



## Pipeline Safety Division Investigation Report

### Investigation regarding: Pro Lawn Care And Landscaping

UPPAC Database Record ID: 1654

Investigator: Rich Medcalf  
Telephone: (317) 232-2598  
Report Date: 01/17/2012

Damage Date: 12/02/2010  
Damage Address: 915 Liberty Ave  
City: Richmond  
County: Wayne

### The Parties

Excavator: Pro Lawn Care And Landscaping  
Commercial Business  
Contact: Darian Hussain  
Address: 1238 E Main, Richmond, In 47374  
Telephone: (765) 977-1807

Facility Owner: Vectren  
Contact: Darlene Kulhanek, Manager, Facilities Damages  
Address: 1 N Main Street, Evansville, IN 47702

### Pipeline Facility

Facility Type: Natural Gas  
Facility Function: Service/Drop

# Pipeline Safety Division Investigation Report

## Investigation regarding: Pro Lawn Care And Landscaping

UPPAC Database Record ID: 1654

### Damage Impact

Product release: Yes

Ignition: No

Service Interruption: Yes

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$396

### Excavator Activities

Indiana 811 Locate Request Number: 1010050508

Excavation Equipment: Backhoe/Trackhoe

Nature of Excavation: Curb/Sidewalk

**Synopsis:** 1" plastic low pressure natural gas service damaged by backhoe during the removal of a section of sidewalk.

**Findings:** Reported by Indiana 811; excavator signed for initial mailing on 09/26/2011. Excavator was working on a locate ticket 58 days old; marks were visible but faded. There was still a failure on the part of the excavator to maintain clearance.

**Conclusion:** Excavator failed to provide notice of excavation, and to maintain clearance with mechanized equipment.

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

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

Pro Lawn Care And Landscaping has no other damage reports in the record.

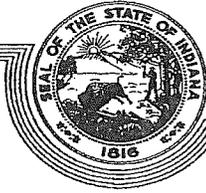
NO

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 23, 2011

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

Subject: Investigation Request for Information

Date of Event: 12/2/2010

Event Location: 915 Liberty Ave, Richmond

Facility Owner: Vectren

Excavator: Pro Lawn Care & Landscaping

Other Party: N/A

Pipeline Division Case No. 1654

RECEIVED

OCT 4 - 2011

INDIANA UTILITY  
REGULATORY COMMISSION

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. 1654, 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*.

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  
Case No. 1654

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: **Pro Lawn Care**

Responsible Party Personal Name: **Darrin Houssian**

Title (if any): **Unknown**

Address: **1238 E. Main Street**

City, State Zip: **Richmond, IN 47374**

Preferred Telephone: **765-977-1807**

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 Patty Personal Name: **Morgan Thompson**

Title (if any): **Claims Coordinator**

Address: **9045 N. River Rd., Suite 300**

City, State Zip: **Indianapolis, IN 46240**

Preferred Telephone: **317-575-7800x109**

Cell Phone Number:

Email Address: **morganthompson@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): .2163 PSIG

Interruption in Service: Yes / No      Number of Customers Affected: 1

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

Repair Cost (if known): \$ 396.36

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 *EXPIRED*

Indiana 811 Locate Ticket Number: 1010050508

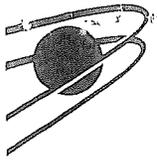
Locate Marks Visible: Yes / No

Locate Marks Correct: Yes / No

Excavator "White Lined": Yes / No

Maps Used to Mark Facilities: Yes / No *UNK.*





2 VECTREN ENERGY DELIVERY OF INDIANA - NORTH

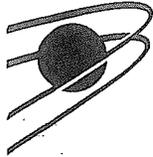
NOW DUE

\$396.36

PRO LAWN CARE  
1238 E MAIN STREET  
RICHMOND, IN 47374

Type: GAS  
Invoice: FDS0013724  
BillToID: 29640  
Billing Date: 4/13/2011  
Date of Loss: 12/2/2010  
5751 103.0510

Please return this portion with your remittance.



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

PRO LAWN CARE  
1238 E MAIN STREET  
RICHMOND, IN 47374

Type: GAS  
Invoice: FDS0013724  
BillToID: 29640  
Billing Date: 4/13/2011  
Date of Loss: 12/2/2010

NOW DUE  
\$396.36

Invoice For Costs to Repair and Reconstruct Damaged Property

Address: 1101 LIBERTY AVENUE, RICHMOND

1" PLASTIC SERVICE SEVERED BY TRACKHOE. NOT HAND EXPOSED.

Material:	\$65.75
Company Labor:	\$300.60
Contract Labor:	\$0.00
Transportation/Equipment:	\$28.85
Misc:	\$0.00
Gas Loss:	\$1.16
Adjustments:	\$0.00
Payments:	\$0.00
<b>Total:</b>	<b>\$396.36</b>

5751 103.0510

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

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)

Max # 5718909  
FDS 0013724

TIME: 3:40 AM/PM

DATE OF DAMAGE: 12 / 2 / 10

Cost Center No.: 5751

DAMAGE SITE ADDRESS: 1101 Liberty Ave.

LOT #: \_\_\_\_\_ CITY: Richmond

FACILITIES DAMAGED

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

- SIZE(S)
- 0.50 INCH
  - 0.75 INCH
  - 1.00 INCH 0.927
  - 2.00 INCH
  - 4.00 INCH
  - 6.00 INCH
  - OTHER

TYPE OF MATERIAL

- PLASTIC
- STEEL
- CAST IRON
- OTHER

DAMAGE TYPE

- SEVERED
- NOT CUT
- PUNCTURE
- SIZE X

PRESSURE

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

PROTECTION IN PLACE

- RAIL
- POST
- NONE
- N/A 0.579

LEAK REPORT

# 606082

- ONE-WAY FEED
- TWO-WAY FEED

DURATION OF ESCAPING GAS

MINUTES 15

- 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 Sidewalks

WORKING FOR

- CITY
- STATE
- PROPERTY OWNER
- OTHER

NAME Pro Lawn

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: Pro Lawn

ADDRESS: 1238 E Main St.

CITY/STATE/ZIP: Richmond, IN 47374

PREPARED BY D. Williams DATE 12/2/10

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: N/A

- COPY OF MARKOUT REQUEST PROVIDED WITHIN 2 WORKING DAYS

NOTIFICATION AND OTHER DETAILS OF LOCATE

LOCATE TICKET #: 101050508 / 101202194

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

- REGULAR REQUEST  EMERGENCY REQUEST

LOCATE COMPANY NOTIFIED

CONTACT NAME: Scott Pezdek

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: Same as damaging

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

REVIEWED BY FIELD SUPERVISOR [Signature] DATE 12-7-10

DAMAGE

Ticket : 1012021814 Date: 12/02/2010 Time: 14:49 Oper: SDOERFLEIN Chan:015

State: IN Cnty: WAYNE Twp: WAYNE  
 Cityname: RICHMOND Inside: Y Near: N  
 Subdivision:

Address : 915  
 Street : LIBERTY AVE  
 Cross 1 : S L ST Within 1/4 mile: Y  
 Location: LOCATE STARTING AT THE ABOVE ADDRESS GOING SOUTH ON THE EAST SIDE OF  
 LIBERTY AVE FOR APPROX 1100 FEET TO S L STREET

Grids : 3948A8453A 3949D8453A 3948A8454D

Work type : SIDEWALK AND CURB REPLACEMENT  
 Done for : CITY OF RICHMOND  
 Start date: 12/02/2010 Time: 14:49 Hours notice: 0/000 Priority: EMER  
 Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: Y  
 Duration : 3 WEEKS Depth: 2 FEET

Company : PRO LAWN CARE AND LANDSCAPING Type: CONT  
 Co addr : 1238 E MAIN  
 City : RICHMOND State: IN Zip: 47374  
 Caller : DARIAN HUSSAIN Phone: (765)977-1807  
 Contact : DARIAN HUSSAIN--CELL Phone:  
 BestTime:  
 Mobile : (765)977-1807  
 Fax : (765)962-2429

Remarks : All tickets are taken and processed on Eastern Daylight Time  
 PER DARIAN HUSSAIN-A VECTREN GAS LINE HAS BEEN CUT-IT IS NOT BLOWING-HAS NOT  
 CALLED 911-IT WAS CUT ON THE UTILITY STRIP NEAR THE ROAD-CREW IS ON SITE-IT IS A  
 1 INCH YELLOW PLASTIC LINE-WILL CALL VECTREN-PREVIOUS TICKET 1010050508  
 Will you be white-lining the dig site area? NO

Submitted date: 12/02/2010 Time: 14:49  
 Members: ID0470 ID3000 ID7033 ID7462 ID8000 ID9375 SM

Member Name	Facility Types
COMCAST NORTHEAST (RICHMOND)	CABLE TV
FRONTIER	TELEPHONE
IN AMERICAN WATER RICHMOND/WINCHESTER	WATER
RICHMOND POWER & LIGHT	ELECTRIC
RICHMOND SANITARY DISTRICT	
VECTREN - RICHMOND	GAS

[View Map](#)

[Close Map](#)

# Service Order Status

**Enter Service Order Number:**

4643139



**Banner Instance:**  CS03PROD  CS01PROD  CS02PROD  
**Order Number:** N4643139  
**Order Type:** LEAK  
**Order Status:** Completed

**Customer:** 600267937 - MUNCY TAMMY  
**Prem:** 5107874 - 1101 LIBERTY AVE

**Technician:** 5477 - Williams, Danny

**Order Dates and Times**

**Need Date:** 12/2/2010 3:06:00 PM  
**Time Created:** 12/2/2010 3:22:36 PM  
**Time Dispatched:** 12/2/2010 3:22:36 PM  
**Time In Route:** 12/2/2010 3:22:51 PM  
**Time On-Site:** 12/2/2010 3:26:51 PM  
**Tech Complete:** 12/2/2010 3:47:28 PM  
**Time Closed:** 12/2/2010 3:47:28 PM

**Events Performed/Completion Code**

LKOT - CMP

**Meter Information**

**Current Read Status**

**Old Meter:** 1063 Inactive  
**New Meter:**

**Completion Notes**

CONTRACTOR HIT 1" PLASTIC SERVICE/THEY SQUEEZED OFF/NO READINGS ANYWHERE SHUT GAS OFF/CREW ONSITE MAKING REPAIRS/BAR TESTED OK

**Request Notes**

DARRIN HOUSSIAN WITH PROLAWN CARE CONT # 765-977-1807... HIT A GAS LINE WHILE DIGGING, CLAMPED OFF NOT BLOWING ANY LONGER... XST ? WILL BE ONSITE FOR ACCESS... LOCATE # 1012021814

**MDSI Event Dates and Times**

Event	Date/Time	User
AsnAssignmentEnRoute_evt	12/2/2010 3:22:51 PM	Williams, Danny
AsnAssignmentManualAck_evt	12/2/2010 3:22:53 PM	Williams, Danny
AsnAssignmentOnSite_evt	12/2/2010 3:26:51 PM	Williams, Danny
OrdOrderComplete_evt	12/2/2010 3:47:28 PM	Williams, Danny

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

# Service Order Status

**Enter Service Order Number:**

4643134



**Banner Instance:**  CS03PROD  CS01PROD  CS02PROD

**Order Number:** N4643134

**Order Type:** LEAK

**Order Status:** Completed

**Customer:** 600383866 - HARTZELL JUDY A

**Prem:** 5496237 - 915 LIBERTY AVE

**Technician:** 5477 - Williams, Danny

**Order Dates and Times**

**Need Date:** 12/2/2010 3:55:00 PM  
**Time Created:** 12/2/2010 3:22:48 PM  
**Time Dispatched:** 12/2/2010 3:22:48 PM  
**Time In Route:** 12/2/2010 3:47:50 PM  
**Time On-Site:** 12/2/2010 3:47:51 PM  
**Tech Complete:** 12/2/2010 3:49:13 PM  
**Time Closed:** 12/2/2010 3:49:13 PM

**Events Performed/Completion Code**

LKOT - CMP

**Meter Information**

**Current Read/Status**

**Old Meter:** 0 Active

**New Meter:**

**Completion Notes**

WRONG ADDRESS/CORRECT ADDRESS WAS 1101 LIBERTY AVE. \*\*SEE ORDER #4643139\*\*

**Request Notes**

12-2-10 PER LORI WITH IND. 811--PRO LAWN CARE HIT LINE. NOT BLOWING.#765-977-1807. LOC # 1010050508  
 . CREW ONSITE. XST. S. L. ST.LORI # 317-893-1416.

**MDSI Event Dates and Times**

Event	Date/Time	User
AsnAssignmentManualAck_evt	12/2/2010 3:23:19 PM	Williams, Danny
AsnAssignmentEnRoute_evt	12/2/2010 3:47:50 PM	Williams, Danny
AsnAssignmentOnSite_evt	12/2/2010 3:47:51 PM	Williams, Danny
OrdOrderComplete_evt	12/2/2010 3:49:13 PM	Williams, Danny

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

NORMAL NOTICE

Ticket : 1010050508 Date: 10/05/2010 Time: 08:36 Oper: SSIZEMORE Chan:052

State: IN Cnty: WAYNE Twp: WAYNE  
 Cityname: RICHMOND Inside: Y Near: N  
 Subdivision:

Address : 915  
 Street : LIBERTY AVE  
 Cross 1 : S L ST Within 1/4 mile: Y  
 Location: LOCATE STARTING AT THE ABOVE ADDRESS GOING SOUTH ON THE EAST SIDE OF  
 LIBERTY AVE FOR APPROX 1100 FEET TO S L STREET  
 :  
 Grids : 3948A8453A 3949D8453A 3948A8454D

Work type : SIDEWALK AND CURB REPLACEMENT  
 Done for : CITY OF RICHMOND  
 Start date: 10/07/2010 Time: 08:45 Hours notice: 48/048 Priority: NORM  
 Ug/Oh/Both: U Blasting: N Boring: N Railroad: N Emergency: N  
 Duration : 3 WEEKS Depth: 2 FEET

Company : PRO LAWN CARE AND LANDSCAPING Type: CONT  
 Co addr : 1238 E MAIN  
 City : RICHMOND State: IN Zip: 47374  
 Caller : DARIAN HUSSAIN Phone: (765)977-1807  
 Contact : DARIAN HUSSAIN--CELL Phone:  
 BestTime:  
 Mobile : (765)977-1807  
 Fax : (765)962-2429

Remarks : All tickets are taken and processed on Eastern Daylight Time  
 Will you be white-lining the dig site area? NO  
 :

Submitted date: 10/05/2010 Time: 08:36  
 Members: ID0470 ID3000 ID7033 ID7462 ID8000 ID9375 SM

Member Name	Facility Types
COMCAST NORTHEAST (RICHMOND)	CABLE TV
FRONTIER	TELEPHONE
IN AMERICAN WATER RICHMOND/WINCHESTER	WATER
RICHMOND POWER & LIGHT	ELECTRIC
RICHMOND SANITARY DISTRICT	
VECTREN - RICHMOND	GAS

[View Map](#)

[Close Map](#)



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**CHECK ALL THAT APPLY TO METHOD OF INVESTIGATION (at least one must be checked):**

Visual, Facility Exposed At Time Of Investigation

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**INVESTIGATOR STATEMENT/CAUSAL FACTORS:**

cut service in half with backhoe, marks are faded but visible. Ticket out of date. I pointed out the paint marks to vectren. Ticket is two months old.

**NAMES OF UTILITY REPRESENTATIVES CONTACTED OR ON SITE AND STATEMENT:**

mike s ,dave h.,steve c. asked if contractor had ticket,mike agreed that marks were good, and even pointed out paint in the grass.

**NAMES OF EXCAVATOR'S REPRESENTATIVES CONTACTED OR ON SITE AND STATEMENT:**

pro lawn

**LIST ANY OTHER INDIVIDUALS ON SITE:**

ken k. from water co,bob snavelly from eci

---

**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 service

**REPLACEMENT FOOTAGE** 3'

**WAS CONTRACTOR ASSISTANCE REQUIRED? IF YES, WHO?** No

**WHAT CONTRACTOR EQUIPMENT WAS USED?** none

**IS THE FACILITY SHOWN ON THE UTILITY RECORDS?** Yes

**IF YES, PLEASE LIST RECORD #(S)** service record

RECEIVED

OCT 26 2011

INDIANA UTILITY  
REGULATORY COMMISSION

STATE - 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 23, 2011

Darian Hussain  
Pro Lawn Care & Landscaping  
1238 E Main  
Richmond, IN 47374

Subject: Notice of Preliminary Determination of Violation

Date of Event: 12/2/2010

Event Location: 915 Liberty Ave., Richmond, Wayne County

Excavator: Pro Lawn Care & Landscaping

Facility Owner: Vectren

Pipeline Safety Division Case No. 1654

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

Att Mr William Doyd -

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. 1654  
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,



William Boyd  
Director, Pipeline Safety Division

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

**Information Request**

**Pipeline Safety Division  
Indiana Utility Regulatory Commission**

Case No. 1654

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:

PRO LAWN CARE

Responsible Party Personal Name:

DARIAN HOUSSAIN

Title (if any):

SUPERVISOR

Address:

1238 EAST MAIN ST

City, State Zip:

RICHMOND, IN 47374

Preferred Telephone:

765-977-1541

Cell Phone Number:

765-977-1807

Email Address:

**Facility Information:**

Business Name:

VECTREN GAS

Responsible Party Personal Name:

PRO LAWN CARE

Title (if any):

Address:

City, State, Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

**Locator Service Information:**

Business Name:

DON'T KNOW

Responsible Party Personal Name:

Title (if any):

THE GAS COMPANY Sub  
Contract that type of  
work

Address:

City, State Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

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

Personal Contact:

Business/Organization Name:

VECTREN EMPLOYEES

Title (if any)

Address:

City, State, Zip:

Preferred Telephone:

Cell Phone Number:

Email Address:

(POLICE AND FIRE DEPT  
WAS NOT CALLED)

**Utility Line Impact:**

**Location of Damage:**

Address: 915 Liberty Ave

City, State Zip: Richmond, In. 47374

Nearest Intersection:

**Product Type (circle one):**

Natural Gas

Liquid Pipeline

Unknown/Other

**Facility Type (circle one):**

Distribution

Gathering

Service/Drop To House

Transmission

Unknown/Other

Size (Diameter/etc.): 1 inch

Pressure (PSIG/Inches): \_\_\_\_\_

Interruption in Service: Yes  No

Number of Customers Affected: 0

Evacuation: Yes  No  If yes, How Many Evacuated? \_\_\_\_\_

Repair Cost (if known): \$ 396.<sup>00</sup>/<sub>100</sub>

**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 **EXCAVATOR**

**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/Storm)  
Site Development  
Steam  
Storm Drain/Culvert  
Street Light  
Telecommunications  
Traffic Signal  
Traffic Sign  
Water  
Waterway Improvement  
Unknown/Other

Release of Product: Yes/No  No

Ignition and/or Fire: Yes/No  No

Excavator Notify 811: Yes/No  Yes

CALL GAS COMPANY

**Locate Information:**

Excavator Request Locate: Yes/No  Yes

Indiana 811 Locate Ticket Number: \_\_\_\_\_

Locate Marks Visible: Yes/No  Yes *Faded*

Locate Marks Correct: Yes/No  Yes

Excavator "White Lined": Yes/No

Maps Used to Mark Facilities: Yes/No

Was Locate Provided within Two (2) Working Days: Yes/No  No

Operator Employees On-site during Excavation: Yes/No  Yes

**Incident Impact Information:**

Number of Outpatient Treated:  0

Number of Inpatient Treated:  0

Number of Fatalities:  0

Fire Department Response: Yes/No  No

Police Department Response: Yes/No  No

Ambulance Response: Yes/No  No

Additional Information/Comments: \_\_\_\_\_

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