

**ORIGINAL**

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 25 2013

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, LANDIS, MAYS AND ZIEGNER CONCUR; MAYS NOT PARTICIPATING IN THOSE MATTERS INVOLVING VECTREN; LANDIS NOT PARTICIPATING IN THOSE MATTERS INVOLVING RIETH-RILEY CONSTRUCTION CO., INC.

APPROVED: NOV 25 2013

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

Brenda A. Howe, Secretary to the Commission

**PSD Case Index for Conference on November 25, 2013**  
**(Date of Advisory Committee Meeting: September 24, 2013)**

| <u>Case No.</u> | <u>Respondent</u>                       | <u>Case No.</u> | <u>Respondent</u>                |
|-----------------|---|-----------------|----------------------------------|
| 3413            | Calumet Civil Contractors               | 4397            | Anthony Kati                     |
| 3592            | Telecom Placement, Inc.                 | 4398            | Greg Roesner                     |
| 3618            | Vectren                                 | 4401            | Jim Wolff                        |
| 3689            | NIPSCO                                  | 4403            | Richard Dale                     |
| 3713            | Citizens Gas                            | 4406            | D&R Excavating                   |
| 3720            | Citizens Gas                            | 4409            | Mauer Well Service               |
| 3814            | NIPSCO                                  | 4423            | Keith Newton                     |
| 3843            | NIPSCO                                  | 4424            | Jeremy Young                     |
| 3852            | NIPSCO                                  | 4439            | NIPSCO                           |
| 3855            | NIPSCO                                  | 4448            | Vectren                          |
| 3863            | NIPSCO – Gas                            | 4464            | All Bore, Inc.                   |
| 3908            | Niblock Excavating                      | 4482            | All Bore, Inc.                   |
| 3938            | NIPSCO                                  | 4617            | Rieth-Riley Construction Company |
| 3961            | McCormick Excavating                    |                 |                                  |
| 3970            | NIPSCO                                  |                 |                                  |
| 4006            | NIPSCO                                  |                 |                                  |
| 4010            | NIPSCO                                  |                 |                                  |
| 4014            | NIPSCO                                  |                 |                                  |
| 4030            | NIPSCO                                  |                 |                                  |
| 4036            | Vectren                                 |                 |                                  |
| 4076            | Grimmer Construction Company            |                 |                                  |
| 4126            | Leigh Wheeler                           |                 |                                  |
| 4128            | L & S Electric                          |                 |                                  |
| 4146            | Lars Wallace                            |                 |                                  |
| 4165            | Layne Heavy Civil                       |                 |                                  |
| 4166            | Rieth Riley Construction Company        |                 |                                  |
| 4167            | Milestone Construction                  |                 |                                  |
| 4185            | City of Gary                            |                 |                                  |
| 4187            | American Electric Contractors           |                 |                                  |
| 4208            | Gibson Heating & Plumbing               |                 |                                  |
| 4217            | Rieth Riley Construction Company        |                 |                                  |
| 4226            | NIPSCO                                  |                 |                                  |
| 4242            | NIPSCO                                  |                 |                                  |
| 4251            | EMC Enterprises LLC                     |                 |                                  |
| 4265            | NIPSCO                                  |                 |                                  |
| 4269            | NIPSCO                                  |                 |                                  |
| 4272            | Matt Smith Construction                 |                 |                                  |
| 4274            | Stanger Excavating                      |                 |                                  |
| 4280            | Lubovich Excavating Inc                 |                 |                                  |
| 4339            | American Residential Services           |                 |                                  |
| 4350            | FA Wilhelm Construction                 |                 |                                  |
| 4351            | King's Landscaping                      |                 |                                  |
| 4354            | Rieth-Riley                             |                 |                                  |
| 4355            | Rieth & Riley                           |                 |                                  |
| 4356            | Evergreen Planners LLC                  |                 |                                  |
| 4361            | Michael Walsh                           |                 |                                  |
| 4378            | Corporation Service Co. Direct TV, Inc. |                 |                                  |
| 4384            | Robert Sheets Plumbing                  |                 |                                  |
| 4388            | Cowsert Jr. Septic                      |                 |                                  |

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Calumet Civil Contractors**  
Other Party: **Citizens Gas**  
Case No.: **3413**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **July 26, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(1) -failure to plan excavation to minimize damage or interference**

The Advisory Committee recommends the following penalty:

\$2,000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

Tried to shore lines/walls, were not successful.

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**APPROVED:**   
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Telecom Placement, Inc.**  
Other Party: **Citizens Gas**  
Case No.: **3592**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **August 21, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

warning letter

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:**   
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Vectren**  
Other Party: **Miller Pipeline**  
Case No.: **3618**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **August 23, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Meyers Plumbing**  
Case No.: **3689**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **August 30, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Citizens Gas**  
Other Party: **Calumet Civil Contractors**  
Case No.: **3713**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 6, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$ 1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:**   
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Citizens Gas**  
Other Party: **Rieth-Riley Construction Co.**  
Case No.: **3720**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **August 23, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: Warren abstains

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**APPROVED:**  
(initialed)

  
Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Walsh and Kelly**  
Case No.: **3814**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 12, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - Mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Eagles Nest Estates Mobile Home Community**  
Case No.: **3843**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 19, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000      \$500

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: broken tracer wire

Santag opposed

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**APPROVED:**



(initialed)

Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Precision Utilities Group, Inc.**  
Case No.: **3852**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 20, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Culy Contracting**  
Case No.: **3855**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 21, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO - Gas**  
Other Party: **NIPSCO**  
Case No.: **3863**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 24, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$ 3000

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|--|-----------------------|--------------------|-------------------|------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting</b> | <b>811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                   |            |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Niblock Excavating**  
Other Party: **NIPSCO**  
Case No.: **3908**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **August 21, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

warning letter

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|  |                |             |            |     |
|--|----------------|-------------|------------|-----|
| <u>Special instructions if warning letter:</u> | White Lining   | Potholing   | Contacting | 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | Self Repair |            |     |

Additional Information: \_\_\_\_\_

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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Gaunt and Son Asphalt**  
Case No.: **3938**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **August 24, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <u>White Lining</u>   | <u>Potholing</u>   | <u>Contacting 811</u> |
| <u>Clearance Zone (Two-Foot Rule)</u>          | <u>Damaging Lines</u> | <u>Self Repair</u> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **McCormick Excavating**  
Other Party: **NIPSCO**  
Case No.: **3961**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 11, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **City of Fort Wayne Water Dept.**  
Case No.: **3970**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 6, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **NIPSCO**  
Case No.: **4006**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 8, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$ 1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) \_\_\_\_\_  
Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Crosby Excavating Incorporated**  
Case No.: **4010**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 9, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1,000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **3D Company**  
Case No.: **4014**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 9, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Fort Wayne City Utilities Sewer Dept.**  
Case No.: **4030**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 15, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Vectren**  
Other Party: **Rivertown Construction**  
Case No.: **4036**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 16, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Grimmer Construction Company**  
Other Party: **NIPSCO**  
Case No.: **4076**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 30, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

Training\*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_

\* Fail to complete timely = \$5,000

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**APPROVED:** \_\_\_\_\_

Ben Warren

(initialed)

Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Leigh Wheeler**  
Other Party: **NIPSCO**  
Case No.: **4126**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 2, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*Warning letter*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **L & S Electric**  
Other Party: **NIPSCO**  
Case No.: **4128**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 25, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g)(expire) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) \_\_\_\_\_  
Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Lars Wallace**  
Other Party: **NIPSCO**  
Case No.: **4146**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **September 28, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Layne Heavy Civil**  
Other Party: **Citizens Gas**  
Case No.: **4165**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 16, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$3000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:** 

(initialed)

Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Rieth-Riley Construction Company**  
Other Party: **Citizens Gas**  
Case No.: **4166**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 17, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(3)(b) - failure to notify IN811 when markings become illegible**

The Advisory Committee recommends the following penalty:

\$3,000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:** 

(initialed)

Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Milestone Construction**  
Other Party: **Citizens Gas**  
Case No.: **4167**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 22, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

Warning letter

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <u>White Lining</u>   | <u>Potholing</u>   | <u>Contacting 811</u> |
| <u>Clearance Zone (Two-Foot Rule)</u>          | <u>Damaging Lines</u> | <u>Self Repair</u> |                       |

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Additional Information: Warren abstains

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**APPROVED:**   
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **City of Gary**  
Other Party: **NIPSCO**  
Case No.: **4185**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 4, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*Warning letter*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **American Electric Contractors**  
Case No.: **4187**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 19, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$1000

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|  |                       |                    |                   |            |
|--|-----------------------|--------------------|-------------------|------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting</b> | <b>811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                   |            |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Gibson Heating & Plumbing**  
Other Party: **NIPSCO**  
Case No.: **4208**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 15, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

warning letter

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|  |                |             |                |
|--|----------------|-------------|----------------|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | Self Repair |                |

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Additional Information: \_\_\_\_\_

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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Rieth-Riley Construction Company**  
Other Party: **Citizens Gas**  
Case No.: **4217**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 17, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$ 3,000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:** 

(initialed)

Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Martell Electric LLC**  
Case No.: **4226**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 19, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$ 1000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Walters abstains.

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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **City of Elkhart**  
Case No.: **4242**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 26, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

*# 1,000 fine*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **EMC Enterprises LLC**  
Other Party: **NIPSCO**  
Case No.: **4251**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 29, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

*warning letter*

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|  |                |             |                |
|--|----------------|-------------|----------------|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | Self Repair |                |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Maple City Underground**  
Case No.: **4265**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 5, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

*\$ 1,000 fine*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **Low Voltage, Inc.**  
Case No.: **4269**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 6, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

*\$1,000 - fine*

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) \_\_\_\_\_  
Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Matt Smith Construction**  
Other Party: **NIPSCO**  
Case No.: **4272**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 10, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

*warning letter*

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|  |                |             |            |     |
|--|----------------|-------------|------------|-----|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting | 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | Self Repair |            |     |

Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Stanger Excavating**  
Other Party: **NIPSCO**  
Case No.: **4274**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 10, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

*warning letter*

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|  |                |             |            |     |
|--|----------------|-------------|------------|-----|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting | 811 |
| <b>Clearance Zone (Two-Foot Rule)</b>          | Damaging Lines | Self Repair |            |     |

Additional Information: \_\_\_\_\_

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**APPROVED:** *AW*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Lubovich Excavating Inc**  
Other Party: **Vectren**  
Case No.: **4280**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 11, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

*warning letter*

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|  |                |                    |            |     |
|--|----------------|--------------------|------------|-----|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing          | Contacting | 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | <u>Self Repair</u> |            |     |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** *B Wa*  
\_\_\_\_\_  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **American Residential Services**  
Other Party: **Citizens Gas**  
Case No.: **4339**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **January 24, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(1) - failure to plan excavation to minimize damage or interference**

The Advisory Committee recommends the following penalty:

warning letter

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:**   
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **FA Wilhelm Construction**  
Other Party: **Citizens Gas**  
Case No.: **4350**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 5, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

Warning letter

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|  |                |             |            |     |
|--|----------------|-------------|------------|-----|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting | 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | Self Repair |            |     |

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Additional Information: Warren abstains

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**APPROVED:** 

(initialed)

Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **King's Landscaping**  
Other Party: **Citizens Gas**  
Case No.: **4351**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 6, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

Warning letter

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|  |                |             |            |     |
|--|----------------|-------------|------------|-----|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting | 811 |
| Clearance Zone (Two-Foot Rule)                 | Damaging Lines | Self Repair |            |     |

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Additional Information: Warren abstains

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APPROVED: DM

(initialed)

Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Rieth-Riley Construction Company**  
Other Party: **Citizens Gas**  
Case No.: **4354**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 7, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$3000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:** 

(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Rieth & Riley Construction Company**  
Other Party: **Citizens Gas**  
Case No.: **4355**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 17, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$3,000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: **Warren abstains**

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**APPROVED:** \_\_\_\_\_

(initialed)

  
Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Evergreen Planners LLC**  
Other Party: **Citizens Gas**  
Case No.: **4356**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **January 14, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*Warning letter*

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: Warren abstains

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**APPROVED:** *DM*  
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Michael Walsh**  
Other Party: **NIPSCO**  
Case No.: **4361**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **October 26, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*Warning letter*

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Direct TV, Inc.**  
Other Party: **NIPSCO**  
Case No.: **4378**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 20, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Robert Sheets Plumbing**  
Other Party: **NIPSCO**  
Case No.: **4384**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 27, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Cowsert Jr Septic**  
Other Party: **NIPSCO**  
Case No.: **4388**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 8, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

Warning letter

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| <i>Special instructions if warning letter:</i> | <u>White Lining</u>   | <u>Potholing</u>   | <u>Contacting 811</u> |
| <u>Clearance Zone (Two-Foot Rule)</u>          | <u>Damaging Lines</u> | <u>Self Repair</u> |                       |

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Additional Information: \_\_\_\_\_

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**APPROVED:** Ben Warren  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Anthony Kati**  
Other Party: **NIPSCO**  
Case No.: **4397**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 4, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Greg Roesner**  
Other Party: **NIPSCO**  
Case No.: **4398**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 19, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Jim Wolff**  
Other Party: **NIPSCO**  
Case No.: **4401**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 21, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*Warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Richard Dale**  
Other Party: **NIPSCO**  
Case No.: **4403**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **November 18, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *B Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **D&R Excavating**  
Other Party: **NIPSCO**  
Case No.: **4406**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 7, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Mauer Well Service**  
Other Party: **NIPSCO**  
Case No.: **4409**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 19, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

warning letter

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|--|----------------|-------------|------------|-----|
| <i>Special instructions if warning letter:</i> | White Lining   | Potholing   | Contacting | 811 |
| <u>Clearance Zone (Two-Foot Rule)</u>          | Damaging Lines | Self Repair |            |     |

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Additional Information: \_\_\_\_\_

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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Keith Newton**  
Other Party: **NIPSCO**  
Case No.: **4423**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 20, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) \_\_\_\_\_  
Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Jeremy Young**  
Other Party: **NIPSCO**  
Case No.: **4424**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **December 10, 2012**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-16(g) - failure to provide notice of excavation**

The Advisory Committee recommends the following penalty:

*Warning letter*

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** *Ben Warren*  
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **NIPSCO**  
Other Party: **NIPSCO**  
Case No.: **4439**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **January 29, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$ 1,100 fine

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Vectren**  
Other Party: **Environmental Construction**  
Case No.: **4448**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **February 1, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-18(f) - mislocate or failure to locate**

The Advisory Committee recommends the following penalty:

\$ 1,000 fine

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| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Dan Meiners  
Vice Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **All Bore, Inc.**  
Other Party: **NIPSCO**  
Case No.: **4464**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **February 11, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$ 3000

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **All Bore, Inc.**  
Other Party: **NIPSCO**  
Case No.: **4482**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **February 23, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$3000

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|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:**   
(initialed) Ben Warren  
Chairman

# Indiana Underground Plant Protection Advisory Committee Recommendation to IURC

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Respondent: **Rieth-Riley Construction Company**  
Other Party: **NIPSCO**  
Case No.: **4617**  
Date of Advisory Meeting: **September 24, 2013**  
Date of Damage: **April 9, 2013**

The IURC Pipeline Safety Division finds the following violation:  
**IC 8-1-26-20(a)(2) - failure to maintain two (2) feet clearance with mechanized equipment**

The Advisory Committee recommends the following penalty:

\$3000

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|  |                       |                    |                       |
|--|-----------------------|--------------------|-----------------------|
| <i>Special instructions if warning letter:</i> | <b>White Lining</b>   | <b>Potholing</b>   | <b>Contacting 811</b> |
| <b>Clearance Zone (Two-Foot Rule)</b>          | <b>Damaging Lines</b> | <b>Self Repair</b> |                       |

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Additional Information: \_\_\_\_\_  
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**APPROVED:** Ben Warren  
(initialed) Ben Warren  
Chairman