

ORIGINAL

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**STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF AN ORDER)
APPROVING ADVISORY COMMITTEE)
RECOMMENDATIONS PURSUANT TO)
INDIANA CODE CHAPTER 8-1-26.)**

APPROVED: NOV 05 2014

ORDER OF THE COMMISSION

Indiana Code chapter 8-1-26 provides the procedure for the Indiana Utility Regulatory Commission’s Pipeline Safety Division (“Division”) to find violations of said chapter. Upon review of those findings, the Indiana Underground Plant Protection Advisory Committee (“Advisory Committee”) reviews those recommendations and recommends civil penalties in the Case.

The Cases received pursuant to Indiana Code chapter 8-1-26 and ripe for Commission action are attached hereto and collectively referred to as the Advisory Committee Recommendations.

Pursuant to statute, the Advisory Committee has submitted their recommendations to the Commission. The Commission hereby UPHOLDS the findings of violations by the Pipeline Safety Division and APPROVES the recommendations of the Advisory Committee as listed on the attached pages. The Assistant General Counsel to the Division is hereby directed to prepare and send notice to the parties advising them of the determination.

IT IS SO ORDERED.

**STEPHAN, MAYS-MEDLEY, HUSTON, WEBER AND ZIEGNER CONCUR;
WEBER NOT PARTICIPATING IN THOSE MATTERS INVOLVING VECTREN;**

APPROVED: NOV 05 2014

**I hereby certify that the above is a true
and correct copy of the Order as approved.**

[Handwritten signature of Brenda A. Howe]
**Brenda A. Howe
Secretary to the Commission**

PSD Case Index for Conference on November 5, 2014

Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
5662	NIPSCO	Miller Pipeline	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5663	Larry Norman	NIPSCO	Warning Letter	No prior
5665	NIPSCO	Miller Pipeline	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5667	NIPSCO	GE Marshall	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5671	NIPSCO	Precision Trenching	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5672	Hoosier Property Maintenance	NIPSCO	Warning Letter	No prior
5675	J&B West Construction	NIPSCO	Training	Warning Letter
5676	Green Thumb Landscaping	Jasper Muni Gas	Warning Letter	No Prior
5678	NIPSCO	Habitat for Humanity	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5682	NIPSCO	Lee Excavating	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5683	Lawson Electric	NIPSCO	Warning Letter	No prior
5686	Mike Thompson	NIPSCO	Warning Letter	No prior
5688	NIPSCO	H & G Underground Utilities	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5692	Skyway Trucking	NIPSCO	Training	Warning Letter

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
5696	NIPSCO	Pavey Excavating	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5698	NIPSCO	Grimmer Construction	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5699	NIPSCO	Grimmer Construction	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5701	Kihn Concrete	Community Natural Gas	Warning Letter	No prior
5702	Hoosier Fence and Deck	NIPSCO	Warning Letter	No prior
5704	Pfister Sprinkler	NIPSCO	Training	314 priors (Warning Letter, Training, Written Plan)
5706	Ben Potis	NIPSCO	Warning Letter	No prior
5708	NIPSCO	Hoosier Fence & Deck	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5709	NIPSCO	Pete Saint Mary	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5710	NIPSCO	Fort Wayne City Utilities	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5711	NIPSCO	Schneck Excavating	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5712	Earth Construction	NIPSCO	Training	Warning Letter
5718	Valparaiso Sewer	NIPSCO	Training	Warning Letter

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
5721	NIPSCO	Earth Construction	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5728	NIPSCO	Indiana Earth Inc.	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5729	Citizens Energy Group	Millennium	\$1,000	59 (Warning Letter, Training)
5731	Michael Hough	NIPSCO	Warning Letter	No prior
5734	Lagrange County REMC	NIPSCO	Warning Letter	No prior
5735	NIPSCO	Kankakee Valley REMC	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5739	NIPSCO	Riccis Landscape Management	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5741	NIPSCO	Kline Excavating Inc.	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5743	NIPSCO	GE Marshall	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5747	Middlebury Septic	NIPSCO	Warning Letter	No prior
5749	NIPSCO	NIPSCO	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5751	NIPSCO	Advance Irrigation	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5752	Citizens Energy Group	K and K Fence	\$1,000	59 (Warning Letter, Training)

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
5755	NIPSCO	LGS Plumbing Inc.	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5757	NIPSCO	B and W Specialized Drilling	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5768	Rebecca Cartwright	NIPSCO	Warning Letter	No prior
5784	Rothenberger Co.	NIPSCO	Warning Letter	No prior
5785	Rieth-Riley	NIPSCO	\$3,000	19 priors (Warning Letter, Training)
5788	Van Gordon Construction	NIPSCO	Warning Letter	No prior
5799	Migul Becerril	NIPSCO	Warning Letter	No prior
5800	Zach Raymond	NIPSCO	Warning Letter	No prior
5801	NIPSCO	Rivers Edge Construction	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5808	NIPSCO	Walsh and Kelly (Griffith)	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5811	NIPSCO	B and W Specialized Drilling	\$1,000	314 priors (Warning Letter, Training, Written Plan)
5812	Bieson Excavating	Rensselaer Muni Gas	Warning Letter	No prior
6313	Qualkenbush Bros.	Indiana Natural Gas Corp.	Training	Warning Letter
6329	Conwell Construction	Indiana Natural Gas Corp.	Warning Letter	No prior
6330	Qualkenbush Bros.	Indiana Natural Gas Corp.	\$500 + training	Training
6331	Jerry Hammond	Midwest Natural Gas Corp.	Warning Letter	No prior

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
6334	Service Experts Heating & Air	NIPSCO	Warning Letter	No prior
6340	Walsh and Kelly (Griffith)	NIPSCO	Training	5 priors (Warning Letter, Training)
7385	NIPSCO	C&E Excavating	Training	314 priors (Warning Letter, Training, Written Plan)
7386	NIPSCO	Haskins Excavating	Training	314 priors (Warning Letter, Training, Written Plan)
7389	NIPSCO	Henry Electric	Training	314 priors (Warning Letter, Training, Written Plan)
7391	Zachary Black	NIPSCO	Warning Letter	No prior
7392	Anthis Career Center/Fort Wayne	NIPSCO	Warning Letter	No prior
7394	Mark Stevens	NIPSCO	Warning Letter	No prior
7396	Montgomery Well Drill	NIPSCO	Warning Letter	No prior
7397	Gordon Myers	NIPSCO	Warning Letter	No prior
7398	Hugh McPartland	NIPSCO	Warning Letter	No prior
7401	Lawnscape Land Management	NIPSCO	Warning Letter	No prior
7403	Century Builders	NIPSCO	Warning Letter	No prior
7404	Jarrood Hill	NIPSCO	Warning Letter	No prior
7406	Alicia Gilliard	NIPSCO	Warning Letter	No prior
7407	Kent Gilmer	NIPSCO	Warning Letter	No prior

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
3166	Vectren	QC Communications	Training	134 priors (Warning Letter, Training, Written Plan)
3547	Vectren	QC Communications	Training	134 priors (Warning Letter, Training, Written Plan)
3618	Vectren	Miller Pipeline	Training	134 priors (Warning Letter, Training, Written Plan)
4036	Vectren	Rivertown Construction	Training	134 priors (Warning Letter, Training, Written Plan)
4448	Vectren	Environmental Construction	Training	134 priors (Warning Letter, Training, Written Plan)
4568	Vectren	Rininger Excavating	Training	134 priors (Warning Letter, Training, Written Plan)
4587	C and J Construction	Vectren	Warning Letter	No prior
4602	Vectren	Meade Incorporated	Training	134 priors (Warning Letter, Training, Written Plan)
4606	Vectren	Meade Incorporated	Training	134 priors (Warning Letter, Training, Written Plan)
4616	Double Bee Fence Co.	Vectren	Warning Letter	No prior
4620	QC Communications	Vectren	Training (or \$750 if fail to train)	9 priors (Warning Letter, Training)
4638	QC Communications	Vectren	Training (or \$750 if fail to train)	9 priors (Warning Letter, Training)
4965	DK Concrete	Vectren	Warning Letter	No prior

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
4967	Price Excavating	Vectren	Training (or \$750 if fail to train)	No priors (escalated to training for multiple dangerous practices failure to timely notify operator of damage and self-repair.
5153	Vectren	3D Company	Training	134 priors (Warning Letter, Training, Written Plan)
5156	Double Bee Fence Co.	Vectren	Training (or \$750 if fail to train)	1 prior (Warning Letter)
5159	B.L. Brown Construction	Vectren	Training (or \$750 if fail to train)	1 prior (Warning Letter)
5161	Vectren	Lykins Contracting	Training	134 priors (Warning Letter, Training, Written Plan)
5163	Vectren	Lykins Contracting	Training	134 priors (Warning Letter, Training, Written Plan)
5164	Vectren	Lineal Contracting	Training (or \$750 if fail to train)	134 priors (Warning Letter, Training, Written Plan)
5180	Lunar Construction	Vectren	Warning Letter	No prior
5187	Lykins Contracting	Vectren	Warning Letter	No prior
5188	Lunar Construction	Vectren	Training (or \$750 if fail to train)	1 prior (Warning letter)
5190	BL Brown Construction	Vectren	Training (or \$750 if fail to train)	1 prior (Warning letter)
5191	Jason Elpers	Vectren	Warning Letter	No prior
5197	Central Fence	Vectren	Warning Letter	No prior

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
5219	Bynum Fanyo Utility	Vectren	Warning Letter	No prior
5646	Tecton Construction	Vectren	Training (or \$750 if fail to train)	1 prior (Warning Letter)
5664	Vectren	Foley Foundations	\$1,000	146 priors (Warning Letter, Training, Written Plan)
5674	Finzel Irrigation	Vectren	Warning Letter	No prior
5687	Vectren	Pendleton P&L	\$1,000	146 priors (Warning Letter, Training, Written Plan)
5689	Rotor Rooter	Vectren	Warning Letter	No prior
5694	Vectren	Calumet Civil Contractors	\$1,000	146 priors (Warning Letter, Training, Written Plan)
5715	Environmental Construction	Vectren	Warning Letter	No prior
5716	Vectren	Dave O'Mara Contractor	\$1,000	146 priors (Warning Letter, Training, Written Plan)
5753	J.D.H Contracting	Vectren	Training	146 priors (Warning Letter, Training, Written Plan)
5756	Terry Pool Company	Vectren	Warning Letter	No prior
5772	Vectren	Sub Surface of Indiana	\$1,000	146 priors (Warning Letter, Training, Written Plan)
5778	Lineal Contracting	Vectren	\$3,000	5 priors (Warning Letter, Training)
5782	F X Underground	Vectren	Training	Warning Letter

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Case No.	Respondent	Other Party	Recommended Penalty	Prior Penalties
5802	Vectren	Miller Pipeline	\$1,000	146 priors (Warning Letter, Training, Written Plan)
5804	Swinney Brothers	Vectren	Warning Letter	No prior
5809	Teds Plumbing	Vectren	Warning Letter	No prior
5814	Bloomington Utilities	Vectren	Warning Letter	No prior
6041	Roger Wallace	Vectren	\$500 + training	No prior. Escalated penalty. Excavator clamped off the line and failed to notify operator of leak for 2weeks
6044	John McClintic	Vectren	Warning Letter	No prior
6050	Vectren	Town of Plainfield	\$1,000	146 priors (Warning Letter, Training, Written Plan)
6058	Gilliland Trucking	Vectren	Warning Letter	No prior
6059	Slater Construction	Vectren	Warning Letter	No prior
6064	Vectren	Poisel Construction	\$1,000	146 priors (Warning Letter, Training, Written Plan)
6066	Vectren	Evansville Water/Sewer	\$1,000	146 priors (Warning Letter, Training, Written Plan)
6067	Randy's Tree Service	Vectren	Warning Letter	No prior
6068	Mr. Fence	Vectren	Warning Letter	No prior
7502	Brian Spencer	Vectren	Warning Letter	No prior