



## Pipeline Safety Division Investigation Report

### Investigation regarding: **R X Excavating**

UPPAC Database Record ID: 765

Investigator: Howard Friend

Report Date: 01/19/2012

Damage Date: 11/06/2009

Damage Address: 4200 Stones Crossing Rd W

City: Greenwood

County: Johnson

### The Parties

Excavator: **R X Excavating**

Contact: Rex Perry

Address: Po Box 918, Greenwood, In 46142

Telephone: (317) 780-7664

Facility Owner: Vectren

Contact: Darlene Kulhanek

Address: 1 N Main Street, Evansville, IN 47702

### Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

**Investigation regarding: R X Excavating**

UPPAC Database Record ID: 765

**Damage Impact**

Product release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$500

**Excavator Activities/Cause of damage information:**

Excavator request locates: No    Indiana 811 ticket Number:

Type of Equipment: Backhoe/Trackhoe

Type of work performed: Sewer (Sanitary/Storm)

**Synopsis:** Damage to a natural gas service occurred during excavation to install sewer/drain.

**Findings:** Reported by Indiana 811; excavator failed to respond to initial notice dated 09/26.2011. Excavator failed to request locates prior to beginning work.

**Conclusion:** There was a failure to request that underground utilities be located and marked.

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

**R X Excavating** currently has no other reports of damages in the record.

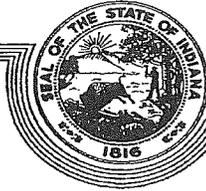
NO

LOCATE

TICKET

PROVIDED

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

September 16, 2011

RECEIVED

SEP 28 2011

INDIANA UTILITY  
REGULATORY COMMISSION

Ms. Darlene Kulhanek  
Vectren  
1 N Main Street  
Evansville, IN 47702

Subject: Investigation Request for Information

Date of Event: 11/6/2009

Event Location: 4200 Stones Crossing Rd. W, Greenwood

Facility Owner: Vectren

Excavator: RX Excavating

Other Party: N/A

Pipeline Division Case No. 765

Dear Ms. Kulhanek:

Pursuant to Indiana Code 8-1-26, the *Indiana Damage to Underground Facilities Act*, the Pipeline Safety Division of the Indiana Utility Regulatory Commission ("Pipeline Division") is required to investigate reported incidents of alleged statutory violations involving underground pipeline safety. The purpose of this statute is to promote excavation and pipeline safety and to reduce the imminent danger to life, health, property, or loss of service associated with unsafe digging practices. Please note that the investigation does not entail determining criminal liability or a civil determination of fault or damages; however, it does determine whether any statutory violations were committed regarding public safety.

The Pipeline Division received information regarding potential statutory violations regarding the date and location referenced above. You were identified as a person or entity that might have information that would assist the Pipeline Division in its investigation. Therefore, we have contacted you in order to receive the full account of information in order to make a fair determination related to the circumstances of this incident.

We have asked all involved parties, entities and witnesses to provide *written* information within *30 days* in order to meet legal deadlines to conclude our investigation. **Please consider this letter as a formal request to receive any and all information and evidence (including a narrative, documentation, maps, photographs or any other written information) you can access regarding anything you may know about the incident referenced above.**

Please promptly provide your information to: Pipeline Safety Division – Case No. 765, Indiana Utility Regulatory Commission, 101 West Washington Street, # 1500E, Indianapolis, IN 46204. Also, please include the Investigation Number referenced above on your materials. In the alternative, if you would prefer to scan the materials and send them electronically, please send the documents to: [PipelineDamageCase@urc.in.gov](mailto:PipelineDamageCase@urc.in.gov).

Although you are not a formal party in this investigation, please treat this request for information seriously, because the potential civil penalties for violations include: a potential civil fine up to \$10,000.00; mandatory education and training for employees regarding pipeline safety; a required development plan to avoid future violations; or a warning letter for certain homeowner/tenants who are first time offenders. Consequently, your input will assist the Pipeline Division with its determination and may have a substantial impact on the case.

After the investigation is completed, the Pipeline Division will prepare an Investigation Report with findings and forward it to the Underground Plant Protection Advisory Committee (“Advisory Committee”). This is a statutory committee, comprised of excavators, facility operators, investor and municipal utilities, the 811 Association and facility locate marking companies, whose role is to evaluate the Pipeline Division’s findings and make a recommendation for a civil penalty. In the event there is disagreement regarding the Advisory Committee’s recommendation to the Commission, parties are entitled to request a hearing before the full Commission. If there is a violation, the Indiana Utility Regulatory Commission (“Commission”) will impose the penalty. Any fines imposed are statutorily required to be spent funding the Commission’s training and educational programming to promote excavation and pipeline safety.

Thank you for your *prompt* assistance in providing written information to the Pipeline Division regarding the previously referenced incident. Any information received after the deadlines will not be considered in the investigation, will be unavailable to the Advisory Committee and will result in a lack of full information being made available; hence, your participation is vital to serving the interests of justice and enhancing the public’s safety. In an effort to assist you, please find an enclosure entitled “Information Request.” Should you have procedural or legal questions regarding the Underground Plant Protection Advisory Committee or the Indiana Utility Regulatory Commission, please contact David L. Welch, Assistant General Counsel, at (317) 234-4715. Should you have questions regarding the pipeline damage identified above, or our investigation, please contact me at (317) 232-2718. Thank you for your assistance.

Sincerely,



William Boyd  
Director, Pipeline Safety Division

Enclosure: Information Request

## Information Request

Pipeline Safety Division  
Indiana Utility Regulatory Commission

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

### The Parties:

#### Excavator Information:

Business Name: **RX Excavating**

Responsible Party Personal Name: **Rex Perry**

Title (if any): **Unknown**

Address: **78 S. Carlisle St, Bargersville, IN 46106**

City, State Zip: Preferred Telephone: **317-714-6155**

Cell Phone Number:

Email Address:

#### Facility Information:

Business Name: **Vectren Energy**

Responsible Party Personal Name: **Darlene Kulhanek**

Title (if any): **Manager Facilities Damages**

City, State, Zip **Evansville, IN 47711**

Address: **1 Main Street**

Preferred Telephone: **812-491-4227**

Cell Phone Number: **812-568-5235**

Email Address: **Dkulhanek@vectren.com**

#### Locator Senrice Information:

Business Name: **USIC Inc.**

Responsible Party Personal Name: **Tim Sanders**

Title (if any): **Southern Indiana District Manager**

Address: **3818 E Morgan Avenue**

City, State Zip: **Evansville, IN 47715**

Preferred Telephone: **812-479-9236**

Cell Phone Number:

Email Address: **timsanders@usicinc.com**

Other (Witness, Police, Fire, Othea) Information: N/A  
Personal Contact: Business/Organization Name: N/A

Title (if any)

Address:

City, State, Zip

Preferred Telephone:

Cell Phone Number:

Email Address:

Utility Line Impact:

Product Type (circle one):

Natural Gas

Liquid Pipeline

Unknown/Other

Facility Type (circle one):

Distribution

Gathering

Service/Drop

Transmission

Unknown/Other

Size (Diameter/etc.): 1"

Pressure (PSIG/Inches): 60 PSIG

Interruption in Service: Yes / No

Number of Customers Affected: 1

Evacuation: Yes / No If yes, How Many Evacuated? 0

Repair Cost (if known): \$ 499.81

Cause of Damage Information:

Type of Equipment (circle one):

Auger

Backhoe/Trackhoe

Boring /Drilling

Directional Drilling

Explosives

Farm Equipment

Grader/Scraper

Hand Tools

Milling Equipment

Probing Device

Trencher

Vacuum Equipment

Unknown/Other

Type of Work Performed (circle one):

- Agriculture Cable
- TV Curb/Sidewalk
- Bldg. Construction
- Bldg. Demolition
- Drainage
- Driveway Electric
- Engineering/Surveying
- Fencing
- Grading
- Irrigation
- Landscaping
- Liquid Pipeline
- Milling
- Natural Gas
- Pole
- Public Transit Authority
- Railroad Maintenance
- Road Work
- Sewer (Sanitary/Stom1)
- Site Development
- Steam
- Storm Drain/Culvert
- Street Light
- Telecommunications
- Traffic Signal
- Traffic Sign
- Water
- Waterway Improvement
- Unknown/Other

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: \_\_\_\_\_

Locate Marks Visible: Yes / No

Locate Marks Correct: Yes / No

Excavator "White Lined": Yes / No

Maps Used to Mark Facilities: Yes / No





Vectren Corporation  
P.O. Box 209  
Evansville, Indiana 47702-0209

*American  
5/11/10*

March 28, 2010

**VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

R X EXCAVATING  
PO BOX 918  
GREENWOOD, IN 46142

Re:

Invoice #: FDS0010590

Description: 4200 W Stones Crossing Rd, Greenwood - 1" Plastic Service Severed By Backhoe. Did Not Request Locates.

Damage Date: 11/6/2009

Balance: \$499.81

Dear Sir or Madam:

You were notified on 12/18/2009 and again on 2/2/2010 regarding the above balance.

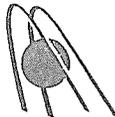
NOTICE: Payment must be made by April 9, 2010. If you fail to make payment, your account will be turned over to our collection agency.

To protect your credit rating and avoid any embarrassment this action will create, make payment by return mail or call me at 1-877-902-2934.

Sincerely,

Darlene Kulhanek  
Manager Of Facilities Damages

cc: Laura Pamplin, General Counsel



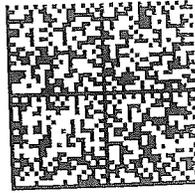
**VECTREN**

Vectren Corporation  
P.O. Box 209  
Evansville, IN 47702-0209

**CERTIFIED MAIL™**



7009 3410 0002 4629 5622



At receipt

047J820C

\$05.50

03/26/10

Mailed From  
US POS

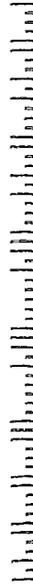
RX Excavating  
PO Box 918  
Gre

NIXIE 452 SE 1 84 04/21/10

RETURN TO SENDER  
UNDELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 47702020909 \*0985-01585-21-27

4514280947702020909



*Delivered to  
3/29/10  
4-19-10  
4-19-10  
4-19-10*

FACILITIES DAMAGE REPORT GAS

Vectren Corporation  
Form 3112 (Rev. 10/04)

- Indiana Gas
- Sigeco
- Vectren Energy Delivery of Ohio

Task No.: 103.0510

Capital / O&M (circle one)

FDS0010590

TIME: 10:30 AM / PM

DATE OF DAMAGE: 11/06/09

Cost Center No.: 5835

DAMAGE SITE ADDRESS: 4200 WEST STONES CROSSING RD.

LOT #: \_\_\_\_\_ CITY: GREENWOOD

FACILITIES DAMAGED

- MAIN
- SERVICE
- REGULATOR STATION
- FARM TAP
- RESIDENTIAL METER
- METER INDUSTRIAL/COMMERCIAL
- OTHER

TYPE OF MATERIAL

- PLASTIC
- STEEL
- CAST IRON
- OTHER

DAMAGE TYPE

- SEVERED
- NOT CUT
- PUNCTURE
- SIZE 1" X 1"

SIZE(S)

- 0.50 INCH
- 0.75 INCH
- 1.00 INCH
- 2.00 INCH
- 4.00 INCH
- 6.00 INCH
- OTHER

PRESSURE

- 25 PSIG
- 40 PSIG
- 50 PSIG
- 60 PSIG
- 6 WC
- OTHER

PROTECTION IN PLACE

- RAIL
- POST
- NONE
- N/A

LEAK REPORT

# 602678

- ONE-WAY FEED
- TWO-WAY FEED

DURATION OF ESCAPING GAS

MINUTES 2 min

- EFV ACTIVATED  YES  NO

DAMAGED BY

- CONTRACTOR
- MUNICIPALITY/UTILITY
- VEHICULAR ACCIDENT
- COMPANY CREW
- UNKNOWN
- PROPERTY OWNER/TENANT
- OTHER

TYPE OF CONSTRUCTION

- SEWER/DRAIN
- WATER
- ELECTRIC
- TELEPHONE
- CEMENT/PAVING
- TV CABLE
- FENCING
- FOOTERS
- OTHER

WORKING FOR

- CITY
- STATE
- PROPERTY OWNER
- OTHER

NAME RX EXCAVATING

TYPE OF EQUIPMENT

- BACKHOE
- TRACKHOE
- PLOW
- TRENCHER
- BULLDOZER
- POSTHOLE DIGGERS
- BORE
- AUGER
- STAKE/SHOVEL
- OTHER

DAMAGING PARTY

- DID NOT REQUEST LOCATES
- DID NOT HAND DIG
- USED EXPIRED LOCATES
- OTHER

NUMBER OF CUSTOMERS

AFFECTED: 1

TOTAL HOURS SERVICE

WAS OFF: 2

INVOICE: YES  NO

DAMAGING PARTY

NAME: RX EXCAVATING

ADDRESS: PO BOX 918

CITY/STATE/ZIP: GREENWOOD IN. 46142

PREPARED BY: Daniel Poep DATE: 11-6-09

NO LOCATES CALLED DID NOT KNOW GAS LINE WAS THERE

VISUAL OBSERVATION AT DAMAGE SITE

- LOCATE NOT APPLICABLE (Above Ground Damage Only)
- FACILITIES PROPERLY MARKED
- MARKING METHODS:  CONVENTIONAL  OFFSET
- FLAGS  PAINT  STAKES  WHISKERS
- LOCATE MARKINGS FADED:  YES  NO
- WRONG ADDRESS REQUESTED
- 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
- QUALIFIED LOCATOR COULD HAVE ACCURATELY LOCATED
- INCOMPLETE LOCATE
- MARKINGS OFF BY \_\_\_\_\_ (FEET/INCHES)
- INAPPROPRIATE SITE MARKINGS
- NO LOCATE PERFORMED
- FAILURE TO FOLLOW POLICY
- WRONG ADDRESS LOCATED

OBSERVATION BY: \_\_\_\_\_

NAME OF LOCATOR: \_\_\_\_\_

- COPY OF MARKOUT REQUEST PROVIDED WITHIN 2 WORKING DAYS

NOTIFICATION AND OTHER DETAILS OF LOCATE

LOCATE TICKET #: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ AM/PM

- REGULAR REQUEST  EMERGENCY REQUEST

LOCATE COMPANY NOTIFIED

CONTACT NAME: \_\_\_\_\_

TIME CALLED: \_\_\_\_\_ AM/PM

TIME LOCATOR ARRIVED AT SITE: \_\_\_\_\_ AM/PM

COMPANY NOTIFIED OF LOCATE NEAR CRITICAL FACILITIES:

- YES  NO

CONTRACTOR REPAIRS

- CONTRACTOR WORKING FOR VECTREN MADE REPAIRS AT OWN EXPENSE
- CONTRACTOR REPAIRED DAMAGE

NAME OF CONTRACTOR: \_\_\_\_\_

# OF REGULAR HOURS \_\_\_\_\_

# OF OVERTIME HOURS \_\_\_\_\_

CREW TYPE \_\_\_\_\_

MATERIALS OR ROAD WORK

- METER WAS REPLACED \_\_\_\_\_ (STORES CODE)
- REGULATOR WAS REPLACED \_\_\_\_\_ (STORES CODE)
- TEMPORARY ASPHALT REPAIR \_\_\_\_\_ (SQ. FT.)
- PERMANENT ASPHALT REPAIR \_\_\_\_\_ (SQ. FT.)

PARTY TO INVOICE

NAME: RX EXCAVATING

ADDRESS: PO BOX 918

CITY/STATE/ZIP: GREENWOOD IN. 46142

REVIEWED BY FIELD SUPERVISOR: [Signature] DATE: 11-09-09

# Secondary Emergency Response Form

Supervisor/Work Coordinator please complete the Following information:

Date: 11-6-09 Name of First Responder: J. McIntosh

Service Order # N 4102378

Prem # 5028305

Address 4200 W Stones Crossing

City Greenwood

Time First Responder Requested Crew 10:37

Crew Dispatch Time 10:40

Crew Onsite Time 10:55

Made Safe Time 10:45

The Supervisor/Work Coordinator should then scan and e-mail form to the address listed below.

## Dispatch-Gas EVV

Crew notes: cut 1" plastic service

RX EXCAVATING PO Box 918 Greenwood

714-6155 No locates 46142

Report submitted by: J. McIntosh

Tuesday, September 20, 2011

# Service Order Status

**Enter Service Order Number:**

4102378



**Banner Instance:**  CS03PROD  CS01PROD  CS02PROD

**Order Number:** N4102378

**Order Type:** LEAK

**Order Status:** Completed

**Customer:** 600395024 - SKILLMAN RAY

**Prem:** 5028305 - 4200 W STONES CROSSING RD HSE

**Technician:** 3663 - McIntosh, Jim

**Order Dates and Times**

**Need Date:** 11/6/2009 10:29:00 AM  
**Time Created:** 11/6/2009 10:21:18 AM  
**Time Dispatched:** 11/6/2009 10:21:18 AM  
**Time In Route:** 11/6/2009 10:31:14 AM  
**Time On-Site:** 11/6/2009 10:58:02 AM  
**Tech Complete:** 11/6/2009 11:53:01 AM  
**Time Closed:** 11/6/2009 11:53:01 AM

**Events Performed/Completion Code**

LKOT - CMP

**Meter Information**

**Current ReadStatus**

**Old Meter:** 72422 Active

**New Meter:**

**Completion Notes**

respond to cut gas service made site safe crew called out to fix service contractor has no locates leak case num 602678 index 72422 meter also shut off to guest house mtr num 676631 index 3022 6804

**Request Notes**

HIT LINE..THEY HAVE KINKED OFF PER RICH PERRY W/ RX EXCAVATING..DIGGINGIN FIELD IN FRONT OF HOUSE .. XST: ST RT 135...CONT 317-714-6155..LINES NOTMARKED..NO PETS..

**MDSI Event Dates and Times**

Event	Date/Time	User
AsnAssignmentManualAck_evt	11/6/2009 10:24:54 AM	McIntosh, Jim
AsnAssignmentEnRoute_evt	11/6/2009 10:31:14 AM	McIntosh, Jim
AsnAssignmentOnSite_evt	11/6/2009 10:58:02 AM	McIntosh, Jim
OrdOrderComplete_evt	11/6/2009 11:53:01 AM	McIntosh, Jim

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

Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_ Area: 317 Number: 714-6155

Street Number: \_\_\_\_\_ Pre Dir: \_\_\_\_\_ Street Name: \_\_\_\_\_ Suffix: \_\_\_\_\_ Post Dir: \_\_\_\_\_ Unit Type: \_\_\_\_\_ Unit Number: \_\_\_\_\_ SSN/SIN/TFN: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip/Postal Code: \_\_\_\_\_ Driver's License: \_\_\_\_\_

Company Code: \_\_\_\_\_ Customer Code: \_\_\_\_\_ Premises Code: \_\_\_\_\_  Active  New  ALL  Last Name  
 Inactive  Final  Street Name

Company Filter:  Archive  Production  Both

Company	Customer	Premises	Name	Address	Status
02	600099663	5418093	PERRY, REX L	78 S CARLISLE ST	BARGERSVIL IN 46106 A
02	600099663	5077744	PERRY, REX L	3410 CHEVYANITA RD	MARTINSVIL IN 46151 I

General | Address | Telephone | Previous Name

Customer ID: 600099663

Name(Last/Corp): PERRY

First Name: REX Middle Name:

Active:

Established Date: 17-OCT-1996 Cease Date: Opt Out of Soft Close:

SSN/SIN/TFN: 308-62-4468

Driver's Lic: State/Prov: Nation:

1099 Required:

Primary 1099:  Fed Emp ID: Ethnic Code:

Pay by Check:  Employer: PARIS EXCAVATING Approval Code:

Spouse: DIANNA PERRY SSN/SIN/TFN: 314-74-5759

Message Code: Credit Rating: Z EXCEEDED MAXIMUM

Deceased:   
Deceased Date:  
Modified Date:  
Modified By:

Credit Hist... Credit Cards... Audit Query...

General | Address | Telephone | Previous Name

Customer ID: 600099663

Phone Type	Desc	Addr Type	Desc	Area Code	Phone Number	Ext	S	P	U	International Access	Co
CE	CELLULAR			317	339-2290		A	Y		DIANNA	
CE	CELLULAR			317	714-6155		A	N		REX	
HM	HOME			765	714-6155		I	N			
HM	HOME			765	315-0160		I	N	N		
HM	HOME			765	349-2175		I	N			
HM	HOME			765	349-7327		I	N	N		

General

Note Number: 16696659

Note Header

Type: CUST CUSTOMER  
 Customer: 600099663 PERRY, REX L.  
 Premises: 5418093 78 S CARLISLE ST  
 Service:  
 Remind: Phone Number

Dates

Activity: 14-SEP-2011  
 Remind:  
 Exp: 14-SEP-2016  
 Origin: UXPNOTE

Note Detail

Note Text	Activity
----- 14-SEP-2011 at 09:58 -----	14-SEP-2011
klowe - Changed primary phone number from (317) 714-6155 to (317) 339-2290	14-SEP-2011
	14-SEP-2011



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

September 16, 2011

Rex Perry  
R X Excavating  
P.O. Box 918  
Greenwood, IN 46142

Subject: Notice of Preliminary Determination of Violation

Date of Event: 11/6/2009

Event Location: 4200 Stones Crossing Road W, Greenwood, Johnson County

Excavator: R X Excavating

Facility Owner: Vectren

Pipeline Safety Division Case No. 765

To Whom It May Concern:

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

The purpose of this statute 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. Based upon the information received, the Pipeline Division is commencing an investigation into the event concerning you or your business. Please note that the investigation does not entail determining criminal liability or a civil determination of fault or damages; however, it does determine whether any statutory violations were committed regarding public safety.

Although the law was enacted in 1991, enforcement measures went into effect in July 2009. The Commission was tasked with completing a formal rulemaking on how to determine whether a violation occurred, as well as how the subsequent penalties should be determined. Due to the

amount of time required for the rule to become effective and for the Underground Plant Protection Advisory Committee to be appointed and convened, you are now receiving this notification. This means that your case will be handled according to the recently approved administrative rule, which can be found here: [http://www.in.gov/iurc/files/rm0903\\_051111.pdf](http://www.in.gov/iurc/files/rm0903_051111.pdf).

The Pipeline Division has preliminarily identified that the following statutory violation(s) may have occurred:

***Property Damage Violations:***

**IC 8-1-26-16(g): Failure to provide notice of excavation.**

***Should you disagree with the aforementioned violation(s), you have an opportunity to file documentation in support of your position. In order for this information to be considered, you must provide a written response to each allegation(s) and provide written evidence (e.g., maps, photographs, narrative statements, or other evidence) within thirty (30) days of the date of this letter.*** If you do not respond or fail to provide additional evidence for the Pipeline Division to consider, your investigation will be closed. Findings will then be forwarded to the Underground Plant Protection Advisory Committee for a recommendation to the Commission on the appropriate penalty.

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, you must provide the identical information requested above on behalf of your business.

Pursuant to the statute, civil penalties may include:

1. A warning letter for homeowners/tenants who are first-time offenders regarding a violation in which no one was personally injured;
2. A civil penalty up to a maximum of ten thousand dollars (\$10,000.00);
3. Required participation of employees in a mandatory education and training program sponsored by the Commission; and/or
4. Required development of a plan to avoid future violations, which must receive approval.

Depending upon the individual circumstances of each case, any combination of the civil penalties may be reduced to a Consent Agreement between the Commission and the offender.

**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.** Because the investigation should be completed within sixty (60) days, any delay in providing additional persons to be contacted may result in the investigation being concluded without this additional source of information.

Please forward any documentation to the following address or, in the alternative, you may scan the materials and send them electronically. Also, please be sure to include your assigned Pipeline Division Case Number on all communications.

Materials should be completed and sent via mail or email:

Mail: Pipeline Safety Division – Case No. 765  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 E  
Indianapolis, IN 46204

Email: PipelineDamageCase@urc.in.gov

Included with this letter are the following documents: a *Summary of Procedures and Respondent's Rights* to assist in answering your questions; and an *Information Request* enclosure to assist in providing pertinent information regarding this investigation.

Should you have procedural or legal questions regarding the Underground Plant Protection Advisory Committee or the Indiana Utility Regulatory Commission, please contact David L. Welch, Assistant General Counsel, at (317) 234-4715. Should you have questions regarding the pipeline damage identified above, or our investigation, please contact me at (317) 232-2718. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "William Boyd". The signature is written in a cursive style with a large, stylized 'W' and 'B'.

William Boyd  
Director, Pipeline Safety Division

Enclosures: Summary of Procedures and Respondent's Rights  
Information Request