



Pipeline Safety Division Investigation Report

Investigation regarding: City Lights & Signals

UPPAC Database Record ID: 857

Investigator: Chuck Weindorf

Report Date: 03/19/2012

Damage Date: 3/6/2010 12:38:35 PM

Damage Address: 4226 Tifton Ct

City: Fort Wayne

County: Allen

The Parties

Excavator: **City Lights & Signals**

Contact: Kris Tuggle

Address: 7120 Lewis Road, Fort Wayne, In 46818

Telephone: 260-489-5450

Facility Owner: NIPSCO

Contact: Kit Earle

Address: 101 West Ohio Street, Indianapolis, IN 46204

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Distribution

Investigation regarding: City Lights & Signals

UPPAC Database Record ID: 857

Damage Impact

Product release: Yes

Ignition: No

Service Interruption: False

Number of Customers Affected:

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$

Excavator Activities/Cause of damage information:

Excavator request locates: No Indiana 811 ticket Number:

Type of Equipment: Auger

Type of work performed: Electric

Synopsis: A two inch natural gas main was struck and damaged during excavation.

Findings: Reported by Indiana 811; initial notice was delivered and signed for on 9/19/2011, however the excavator failed to respond. Excavator failed to provide a notice to Indiana 811 prior to excavation.

Conclusion: Failure to provide notice of excavation.

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

City Lights & Signals currently has two (2) damages reported on record dated from 3/6/10 to 1/7/12.

Ticket ID: Version: 00 Notice ID: IUPPS2010012600574
Taken Time: 01/26/2010 11:53
NoticeType: Normal Notice

Case ID 857

NORMAL NOTICE

Ticket : 1001260553 Date: 01/26/2010 Time: 11:53 Oper: NBOYD Chan:002

State: IN Cnty: ALLEN Twp: ST JOSEPH
Cityname: FORT WAYNE Inside: Y Near: N
Subdivision: WYNDEMERE

Address : 4226
Street : TIFTON CT
Cross 1 : SAWMILL WOODS BLVD Within 1/4 mile: Y
Location: LOCATE 10 FEET IN ALL DIRECTIONS OF THE TWO ORANGE STAKES IN THE FRONT
AND EAST SIDES

:
Grids : 4107B8504A 4107A8504A 4108D8504A 4107B8505D 4107A8505D
Grids : 4108D8505D 4107B8505C 4107A8505C 4108D8505C

Work type : INSTALL LIGHT POLES
Done for : CITY OF FORT WAYNE
Start date: 01/28/2010 Time: 12:15 Hours notice: 48/048 Priority: NORM
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N
Duration : UNKNOWN Depth: 5 FEET

Company : CITY LIGHTS & SIGNALS Type: CONT
Co addr : 7120 LEWIS ROAD
City : FORT WAYNE State: IN Zip: 46818
Caller : KRIS TUGGLE Phone: (260)489-5450
Contact : KRIS TUGGLE - OFFICE Phone:
BestTime:
Mobile : (260)489-5450

Submitted date: 01/26/2010 Time: 11:53
Members: AEPIN CC FW ID7151 ID8000 NIPSCO SM SM

Service Area: AEPIN (AMERICAN ELECTRIC POWER)
Contact: AEPIN Web Account
Ph: Emerg Ph: Alt Ph:

Service Area: CC (COMCAST CABLEVISION - FT WAYNE)
Contact: JOHN GAYDAY
Ph: (260)458-5107 Emerg Ph: Alt Ph:

Service Area: FW (FORT WAYNE, CITY OF)
Contact: FW Web Account
Ph: Emerg Ph: Alt Ph:

Service Area: ID7151 (RVP FIBER COMPANY L.L.C.)
Contact: DALE ANDERSON
Ph: (616)493-7061 Emerg Ph: Alt Ph:

Service Area: ID8000 (FRONTIER)
Contact: ID8000 Web Account
Ph: Emerg Ph: Alt Ph:

Service Area: NIPSCO (NIPSCO)
Contact: DAVE SCHAAFSMA
Ph: (866)732-6243 Emerg Ph: Alt Ph: (219)962-0448

October 17, 2011

Via Electronic Transmission – PipelineDamageCase@urc.in.govPipeline Safety Division – Case No. 857
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204

RE: Investigation Request for Information; Pipeline Division Case No. 857

To Whom It May Concern:

On September 16, 2011, Northern Indiana Public Service Company (“NIPSCO”) received a request from the Pipeline Safety Division for information pertaining to the following event:

Date of Event: 3/6/2010

Event Location: 4226 Tifton Ct., Fort Wayne

Facility Owner: NIPSCO

Excavator: City Lights & Signals

Other Party: N/A

Pipeline Division Case No. 857

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. NIPSCO is also providing a copy of the investigation report prepared by NIPSCO’s locate contractor.

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,



Gregory S. Colton

NiSource Corporate Services - Legal

Phone: 317-684-4923

Fax: 317-684-4918

Email: gscolton@nisource.com

IURC INFORMATION REQUEST**Pipeline Safety Division Case No. 857**

Date of Event	3/6/2010
Event Location	4226 Tifton Ct., Fort Wayne
Facility Owner	Northern Indiana Public Service Company
Excavator	City Light & Signals
Date of IURC Information Request	9/16/2011

EVENT LOCATION:

ADDRESS	4226
STREET	TIFTON COURT
CITY/TOWN/IN ZIP CODE	FORT WANE, IN
COUNTY	
TOWNSHIP	
PROPERTY OWNER	
USE - COMMERCIAL/RESIDENTIAL	
TENANT'S NAME	
IF COMMERCIAL USE, TENANT OR OWNER OCCUIED	
IF TENANT OCCUPIED, TENANT'S FULL NAME	

EXCAVATOR:

NON BUSINESS FULL PERSONAL NAME	
BUSINESS NAME	EAGLE FENCE
ADDRESS	7120
STREET	LEWIS ROAD
CITY/ STATE/ZIP	FORT WAYNE, IN
PREFERRED TELPHONE	
SECONDARY TELEPHONE	
EMAIL ADDRESS	

FACILITY INFORMATION - OWNER/OPERATOR OF UTILITY LINE:

BUSINESS NAME	NORTHERN INDIANA PUBLIC SERVICE COMPANY
RESPONSIBLE BUSINESS PERSON NAME AND TITLE	LUKE SELKING
ADDRESS	1501 HALE AVENUE

CITY/STATE/ZIP
PREFERRED TELEPHONE
SECONDARY TELEPHONE
EMAIL ADDRESS

FORT WAYNE, IN 46802
260/439-1290

LSELKING@NISOURCE.COM

LOCATE MARKS:

DATE LOCATE REQUESTED
DATE LOCATE PERFORMED
DATE OF EVENT
LOCATE NUMBER
811 DAMAGE NOTIFICATION NUMBER
WERE LOCATE MARKS VISIBLE
DID THE EXCAVATOR WHITE LINE
WERE MAPS USED TO MARK FACILITY
WAS THERE A POSITIVE RESPONSE FROM OPERATOR/HOW
WAS OPERATOR EMPLOYEES ON SITE AT TIME OF INCIDENT

NONE REQUESTED
NA
03-06-10
NONE REQUESTED
UNKNOWN
NO
UNKNOWN
NA
NA
NO

INJURIES:

NUMBER OF OUT-PATIENT
NUMBER OF IN-PATIENT INJURIES
WAS LOCAL FIRE DEPARTMENT CALLED
FIRE DEPARTMENT NAME
FIRE DEPARTMENT RESPONSE DESCRIPTION
WAS LOCAL POLICE DEPARTMENT CALLED
DEPARTMENT NAME
POLICE DEPARTMENT RESPONSE DESCRIPTION
ANY OTHER RESPONSE - IF SO, WHO AND DESCRIBE

0
0
UNKNOWN
UNKNOWN
UNKNOWN
UNKNOWN
UNKNOWN
UNKNOWN

DESCRIBE WHAT HAPPENED AND WHY

NIPSCO GAS MAIN DAMAGED DURING AUGERING
BY EAGLE FENCE. EXCAVATOR FAILED TO
REQUEST LOCATES PRIOR TO WORK.

Date: <u>March 06, 2010</u>	Technician: <u>N/A</u>
Officially Notified: <u>On call DPS 1240</u> Time Arrived Onsite: <u>On call DPS 1415</u>	One Call Member Code: <u>NIPSCO</u>
Customer: <u>Northern Indiana Public Service Company</u>	Ticket Number: <u>N/A</u> Damage Ref# <u>201003061242</u>
City: <u>Fort Wayne</u>	County: <u>Allen</u>
Address: <u>4226 Tifton Ct.</u>	
Where on Property was facility damaged: <u>Front of home near road on south side.</u>	
Marks Present? <u>No</u>	Paint, Flags, Both : <u>Flags from previous locate performed on 01/27/10</u>
Brief description of what happened: <u>Contractor (Eagle Fence Company) was installing street lights using Mechanized Equipment (Auger) when they Cut a Previously Marked NIPSCO Gas Main.</u>	
<u>NIPSCO representative (Roger Brown) was onsite.</u>	
Extent of Damage: <u>Cut a 2 Inch plastic main</u>	
<u>David Gillespie 03/06/2010 - The previous ticket that was called in for this area was done by City Lights and Signals on 01/26/10 for installing light poles (1001260551). Contractor Eagle Fence Company did not call a ticket in for this area and had been digging with no marks on the ground, just flags that were placed nearly 2 months ago.</u>	
Company Name (Excavator): <u>Eagle Fence Company</u>	
Name of Person in Charge (Excavator): <u>Unknown</u>	
Were Pictures Taken? <u>Yes. Included and on Damage Ticket.</u>	Time Departed from Site: <u>On call DPS 1515</u>

Damage Sketch Form

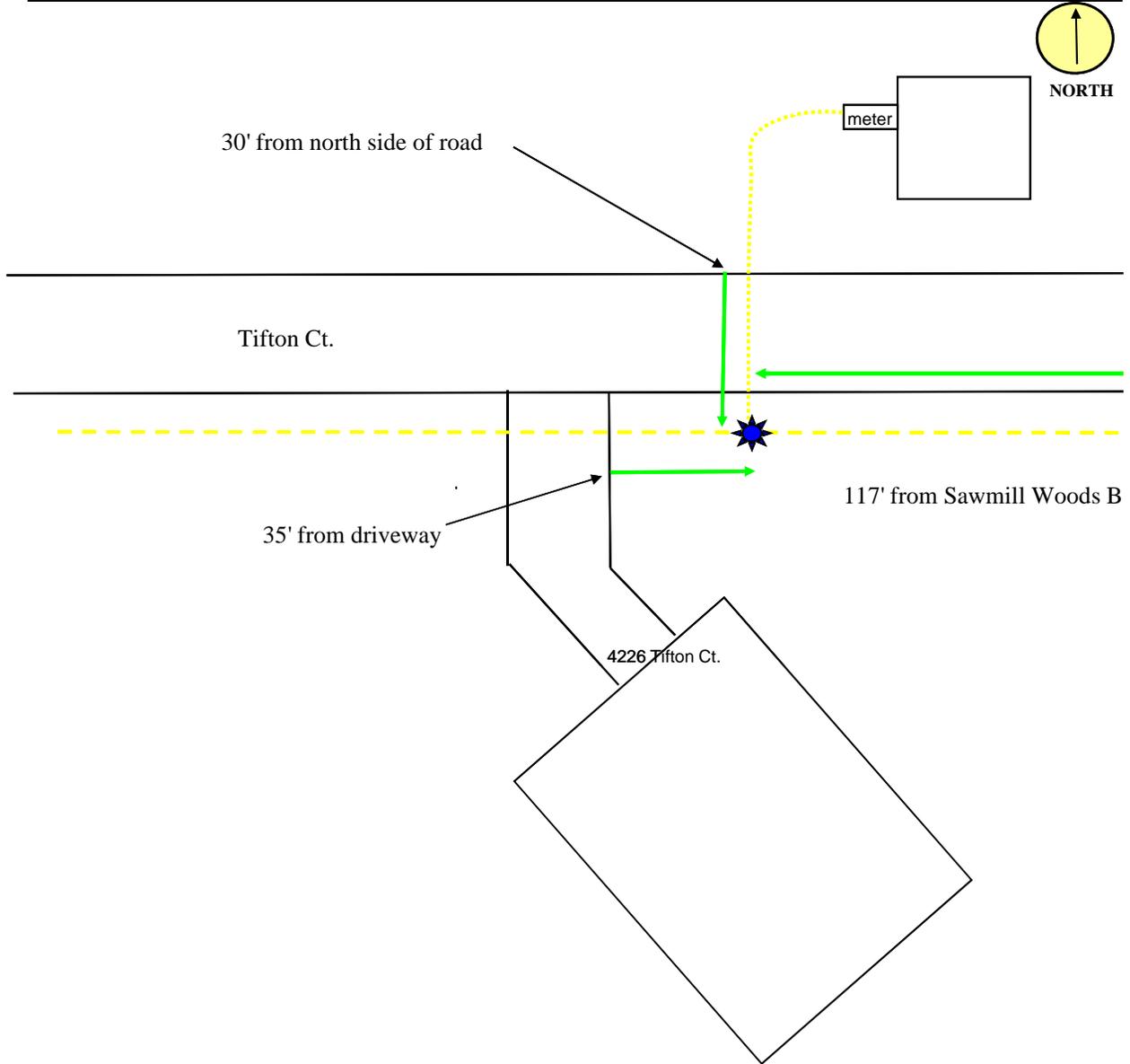
***** SKETCH IS NOT TO SCALE *****

Start Time:

Ticket Number # N/A Utility: Northern Indiana Public Service Company Page 1 of 1

Contractor Eagle Fence Company Electronic Signature: David Gillespie Date: 3/6/2010

Address: 4226 Tifton Ct.



Symbols Legend:					
T	T	Telephone Marks		Point of Damage	
G	G	Gas Marks	TR TR	Trenchline	
E	E	Electric Marks	UP UP	Utility Path	
TV	TV	CATV Marks	BOC	Back of Curb	
W	W	Water Marks	EOP	Edge of Pavement	

Polaris 4.0 Web Ticket# 1003060137 Route is WellsAdams

IUPPS1003060137-00 NIPSCO Area 2010/03/08 06:13:36 00009

NIPSCO 00025 IUPPSa 03/06/2010 12:39:00 1003060137-00A EMER DAMG GRID

DAMAGE DAMAGE

Ticket : 1003060137 Date: 03/06/2010 Time: 12:36 Oper: RMCLELLAN Chan:036

State: IN Cnty: ALLEN Twp: ST JOSEPH
Cityname: FORT WAYNE Inside: Y Near: N
Subdivision: WYNDEMERE

Address : 4226
Street : TIFTON CT
Cross 1 : SAWMILL WOODS BLVD Within 1/4 mile: Y
Location: LOCATE 10 FEET IN ALL DIRECTIONS OF THE TWO ORANGE STAKES IN THE FRONT
AND EAST SIDES

:
Grids : 4107B8504A 4107A8504A 4108D8504A 4107B8505D 4107A8505D
Grids : 4108D8505D 4107B8505C 4107A8505C 4108D8505C

Work type : INSTALL LIGHT POLES
Done for : CITY OF FORT WAYNE
Start date: 03/06/2010 Time: 12:36 Hours notice: 0/0 Priority: EMER
Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: Y
Duration : UNKNOWN Depth: 5 FEET

Company : CITY LIGHTS & SIGNALS Type: CONT
Co addr : 7120 LEWIS ROAD
City : FORT WAYNE State: IN Zip: 46818
Caller : KRIS TUGGLE Phone: (260)489-5450
Contact : KRIS TUGGLE - OFFICE Phone:
BestTime:
Mobile : (260)489-5450

Remarks : PER RUSTY: PREVIOUS TICKET NUMBER 1001260553 - NIPSCO GAS LINE HIT IN
FRONT OF PROPERTY NEAR ROAD - CREW ON SITE - GAS LINE IS BLOWING
:

Submitted date: 03/06/2010 Time: 12:36
Members: AEPIN CC FW ID7151 ID8000 NIPSCO SM SM

Comments:

Date/Time	Notice ID	Description
2010/03/08 06:13:31AM	IUPPS2010030600033	Assigned to NIPSCO Area for NIPSCO by RHayward After Hours - Gas Line Blowing

Picture

Date/Tim
Locator e of
Picture



Mike 3/8/2010
Bennet 8:36:18
t AM



Mike 3/8/2010
Bennet 8:36:30
t AM



Mike 3/8/2010
Bennet 8:36:32
t AM



Mike 3/8/2010
Bennet 8:36:39
t AM



Mike 3/8/2010
Bennet 8:36:40
t AM



Mike 3/8/2010
Bennet 8:36:47
t AM



Mike 3/8/2010
Bennet 8:36:48
t AM



Mike 3/8/2010
Bennet 8:36:56
t AM



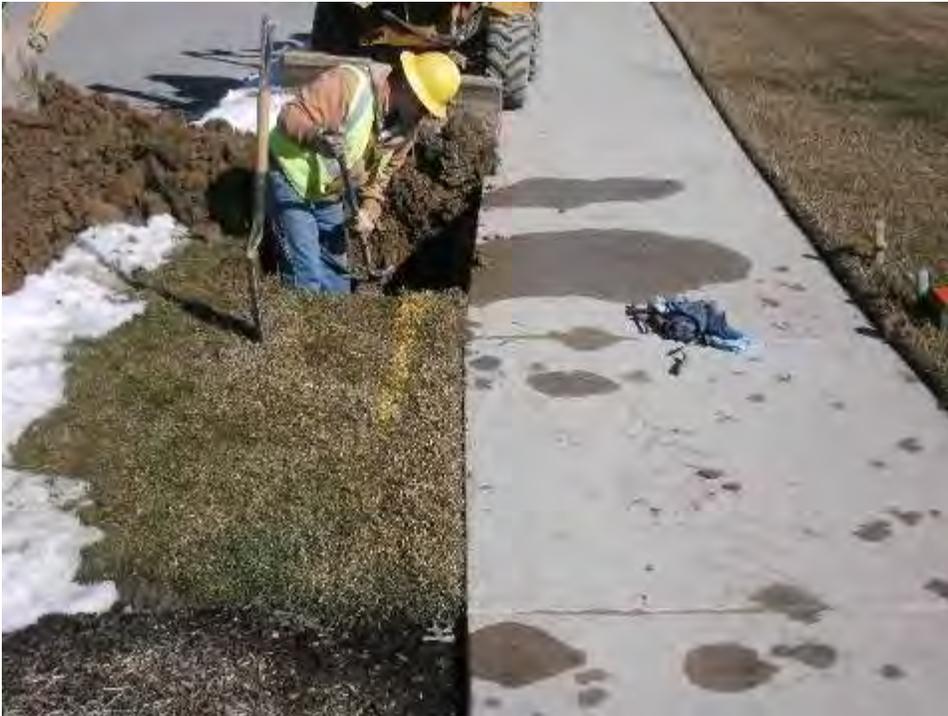
Mike 3/8/2010
Bennet 8:36:57
t AM



Mike 3/8/2010
Bennet 8:37:04
t AM



Mike 3/8/2010
Bennet 8:39:16
t AM



Mike 3/8/2010
Bennet 8:39:23
t AM



Mike 3/8/2010
Bennet 8:39:24
t AM



Mike 3/8/2010
Bennet 8:39:37
t AM



Mike 3/8/2010
Bennet 9:15:11
t AM

Routed to WellsAdams

Response Information For Ticket: 1003060137

Response	Member	Date & Time	Locator	Memo
101	NIPSCO	3/8/2010 8:40:02 AM	Mike Bennett	



Corey 1/27/201
Lyst 0 9:32:54
AM

Routed to NEFortWayne

Response Information For Ticket: 1001260551

Response	Member	Date & Time	Locator	Memo
201	NIPSCO	1/27/2010 9:33:47 AM	Corey Lyst	

TIFTON CT
4200

SUNMILL WOODS BLVD
5700

2010/03/08



2010/03/08

A photograph of a brick house with a driveway. In the foreground, a brick pillar stands in a mulched garden bed. The pillar has a white sign with the number '4226' and a black lamp on top. The garden bed contains several rounded green bushes and some dried, brown plants. A concrete driveway is visible behind the pillar, and a brick house with windows is in the background. The ground is partially covered with snow.

4226

2018/03/06



2016/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/08



2010/03/10/8



2010/03/08



2010/03/08



2010/03/08



2010/05/08



2010/03/08



201903108



2019101708



2010/03/03



2010/03/08



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

Kris Tuggle
City Lights & Signals
7120 Lewis Road
Fort Wayne, IN 46818

Subject: Notice of Preliminary Determination of Violation

Date of Event: 3/6/2010

Event Location: 4226 Tifton Ct., Fort Wayne, Allen County

Excavator: City Lights & Signals

Facility Owner: Northern Indiana Public Service Company

Pipeline Safety Division Case No. 857

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.

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. 857
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 initial "W".

William Boyd
Director, Pipeline Safety Division

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