on pictures

NARRATIVE STATEMENT

Your Pipeline Safety Division Case Number: 4880

Your Full Name: Rodney Cress

Full Name of Business / Entity (if applicable): QC Communications

Your Business Title (if applicable): Foreman

Address (number and street): 7925 W. 1005

City: Wabash State: Ind ZIP Code: 46992

Your E-mail Address: lprather@qccommunications.com

Today's Date (month, day, year): 7-12-13

Your Signature: Linda Ralther Title (if any) Secretary

Please return your Narrative Statement to:

**Pipeline Safety Division – Case Number 4880
Indiana Utility Regulatory Commission
101 West Washington Street, 1500E
Indianapolis, IN 46204**

Or scan the statement and Email to:

PipelineDamageCase@urc.in.gov





MSIC Circled what they thought was yellow
pink marker also service after the hit.





