

**FINAL Meeting Minutes**  
**OREGON UTILITY NOTIFICATION CENTER**  
**BOARD OF DIRECTORS**

Meeting Minutes, OPUC – Main Hearing Room, Beardsley Building, 201 High Street SE, Salem OR, 97301, July 11, 2018

Board members in attendance as follows: X = present O = absent P = phone participant

O	<b>Nathan Rivera</b> Municipal Electric	X	<b>Chris Grissom</b> Natural Gas Distribution	X	<b>Micah Brown</b> NULCA	X	<b>Lori Koho</b> OPUC
O	<b>Shannon Potter</b> Telecom >50K Access Lines	X	<b>Nathan Taylor</b> Excavators	X	<b>Genece MacKay</b> Regulated Electric	X	<b>Fred Corona</b> Interstate Natural Gas Pipeline
X	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	O	<b>Scott Clement</b> Cities Population >25K	X	<b>Johnny Sapp</b> ODOT	X	<b>Mitch Burghlea</b> Cable TV
X	<b>Ryan Sandhu</b> Special Districts	X	<b>John Norrena</b> Public Utility Districts	X	<b>Scott Gallegos</b> OUCC	X	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

Others in attendance were: Greg Snyder – OCC, Frank Planton – OCC, Dawn Hickson – OUCC & Clackamas County, Kevin Hennessey – OPUC, John Eckis – Stayton Co-Op Telephone.

**Introductions:** Scott Gallegos welcomed everyone to the meeting and introductions were completed.

**Adopt Previous Board Meeting Minutes:** Joyce Nelsen moved to accept the June 2018 as submitted. Tim Smith seconded the motion. **Vote record 07-11-18-01.**

**Open Testimony:** None

**OUNC Operations Report:** Greg Snyder advised the Board that the call center experienced a data line outage on 7/10/18. Access to ITIC and some ticket deliveries were affected for a short time until control was moved to the backup server. OCC's Systems Division was able to find and correct the problem. All services were back on the main servers in just over an hour.

Greg reminded the Board that when they are ready for public comment on the OAR changes, OCC has created an email address for any replies.

All Board Members had previously been emailed copies of the June 2018 operations reports. Greg Snyder went over the highlights for the month. The incoming ticket total for June was 29,772 which was down 2.21% from 2017. The ITIC percentage for June was 61.18%. The incoming ITIC Mobile total for June 2018 was 307, which is up from 95 in 2017. The Average Speed of Answer (ASA) was 43 seconds for June 2018.

**OUNC Billing & Aging Report:** All Board Members were previously emailed copies of the billing reports and the aging reports for June 2018.

**Treasurer Report:** Joyce Nelsen: Joyce Nelsen reviewed the OUNC Balance Sheet, Profit and Loss Detail and Profit and Loss Budget Performance for June 2018. Johnny Sapp made a motion to accept the Treasurers Report as submitted. Geneece MacKay seconded the motion. [Vote record 07-11-18-02](#).

---

#### **Board of Directors Officer's Reports:**

**Chair's Report:** Nate Rivera. No report

**Vice Chair Report:** Scott Gallegos – No report

**Treasurer Report:** Joyce Nelsen – No report

**Secretary Report:** Ryan Sandhu – No report

**PUC Representative Report:** Lori Koho – Lori reported on a recent PHMSA audit where Oregon scored well.

She also provided information on the level of information needed during financial audits.

---

#### **Executive Session: The OUNC Board of Directors convened in Executive Session in accordance with ORS 192.640 and ORS 192.660.**

After the Executive Session Ryan Sandhu made a motion to authorize the Board Chair to re-negotiate the contract for administrative services including:

1. 10% increase in hourly wage retroactive to March 2018;
2. Monthly cell phone allowance in the amount of \$40;
3. Job title to be revised to Administrative and Outreach Coordinator;

4. 30 hour minimum workweek for OUNC task as assigned; and
5. Review of scope of work on 3/20/19 along with the past performance review.

Tim Smith seconded the motion. [Vote record 07-11-18-03](#).

### **Committee Reports:**

**Budget and Audit Committee:** Joyce Nelsen: Joyce noted the probable need to readjust the budget with the Outreach Coordinator Position.

**Contracts Committee:** Shannon Potter: No report.

**Damage Reporting/Dirt:** Lori Koho: Lori handed out a graph chart showing damages reported in 2016. See ATTACHMENT 1 for handout.

Lori noted that there may be a need for mandatory damage reporting for all utilities. Can see a need for increased reporting of communication line damages in the future. Communication line damages can affect health and financial organizations.

Discussion on 5G technologies.

**Oregon Administrative Rules (OAR'S) & Tariff:** Micah Brown: Micah reported that, after reviewing the Department of Justice feedback, the committee has completed making edits and would like to review the complete proposal for OAR changes.

After discussion Micah Brown made a motion to accept the final draft for OAR revision with the following amendments.

952-001-0010

Definition (25) Diagram for Tolerance Zone. Removal of "Marked Location" term within diagram.

952-001-0070

(1)

(a) Mark within 24 inches of the outside lateral dimensions of both sides of all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;

(2) An operator or designated agent must comply with the terms of an agreement with the excavator, confirmed in writing by both parties prior to excavation that provides a date and time for the operator to mark facilities within a time period that exceeds two business days but does not exceed 10 business days.

[Vote record 07-11-18-04](#). See ATTACHMENT 2 for the 11-page document

Micah provided a handout with the proposed Interagency Agreement. It was decided to break for lunch and provide an opportunity for the members to review the agreement over lunch.

It was noted that the committee would be discussing when the new Standards Manual will be available to the public.

After lunch Micah went over the Interagency Agreement, which is an agreement for the filing, noticing and processing of the Administrative Rules. The agreement will also have a start and closing date.

After discussion Micah Brown made a motion to accept the Interagency Agreement as written with a start date of August 1, 2018 and a closing date of August 1, 2019. Mitch Burghlea seconded the motion.

Vote record 07-11-18-05

**Policy & Procedures Committee:** Johnny Sapp – No report. The committee will have a meeting next month

**Publicity Committee:** Fred Corona: Fred mentioned that the Hell's Canyon Bike Rally had reached out to the committee. It was noted that in the past it was the local UCC that helped out at that event.

The Hillsboro Hops contract has been finalized. The OUNC will be on site August 25, 26 and September 1 with the OR811 trailer to hand out swag. Radio and TV ads are now running.

Fred is getting information from the Lars Larson Golf Tournament as a possible sponsor.

The committee is checking on a marketing vendor.

Budget, as of May at approximately 45% of budget used.

Fred reports there have been a lot of t-shirt orders. The items in the store have been expanded.

The committee will try to meet next month before the Board Meeting in Redmond.

**Enforcement:** Lori Koho: Lori reported there have been 20 complaints filed so far in 2018. Six resulted in enforcement actions, seven were dismissed, four were referred to OSHA, and 3 have ongoing investigation.

Lori is working on a draft of the enforcement process. Discussion on Board involvement followed.

**Training and Education Committee:** Mitch Burghlea: Mitch reported that they are considering a slightly smaller Oregon Utility Safety Summit (OUSS) for 2019. Also, if the new Oregon Standards manuals are available by the time of the 2019 OUSS it would be a good time for a presentation. At this time the 2019 OUSS is still in discussion.

Mitch has talked with Clint Kalfell, who is the Montana 811 Representative, regarding excavation safety classes. Mitch would like to consider having Clint speak at the 2019 OUSS and possibly provide excavator training to Oregon excavators. Discussion followed. It was decided that Mitch would see if there is a video of one of Clint's presentations that the Board can view.

**Membership:** Lori Koho: Lori reported that the Governors Office has been reminded about the submission of Kyle Sutton with Loy Clark Pipeline for the open Contractors Board Position.

The Governors Office also has paperwork for John Eckis with Stayton Co-Op Telephone for the open Telecom Cooperatives position.

Nathan Taylor has submitted his paperwork for a second term in his position.

A recommendation for Joanna Valencia with Multnomah County was received from the Association of Oregon Counties. Joanna was provided information on how to submit the paperwork. No information back on this.

John Norrena and Shannon Potter continue to look for possible replacements for their positions.

Johnny Sapp has tried several avenues to find a representative for the open Railroads position but no one has shown an interest yet.

---

**Oregon Utilities Coordinating Council (OUCC) Report:** Scott Gallegos. Scott reported that the OUCC would be having their next meeting at Eagle Crest Resort on Tuesday August 7<sup>th</sup>. Lunch will be served at 12 noon with the meeting starting at 1pm. This will allow those wishing to attend the opportunity to drive over on Tuesday morning. Dawn Hickson will be chairing the meeting.

There was discussion on the forms or information needed by the local UCC's to get funding, or additional funding, from the OUNC.

---

**Executive Coordinator Committee:** Shannon Potter. No report

---

**National Industry News: NULCA, CGA, Open Discussion:** The Joint States meeting will be held the first week of October 2018 in Vancouver Washington.

Greg Snyder reported that the One Call Concepts (OCC) Users Group Conference will be held September 25 – 27 in Miami Florida this year. OCC will pay travel and lodging for one representative from each Board to attend the conference. Nathan Taylor will attend as One Call Concepts guest from the OUNC. The Board discussed sending additional Board Members. Fred Corona stated he would like to attend. Joyce Nelsen made a motion to have the OUNC pay to send Fred Corona to the OCC Users Group conference. Geneece MacKay seconded the motion. **Vote record 07-11-18-06**. The Board may elect to send additional members if interest is shown in attending.

---

**Old business:** None

---

**New Business:** 2019 Board of Directors Officers nominations.

The following OUNC Board Members were nominated for the following positions:

Chair

-----

Scott Gallegos -nominated by Tim Smith

Nathan Taylor -nominated by Lori Koho

Vice Chair

-----

Mitch Burghlea – nominated by Lori Koho

Scott Gallegos – nominated by Fred Corona

Nathan Taylor – nominated by Lori Koho

Micah brown – nominated by Scott Gallegos

Treasurer

-----

Joyce Nelsen – nominated by Scott Gallegos

Johnny Sapp – nominated by Micah Brown

Secretary

-----

Ryan Sandhu – nominated by Tim Smith

Scott Gallegos proposed asking the type of excavation being done (ie: directional drilling) on locate tickets. This would serve to identify risks associated with this type of excavation. Greg Snyder with the One Call Center provided some information on the centers ability to make this type of change. After discussion it was decided to form an ad-hoc committee to look into this idea. The following will meet to discuss: Scott Gallegos, Mitch Burghlea, Nathan Taylor, Chris Grissom, Greg Snyder, Ryan Sandhu, and Micah Brown.

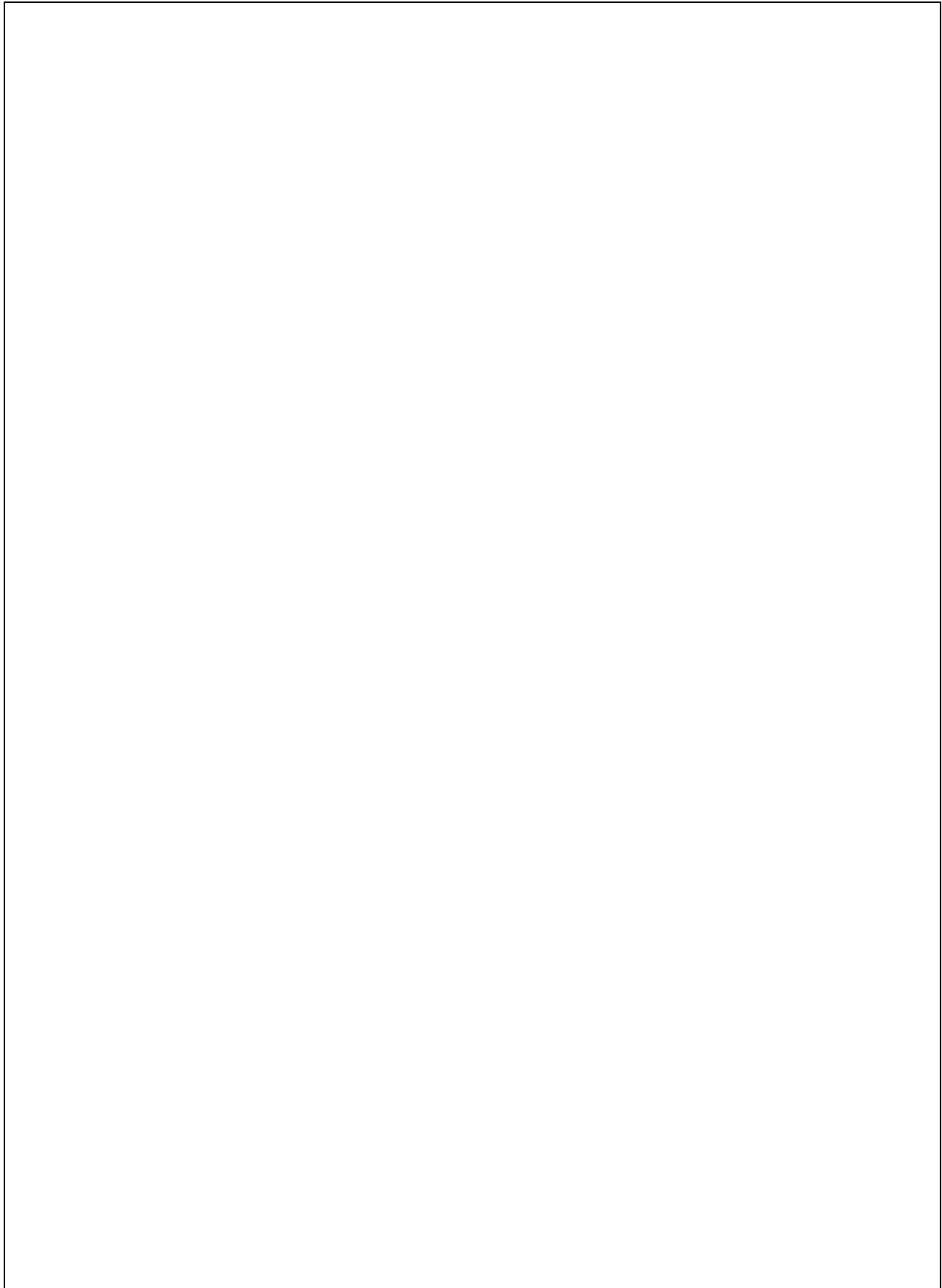
---

**Good of the Order:** None

Next OUNC Board Meeting is Wednesday August 8, 2018 at Eagle Crest Resort in Redmond Oregon.

Micah Brown moved to adjourn the meeting and Lori Koho seconded the motion. **Vote record 07-11-18-07.**

**Meeting Adjourned.**



**Voting Record  
Motion 07-11-18-01**

<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>Y</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>Y</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

**Yes = 13**

**No = 0**

**Not Present = 3**

**Voting Record  
Motion 07-11-18-02**

<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>Y</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>N P</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

**Yes = 12**

**No = 0**

**Not Present = 4**

**Voting Record  
Motion 07-11-18-03**

<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>Y</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>N P</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

**Yes = 12**

**No = 0**

**Not Present = 4**

**Voting Record  
Motion 07-11-18-04**

<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>Y</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>N P</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

**Yes = 12**

**No = 0**

**Not Present = 4**

**Voting Record  
Motion 07-11-18-05**

<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>N P</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>N P</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

**Yes = 11**

**No = 0**

**Not Present = 5**

**Voting Record  
Motion 07-11-18-06**

<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>N P</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>N P</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

**Yes = 11**

**No = 0**

**Not Present = 5**

**Voting Record  
Motion 07-11-18-07**

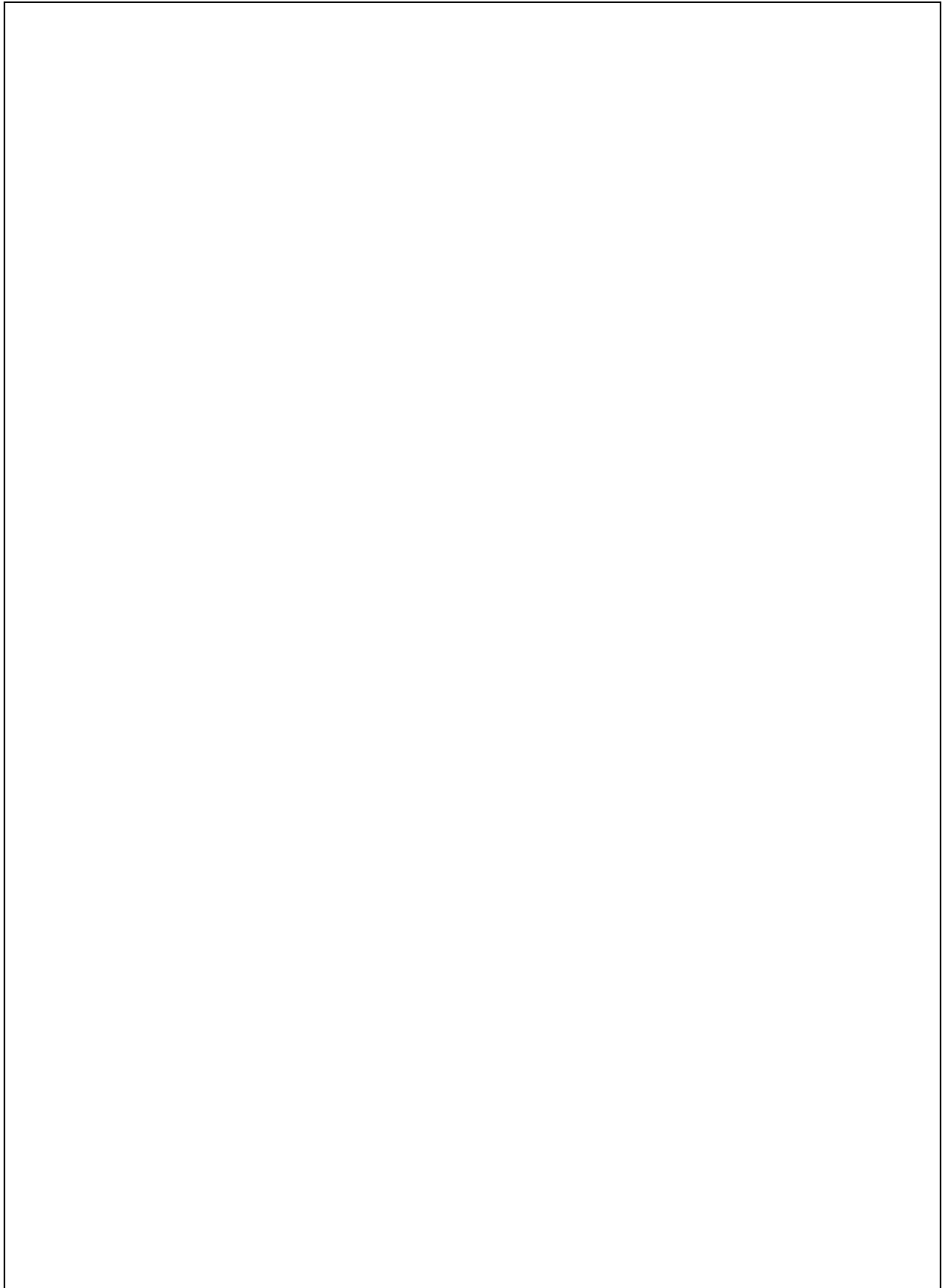
<b>N P</b>	<b>Nathan Rivera</b> Municipal Electric	<b>N P</b>	<b>Chris Grissom</b> Natural Gas Distribution	<b>Y</b>	<b>Micah Brown</b> NULCA	<b>Y</b>	<b>Lori Koho</b> OPUC
<b>N P</b>	<b>Shannon Potter</b> Telecom >50K Access Lines	<b>N P</b>	<b>Nathan Taylor</b> Excavators	<b>Y</b>	<b>Geneece MacKay</b> Regulated Electric	<b>Y</b>	<b>Fred Corona</b> Interstate Natural Gas Pipeline
<b>Y</b>	<b>Joyce Nelsen</b> Regulated Telecom <50K Access Lines	<b>N P</b>	<b>Scott Clement</b> Cities Population >25K	<b>Y</b>	<b>Johnny Sapp</b> ODOT	<b>Y</b>	<b>Mitch Burghlea</b> Cable TV
<b>Y</b>	<b>Ryan Sandhu</b> Special Districts	<b>Y</b>	<b>John Norrena</b> Public Utility Districts	<b>Y</b>	<b>Scott Gallegos</b> OUCC	<b>Y</b>	<b>Tim Smith</b> Cities Population <25K
	<b>Open</b> Counties		<b>Open</b> National Telecom Damage Prevention		<b>Open</b> Electric Cooperatives		<b>Open</b> Telecom Cooperatives
	<b>Open</b> Railroads		<b>Open</b> Contractors				

**Summary**

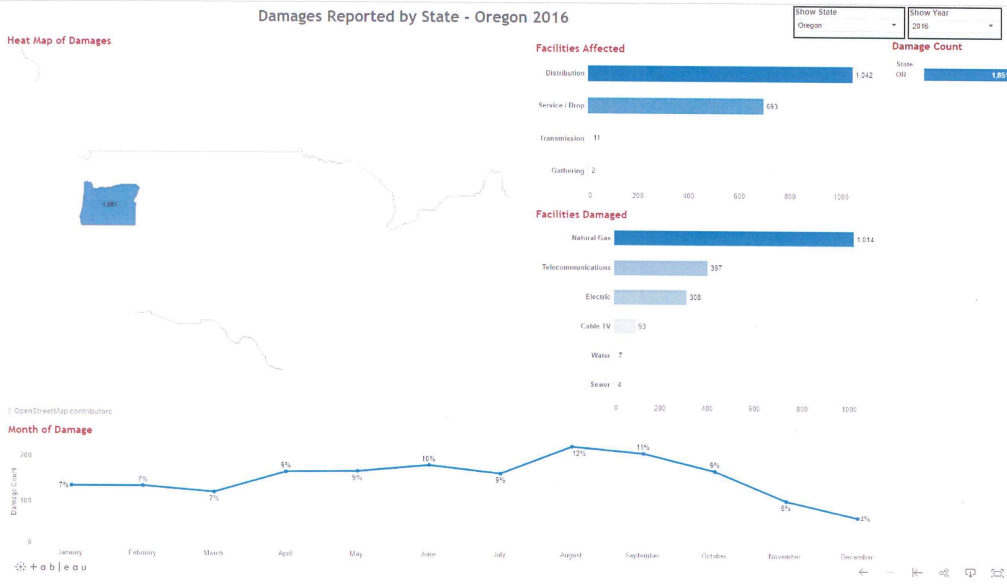
**Yes = 11**

**No = 0**

**Not Present = 5**



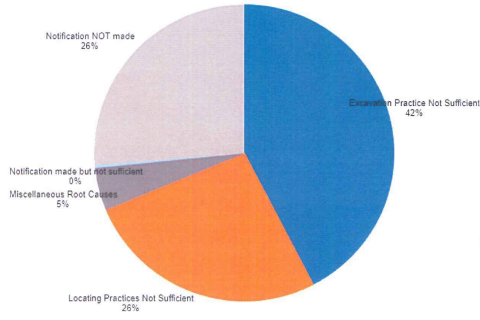
# ATTACHMENT 1



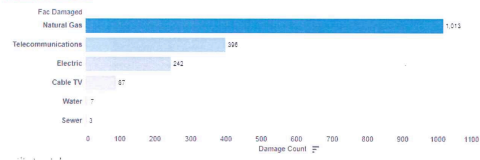
### Damage Cause Analysis - Oregon 2016

Show State: Oregon | Show Year: 2016

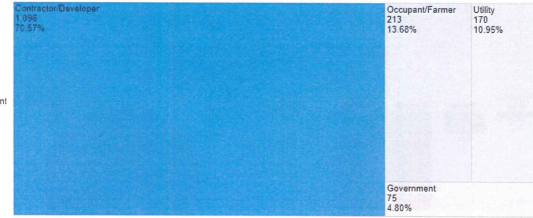
#### Damage Root Cause Group



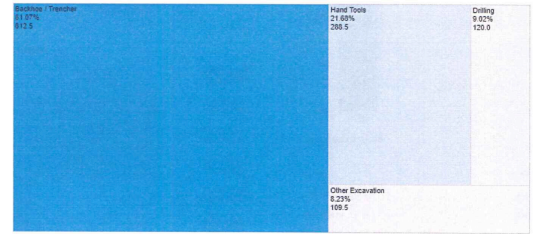
#### Facility Damaged



#### Excavator Type



#### Equipment Type



### Work by Excavator Analysis - Oregon 2016

Show State: Oregon | Show Year: 2016

#### Work Performed by Excavator Type

Work Performed	Excavator Type				Grand Total
	Contractor/Developer	Government	Occupant/Farmer	Utility	
Agriculture	9 Damages 1.9% of Total	1 Damages 0.1% of Total	5 Damages 0.5% of Total	2 Damages 0.2% of Total	17 Damages 1.8% of Total
Construction/Developm.	184 Damages 17.2% of Total	9 Damages 1.0% of Total	36 Damages 3.5% of Total	11 Damages 1.2% of Total	220 Damages 23.0% of Total
Energy	91 Damages 9.3% of Total	1 Damages 0.1% of Total	12 Damages 1.3% of Total	31 Damages 3.4% of Total	135 Damages 14.8% of Total
Fencing	26 Damages 2.1% of Total		11 Damages 1.2% of Total		31 Damages 3.3% of Total
Landscaping	44 Damages 4.8% of Total	1 Damages 0.1% of Total	38 Damages 3.2% of Total		72 Damages 8.1% of Total
Sewer/Water	215 Damages 23.3% of Total	26 Damages 2.8% of Total	28 Damages 3.2% of Total	42 Damages 4.6% of Total	312 Damages 33.9% of Total
Street/Roadway	68 Damages 7.3% of Total	9 Damages 1.0% of Total	11 Damages 1.2% of Total	2 Damages 0.2% of Total	89 Damages 9.7% of Total
Telecom	32 Damages 3.5% of Total	1 Damages 0.1% of Total	3 Damages 0.3% of Total	9 Damages 0.9% of Total	44 Damages 4.8% of Total
<b>Grand Total</b>	<b>641 Damages 69.0% of Total</b>	<b>48 Damages 5.2% of Total</b>	<b>136 Damages 14.8% of Total</b>	<b>96 Damages 10.4% of Total</b>	<b>921 Damages 100.0% of Total</b>

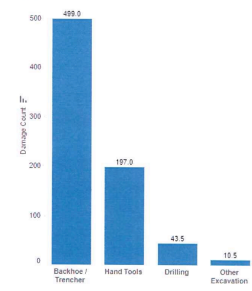
#### Top Three Root Cause Groups

Excavation Practice Not Sufficient	206
Locating Practices Not Sufficient	118
Miscellaneous Root Causes	31

#### Top Three Facilities Damaged

Natural Gas	725.5
Telecommunications	119.0
Electric	46.5

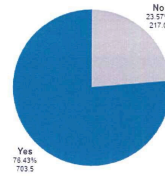
#### Equipment Type



#### Location of Damages



#### Locate Request Made



## ATTACHMENT 2

### OREGON UTILITY NOTIFICATION CENTER

#### DIVISION 1

952-001-0001

##### Adoption of Model Rules

The Attorney General's Model Rules of Procedure under the Administrative Procedures Act, which became effective January 1, 2012, are by this reference adopted as rules of administrative procedure of the Board of Directors for the Oregon Utility Notification Center and are controlling except as otherwise required by statute or rule.

Stat. Auth.: ORS 757.552

Stat. Implemented: ORS 183.341, 757.552

Hist.: OUNC 2-2013, f. & cert. ef. 11-14-13

952-001-0003

##### Permanent Rulemaking Notice

(1) Before permanently adopting, repealing or amending any administrative rule, the Oregon Utility Notification Center (OUNC) will give notice of the proposed action by:

(a) Publishing notice of the rulemaking in the Secretary of State's Oregon Bulletin at least 21 days before the effective date of the rule;

(b) Mailing, electronically mailing, or personally delivering a copy of the notice to persons on the OUNC's applicable rulemaking notification list established per ORS 183.335(8) at least 28 days before the effective date of the rule;

(c) Mailing or electronically mailing a copy of the notice to the legislators specified in ORS 183.335(15) at least 49 days before the effective date of the rule; and

(d) By mailing, e-mailing, or furnishing a copy of the notice to:

(A) The Associated Press; and

(B) Capitol Press Room.

(2) OUNC may update the mailing list annually by requesting persons to confirm that they wish to remain on the mailing list. If a person does not respond to a request for confirmation within 28 days of the date that OUNC sends the request, OUNC will remove the person from the mailing list. Any person removed from the mailing list will be immediately returned to the mailing list upon request, provided that the person provides a mailing address or e-mailing address to which notice may be sent.

Stat. Auth.: ORS 183.341 & 757.552

Stat. Implemented: ORS 183.335 & 757.552

Hist.: OUNC 1-2013(Temp), f. & cert. ef. 11-14-13 thru 5-11-14; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0010

CHMENT 2

#### Definitions

As used in 952-001-0010 through 952-001-0100:

- (1) "Abandoned Facility" means an underground facility that is no longer in service and is physically disconnected from the operating facility that is in service.
- (2) ""Business day"" means any 24-hour day other than a Saturday, Sunday, or federal or state legal holiday as provided in ORS 757.542. A business day begins at 12:00 a.m. and ends at 11:59 p.m.
- (3) "Damage" means harm to, or destruction of underground facilities including, but not limited to, the weakening of structural, lateral or subjacent support; the penetration, impairment or destruction of any coating, housing or other protective device; or the denting of, penetration into or severance of underground facilities.
- (4) "Designer" means any person who prepares a drawing for construction or other project which requires excavation or demolition.
- (5) "Designated Agent" means a person or entity specifically appointed to act for or serve as a representative for another person or entity.
- (6) "Easement" means a nonpossessory interest in the land of another which entitles the holders of an interest in the easement to a private right of way embodying the right to pass across another's land.
- (7) "Emergency" means an occurrence involving an immediate danger, demanding prompt action to prevent loss of life, or to mitigate damage to property, or to prevent interruption of essential public services (as determined by an emergency response agency or the facility operator) or to prevent a customer service outage (as determined by the facility operator).
- (8) "Excavation" means any operation in which earth, rock or other material on or below the ground is moved or otherwise displaced by any means, except sidewalk, road and ditch maintenance less than 12 inches in depth that does not lower the original grade or original ditch flow line. "Excavation" does not include the tilling of soil for agricultural purposes conducted on private property that is not within the boundaries of a recorded right-of-way or easement for underground facilities.
- (9) "Excavator" means any person who engages in excavation.
- ~~(9) "Full Business day" means any 24-hour day beginning at 12:00:00 A.M. and ending at 11:59:59 P.M., 9midnight to midnight other than a Saturday, Sunday or federal or state legal holiday.~~
- (10) "Large area" means a proposed excavation requiring more work or time to locate utility facilities than can reasonably be completed within the parameters of section (1) of 952-001-0050.
- (11) "Locatable underground facilities" means underground facilities which can be marked with reasonable accuracy.
- (12) "Mark" or "marking" means an indication, from the use of stakes, paint or other clearly identifiable material, to show the field location or absence of underground facilities at a proposed work site. A "mark" or "marking" also includes permanent marking devices, such as disks, posts or signs, placed to show the location of underground facilities.
- (13) "Non invasive methods" means using a practice to expose an underground facility that does not damage any part of the facility.

(14) "Notify" means to make known by any reasonable and legal means of communication.

(15) "Operator" means any person, municipal corporation, political subdivision of the state with control over underground facilities. Operator includes any person, as defined in ORS 756.010, having the right to bury underground facilities in any public right-of-way, or in any utility easement.

(16) "Operation" as used in ORS 757.542 (3) means the use of any tools, equipment or explosives. The term includes, but is not limited to, the use of powered and mechanized equipment, hand digging with tools, explosives, grading, trenching, digging, blasting, drilling, backfilling, dragging, augering, hammering, pile driving, plowing-in or pulling-in, test boring, tunneling, scraping, reclamation processes, and milling.

(17) "Oregon Utility Notification Center" (Center) means the state agency that administers a statewide system through which a person can notify operators of underground facilities of proposed excavations and can request that the underground facilities be marked.

(18) "Out-of-service facility" means an underground facility that has not been declared permanently abandoned and may still be connected to a portion of an operating facility that is in service.

(19) "Private property" as used in ORS 757.542(3) means the ownership of property by non-governmental legal entities and public land leased or rented and controlled by private entities for agricultural purposes.

(20) "Project plans" mean any drawings, specifications or any other documents prepared in anticipation of work involving excavation.

~~(21) "Reasonable accuracy" means location, within 24 inches, of the outside lateral dimensions of both all sides of an underground facility.~~

(21)(22) "Response" means action taken by operators of underground facilities to:

(a) Mark or identify by other means the location of its locatable underground facilities in the area of the proposed excavation;

(b) Notify the excavator that there are unlocatable underground facilities in the area of the proposed excavation; or

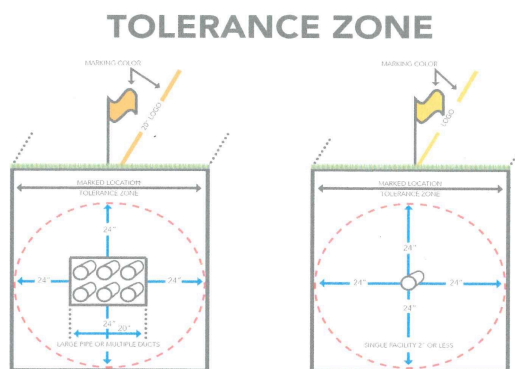
(c) Notify the excavator that there are no underground facilities in the area of the proposed excavation.

~~(22)(23) "Sidewalk, road and ditch maintenance" includes, but is not limited to, ditching, grinding, paving, shoulder maintenance, surveying, or grading. Unless otherwise classified on roadway plans, parallel or lateral ditches constructed as an integral part of the graded roadbed having a continuous slope from the outer limit of the shoulder to the bottom of the ditch to include ditch back slope within right of way will be considered to be within the roadway grading limits and will be part of the work covered by road and ditch maintenance that does not lower the original road grade or the original ditch flow line. For purposes of this definition, the phrase "original road grade" refers to the original elevation of the road before gravel, rock, asphalt, cement, or other materials were applied on the ground to construct or finish a road. For purposes of this definition, the phrase, "original ditch flow line" means the documented or calculated grade between the outlet elevation of a culvert, drainage structure, water source, or place of origin to the inlet elevation of a culvert, drainage structure, water source or place of destination. Also for purposes of this definition, "sidewalk maintenance" includes but is not limited to removal and replacement of a sidewalk that is performed less than 12 inches in depth and does not lower the original grade of the sidewalk.~~

(23) "Ticket life" means the 45-day duration calendar day period after an excavator provides notice to the Oregon Utility Notification Center under OAR 952-001-0050(1) for which a locate request remains legal for excavation and the Center opens a ticket for a locate request based on this notice.

(24) "Tilling" means preparing land for the raising of crops to a depth that does not exceed 18 inches.

(25) "Tolerance zone" means the area within 24 inches surrounding the outside dimensions of all sides of an underground facility. (See Tolerance Zone illustration below.)



(26) "Underground facilities" means items partially or entirely below the surface of the ground for use in connection with the storage or conveyance of electrical energy, water, sewage, petroleum products, gas, gaseous vapors or hazardous liquids, or the transmission of electronic, telephonic, telegraphic or cable communications. Such items include, but are not limited to, pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments and those parts of poles or anchors that are underground.

(27) "Unlocatable underground facilities" mean underground facilities that cannot be marked with reasonable accuracy, including nonconductive sewers and nonmetallic underground facilities that have no trace wires.

Stat. Auth.: ORS 183 & 757

Stats. Implemented: ORS 757.542

Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2000, f. & cert. ef. 8-28-00; OUNC 1-2006, f. & cert. ef. 10-13-06; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0020

Project Plans to Notify Excavator of Requirements of Law

All project plans must contain the following statement:

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0001 through 952-001-0090. You may obtain copies of the rules by calling the center.

NOTE: The telephone number for the Oregon Utility Notification Center is (503) 232-1987).

Stat. Auth.: ORS 757.552  
Stats. Implemented: ORS 757.552  
Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0030

Permits to Notify Excavator of Requirements of Law

Any entity authorized to issue permits for construction which requires excavation must include on such permits the language set out in OAR 952-001-0020.

Stat. Auth.: ORS 757.552  
Stats. Implemented: ORS 757.552  
Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0040

Pre-Marking Required by the Excavator; Exemption

(1) Except as provided in section (2) of this rule, prior to notifying the Oregon Utility Notification Center, an excavator must pre-mark with the color white the immediate area of the proposed excavation within both the public rights-of-way and underground easements.

(2) An excavator need not pre-mark as required in section (1) of this rule if:

(a) The operator can determine precisely the direction, length and location of the proposed excavation by referring to a locate ticket; or

(b) Before the beginning of the proposed project, the excavator and the operator met at the construction site to exchange the information required under section (1) of this rule.

Stat. Auth.: ORS 757.552  
Stats. Implemented: ORS 757.552  
Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0050

Excavator to Give Notice of Proposed Work; Exemption

(1) Except as provided in section (2) of this rule, at least **two full** business days, but not more than **10 full** business days before beginning an excavation, the excavator must notify the Oregon Utility Notification Center of the date and location of the proposed excavation, and the type of work to be performed.

(2) The notice requirement of section (1) of this rule does not apply if the excavation is in response to an emergency, or if all of the following apply:

- (a) The excavator is a tenant or an owner of private property;
- (b) The excavation is on private property of that owner or tenant;
- (c) The excavation is less than 12 inches in depth; and
- (d) The excavation is not within an established easement.

(3) An excavator, when giving notice in compliance with section (1) of this rule, must furnish information as to how the excavator can be contacted.

(4) If an excavator intends to perform work at multiple sites or over a large area, the excavator must take reasonable steps to work with the facility operators, including preconstruction meetings, so that the operators may locate their facilities at a time reasonably in advance of the actual start of excavation for each phase of the work.

Stat. Auth.: ORS 757.552

Stats. Implemented: ORS 757.552

Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2006, f. & cert. ef. 10-13-06; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0060

When Excavator May Give Less than **Forty-Eight (48) Two Full** Business Day **Hour** Notice

An excavator may provide less than **two full** business days **(48 hours)-of** prior notice if:

- (1) The excavator is responding to an emergency, and the excavator notifies the Oregon Utility Notification Center immediately, and the excavator takes reasonable care to protect underground facilities;
- (2) The excavator has an agreement with each operator of underground facilities that marks will be provided on a regular basis as the excavator progresses through a project; or
- (3) The excavator discovers an underground facility in an area where the operator of underground facilities had previously indicated there were no facilities.

Stat. Auth.: ORS 757.552

Stats. Implemented: ORS 757.552

Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0070

Operators to Mark Underground Facilities or Notify Excavator that None Exist

(1) Except as provided in section **(3-2)** of this rule, **Within two full** business days **(48 hours)-after the following the day an** excavator notifies the Oregon Utility Notification Center of a proposed excavation, the operator or its designated agent must:

- (a) Mark with reasonable accuracy **the lateral dimensions of the Tolerance Zone**, all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;

(b) Provide marks to the excavator of the unlocatable underground facilities in the area of proposed excavation, using the best information available including as-constructed drawings or other facility records that are maintained by the facility operator; ~~or~~

(c) Notify the excavator that the operator does not have any underground facilities in the area of the proposed excavation. Acceptable notifications must include locate request call back information and if done with an AVR (Automated Voice Response) must have a repeat option and a call back number to hear the information again.

~~(d) An operator or designated must have a documented agreement or arranged marking schedule, date and time with excavator for marks to be placed that exceed 2 full business days.~~

**(2) An operator or designated agent must comply with the terms of an agreement with the excavator, confirmed in writing by both parties prior to excavation that provides a date and time for the operator to mark facilities within a time period that exceed two business days but does not exceed 10 business days.**

~~(3)(2)~~ Operators of abandoned facilities must mark said facilities to the standards of locatable facilities or unlocatable facilities.

~~(4)(3)~~ An operator must mark any known abandoned underground facility with a capital letter "A" inside of a circle, using the appropriate operator color and identification.

~~(5)(4)~~ An operator of any out-of-service underground facility must mark such facility in the same way it marks an underground facility that is in service.

~~(6)(5)~~ If an excavator uses offset marking, the excavator must correctly measure the amount of offset, so that the excavator can reestablish the location of underground facilities where originally marked.

~~(7)(6)~~ If the excavator notifies the operator of underground facilities discovered during an excavation in response to an emergency, the operator of underground facilities must comply with section (1) of this rule as soon as possible.

~~(8)(7)~~ Underground facilities must be marked using the following color code:

(a) RED — Electric power lines, cables or conduit, and lighting cables.

(b) YELLOW — Gas, oil, steam, petroleum, ~~or other hazardous liquid~~ or gaseous materials.

(c) ORANGE — Communications, ~~cable-TV~~, alarm or signal lines, cables or conduits ~~and fiber~~.

(d) BLUE — Potable Water, ~~irrigation, and slurry lines~~.

(e) GREEN — Sewers, drainage facilities or other drain lines.

(f) WHITE — Pre-marking of the outer limits of the proposed excavation or marking the centerline and width of proposed lineal installations of buried facilities.

(g) PINK — Temporary Survey Markings.

(h) PURPLE — Slurry, **irrigation** and reclaimed **water**.

~~(9)(8)~~ In areas of ongoing excavation or construction, operators must mark newly installed underground facilities immediately upon placement.

~~(10)(9)~~ Except while making minor repairs to existing non-conductive, unlocatable facilities, an operator burying non-conductive, unlocatable facilities within the public rights-of-way or utility easements must place a tracer wire or other similar conductive marking tape or device with the facility to allow for later location and marking.

~~(11)(10)~~ An operator of underground drainage lines is not required to indicate the presence of those underground drainage lines if the existence and route of those drainage lines can be clearly determined from the presence of other visible facilities, such as manholes, catch basins, inlets, outlets, junction boxes, storm drains or permanent marking devices.

~~(12)(14)~~ An operator of underground drainage lines in the area of the proposed excavation must:

(a) Provide the excavator the best available description of the underground drainage lines, including as-constructed drawings or other facility maps maintained by the underground drainage lines operator; or

(b) Contact the person requesting locates, meet with the person or their designee prior to the beginning of the proposed project, and convey the information required under paragraph (a) of this section.

Stat. Auth.: ORS 183 & 757

Stats. Implemented: ORS 757.552

Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; Administrative Reformatting 1-19-98; OUNC 1-2000, f. & cert. ef. 8-28-00; OUNC 1-2006, f. & cert. ef. 10-13-06; OUNC 1-2008, f. & cert. ef. 5-30-08; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0080

#### Operators to Respond to Notifications Requesting Design Information

(1) Within 10 business days after a designer notifies the Oregon Utility Notification Center of a proposed project, the operator of the underground facilities must:

~~(a)(4)~~ Mark with reasonable accuracy all of its locatable underground facilities within the area of proposed excavation. All marks must indicate the name, initials or logo of the operator of the underground facilities, and the width of the facility if it is greater than 2 inches;

~~(b)(2)~~ Provide the excavator the best description available to the operator of the unlocatable underground facilities in the area of the proposed excavation including as-constructed drawings, or other facility maps that are maintained by the facility operator; or

~~(c)(3)~~ Contact the person requesting design information and agree on a time, prior to the beginning of the proposed project, for exchange of the information required under section ~~(a)(4)~~ or section ~~(b)(2)~~ of this rule.

**(2) If a designer intends to perform work at multiple sites or over a large area, the designer must take reasonable steps to work with the facility operators, including preconstruction meetings, so that the operators may locate their facilities at a time reasonably in advance of the actual start of survey or design for each phase of work.**

Stat. Auth.: ORS 757.552  
 Stats. Implemented: ORS 757.552  
 Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0090

Delay of Excavation Until Response from Facility Operators; Duty of Excavator to Use Reasonable Care; Damage to Facilities

(1) An excavator may not begin an excavation which requires notice under these rules until the excavator has received a response from each operator of underground facilities in the area of the proposed excavation, or until at least two **full** business days (**48 hours**) have elapsed **from the time the following the day an** excavator notified the Oregon Utility Notification Center. Example.

Call Timeline:	Date of the call - does not count											
	Waiting period for locates, includes weekends											
	Date when digging may begin											
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	
Mon		1	2	ok								
Tue			1	2	ok							
Wed				1	2	ok						
Thu					1			2	ok			
Fri								1	2	ok		
Sat									1	2	ok	
Sun										1	2	ok

(2) Notwithstanding section (1), if the excavator has agreed to an alternative markings schedule with an operator consistent with OAR 952-001-0070(2), the excavator must allow the operator to mark its facilities consistent with the parties' agreement before beginning an excavation.

(3)(2) Once underground facilities have been marked, the excavator must:

(a) Maintain marks during the excavation period to ensure that the original marks remain effective for the life of the project **and can be re-established** or the ticket life, **whichever is lessor**; the shorter period;

(b) Stop excavating in the vicinity of the underground facility and notify the Oregon Utility Notification Center to have the route remarked as specified in these rules, if prior to or during the excavation process, the marking or route of any underground facility is removed or no longer visible; and

(c) Employ hand tools or other **such** non-invasive methods **either** to determine the exact location of the underground facility **when or down to 24 inches beyond the depth of intended excavation is to be made** within **the reasonable accuracy zone 24 inches of the outside dimensions of a marked underground facility**.

(4)(3) The excavator must provide such lateral and subjacent support for underground facilities as may be reasonably necessary for the protection of such facilities.

(5) **When excavating using horizontal directional drilling, the excavator must visually monitor the drill head and back reamer pass through the tolerance zone.**

(6)(4) If the excavator causes or observes damage to underground facilities, the excavator must notify the operator of the underground facilities immediately. If the damage causes an emergency **or if the damage from excavation activity is to a pipeline and causes the release of any natural gas, other gas or hazardous liquid from the pipeline, the excavator must promptly report the release to appropriate emergency response authorities by calling the 911 emergency telephone number** and must take reasonable steps to **insure ensure** the public safety. The excavator must not bury damaged underground facilities without the consent of the operator of the damaged underground facilities.

(7)(5) If an excavator discovers underground facilities in an area where the operator of the underground facilities had previously stated there were no underground facilities, prior to continuing excavation the excavator must notify the Oregon Utility Notification Center. After providing notification, the excavator must use extreme care in the affected area.

(8)(6) If an excavator is informed that a critical facility, as determined by the operator, is in the area of their excavation and that an operator-provided monitor is required on site during the excavation, the excavator must not begin excavation without that monitor being present or without the facility operator's consent. The scheduling and fulfillment of this monitoring must in no way interfere with or delay the work.

(9) An excavator must not begin an excavation more than 10 business days after providing notice to the Oregon Utility Notification Center of the excavation, or continue excavating at a location following expiration of its ticket life unless the excavator has re-notified the Oregon Utility Notification Center of the excavation as provided in OAR 952-001-0050.

Stat. Auth.: ORS 757.552  
Stats. Implemented: ORS 757.552  
Hist.: OUNC 1-1997, f. & cert. ef. 4-17-97; OUNC 1-2014, f. & cert. ef. 3-7-14

952-001-0100

#### Record Keeping Requirements

(1) Abandoned Facilities: Except as provided in section (3) of this rule, all operators must maintain records, by mapping or other means, of all underground facilities abandoned on or after April 1, 2002, that show:

(a) The location of such facility to the level of detail when abandoned;

(b) The date of abandonment of such facility; and

(c) Whether each such facility is a locatable underground facility or an unlocatable underground facility.

(2) Out-of-Service Facilities: Except as provided in section (3) of this rule, all operators must maintain records, by mapping or other means, of all underground facilities placed in out-of-service status on or after April 1, 2002, that show:

(a) The location of such facility to the level of detail when placed in out-of-service status;

(b) The date of abandonment of such facility; and

(c) Whether each such facility is a locatable underground facility or an unlocatable underground facility.

(3) These record keeping requirements do not apply to operators who provide telecommunications, CATV or electric service for the underground facilities located between the operator's system and the customer's point of service.

Stat. Auth.: ORS 183 & 757

Stat. Implemented: ORS 757.542 - 757.562 & 757.993

Hist.: OUNC 1-2000, f. & cert. ef. 8-28-00; OUNC 1-2014, f. & cert. ef. 3-7-14