

ORIGINAL

TS
[Signature]
CM
Keck

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 21 2012

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.

ATTERHOLT, BENNETT, MAYS AND ZIEGNER CONCUR; LANDIS ABSENT;
MAYS NOT PARTICIPATING IN THOSE MATTERS INVOLVING VECTREN;

APPROVED: NOV 21 2012

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

Brenda A. Howe
Brenda A. Howe
Secretary to the Commission

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

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

TO: Chairman James D. Atterholt
Commissioners Ziegner, Landis, Mays, and Bennett

FROM: DeAnna Poon, Assistant General Counsel and Legal Counsel to the Underground
Plant Protection Advisory Committee

DATE: November 16, 2012

RE: Underground Plant Protection Advisory Committee Case Recommendations for
Conference on *Wednesday, November 21, 2012 @ 2:00 P.M. local time.*

The attached case recommendations have been submitted to the Commission. Via Certified Mail, the Commission's Pipeline Safety Division sent an information request to the parties to the incident soliciting a written account of the facts and circumstances surrounding the incident. After receiving proof of delivery and waiting at least thirty (30) days for the receipt of any documents from the parties, the Division investigated the case. Pursuant to IC 8-1-26-23(g), the Division found that a violation of IC 8-1-26 occurred. After public notice in conformance with IC 5-4-1.5-5, during a Public Meeting where the party had the opportunity to appear, the Underground Plant Protection Advisory Committee reviewed the Division's determination and made recommendations in the cases under IC 8-1-26-23(h). The parties were notified of the Committee's recommendations and given the opportunity to seek a public hearing pursuant to IC 8-1-26-23(k). These recommendations are now submitted for the Commission's consideration at Conference on **November 21, 2012 at 2:00 pm. local time.** Staff believes legal requirements under IC 8-1-26, the Damages to Underground Facilities Act, were met and recommends approval for all the recommendations of the attached cases. The Commission has the authority under IC 8-1-1-5(d) to make a determination in these matters.

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Howell Contractors Inc.**
Other Party: **Citizens Gas**
Case No.: **3122**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment** ~~Violation~~ No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Training _____
- 2. _____
- 3. _____

Additional Information: Warren abstains.

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Rice Contracting**
Other Party: **Community Natural Gas**
Case No.: **3085**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Training
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Cripe Excavating**
Other Party: **NIPSCO**
Case No.: **3099**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. warning letter Training
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **NIPSCO**
Other Party: **NIPSCO**
Case No.: **3194**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Training
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Excavator: **Steve Carothers** Operator: **Ind. Natural Gas Corp.**

Case No.: **46**

Date of Advisory Meeting: **March 27, 2012**

Statutes Allegedly Violated:

- | | | |
|--|------------------|--------------|
| 1. IC 8-1-26-16-(g) - Failure to provide notice of excavation | <u>Violation</u> | No Violation |
| 2. _____ | Violation | No Violation |
| 3. _____ | Violation | No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: RS
(initialed) Rick Slagle
 Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Excavator: **Custom Concrete** Operator: **Vectren**

Case No.: **818**

Date of Advisory Meeting: **March 27, 2012**

Statutes Allegedly Violated:

- | | | |
|--|--|------------------------------------|
| 1. IC 8-1-26-16-(g) - Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: Slagk abstains

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Wingham Concrete**
Other Party: **Vectren**
Case No.: **2937**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: Slagle abstains

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Ed McGowan**
Other Party: **NIPSCO**
Case No.: **2945**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | |
|---|-------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <u>Violation</u> No Violation |
| 2. _____ | Violation No Violation |
| 3. _____ | Violation No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Rothenberger Company, Inc.**
Other Party: **NIPSCO**
Case No.: **2947**
Date of Advisory Meeting: **September 25, 2012**

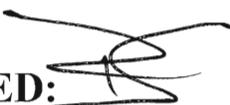
Statutes Allegedly Violated:

- | | | |
|--|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Kevin Sharick Underground**
Other Party: **NIPSCO**
Case No.: **2948**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

1. **IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment** Violation No Violation
2. _____ Violation No Violation
3. _____ Violation No Violation

Recommended Penalty:

1. Warning letter _____
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Eric Toth**
Other Party: **NIPSCO**
Case No.: **2952**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-16(g): Failure to provide notice of excavation** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Rick Kirckland**
Other Party: **NIPSCO**
Case No.: **2958**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Wallene Swentko**
Other Party: **NIPSCO**
Case No.: **2975**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|---|---------------------------------------|
| 1. IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment | <input checked="" type="checkbox"/> Violation | <input type="checkbox"/> No Violation |
| 2. _____ | <input type="checkbox"/> Violation | <input type="checkbox"/> No Violation |
| 3. _____ | <input type="checkbox"/> Violation | <input type="checkbox"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Vegas Landscaping**
Other Party: **NIPSCO**
Case No.: **2982**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) **Rick Slagle**
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **RT Moore**
Other Party: **Vectren**
Case No.: **2991**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-18(h): Damage or alteration to a facility locate marking** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: Slagle abstains

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Hullan Hall**
Other Party: **Citizens Gas**
Case No.: **3052**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter _____
- 2. _____
- 3. _____

Additional Information: Warren abstains.

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **JNL Well Drilling Service**
Other Party: **Citizens Gas**
Case No.: **3060**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. IC 8-1-26-16(g): Failure to provide notice of excavation Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: Warren abstains.

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Charles Beck**
Other Party: **Citizens Gas**
Case No.: **3064**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | |
|---|-------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <u>Violation</u> No Violation |
| 2. _____ | Violation No Violation |
| 3. _____ | Violation No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: Warren abstains.

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Sheila Watson**
Other Party: **Citizens Gas**
Case No.: **3067**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. IC 8-1-26-16(g): Failure to provide notice of excavation Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter.
- 2. _____
- 3. _____

Additional Information: Warren abstains.

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Bryant Kieffner**
Other Party: **Indiana Natural Gas Corp**
Case No.: **3086**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Ellis Tents & Events**
Other Party: **Indiana Natural Gas Corp**
Case No.: **3087**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|--|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Star Builders**
Other Party: **Midwest Natural Gas Corp**
Case No.: **3089**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|------------------|--------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <u>Violation</u> | No Violation |
| 2. _____ | Violation | No Violation |
| 3. _____ | Violation | No Violation |

Recommended Penalty:

1. warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Diehm Construction Company Inc.**
Other Party: **NIPSCO**
Case No.: **3090**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-16(g): Failure to provide notice of excavation** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Gatlin Plumbing**
Other Party: **NIPSCO**
Case No.: **3093**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

1. **IC 8-1-26-20(b): Failure to maintain two (2) feet clearance with mechanized equipment** Violation No Violation
2. _____ Violation No Violation
3. _____ Violation No Violation

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Ziese & Sons Excavating Inc**
Other Party: **NIPSCO**
Case No.: **3094**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-16(g): Failure to provide notice of excavation** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Clyde Bradley**
Other Party: **NIPSCO**
Case No.: **3103**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **M & K Concrete**
Other Party: **NIPSCO**
Case No.: **3115**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|--|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **BBC Electrical**
Other Party: **NIPSCO**
Case No.: **3158**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **M B Contract Telephone Company Inc.**
Other Party: **NIPSCO**
Case No.: **3170**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|--|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Steves Landscaping Lawn & Garden**
Other Party: **NIPSCO**
Case No.: **3221**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Farmers Fencing**
Other Party: **NIPSCO**
Case No.: **3227**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-16(g): Failure to provide notice of excavation** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Modesto Tamayo Jr**
Other Party: **NIPSCO**
Case No.: **3229**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-16(g): Failure to provide notice of excavation** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Denny Hanback**
Other Party: **NIPSCO**
Case No.: **3230**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **J. W. Bowles Well Drilling**
Other Party: **NIPSCO**
Case No.: **3235**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Timothy Harvey**
Other Party: **NIPSCO**
Case No.: **3237**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | |
|--|-------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <u>Violation</u> No Violation |
| 2. _____ | Violation No Violation |
| 3. _____ | Violation No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **C Gingerich Excavating**
Other Party: **NIPSCO**
Case No.: **3239**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|--|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) _____
Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Mark Przybylski**
Other Party: **NIPSCO**
Case No.: **3242**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- 1. **IC 8-1-26-16(g): Failure to provide notice of excavation** Violation No Violation
- 2. _____ Violation No Violation
- 3. _____ Violation No Violation

Recommended Penalty:

- 1. Warning letter
- 2. _____
- 3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman

Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

Respondent: **Kraemer Construction**
Other Party: **Aurora Utilities**
Case No.: **3353**
Date of Advisory Meeting: **September 25, 2012**

Statutes Allegedly Violated:

- | | | |
|---|--|------------------------------------|
| 1. IC 8-1-26-16(g): Failure to provide notice of excavation | <input checked="" type="radio"/> Violation | <input type="radio"/> No Violation |
| 2. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |
| 3. _____ | <input type="radio"/> Violation | <input type="radio"/> No Violation |

Recommended Penalty:

1. Warning letter
2. _____
3. _____

Additional Information: _____

APPROVED: 
(initialed) Rick Slagle
Chairman