

Final Meeting Minutes

OREGON UTILITY NOTIFICATION CENTER BOARD OF DIRECTORS

Meeting Minutes, Clackamas Community College, Wilsonville Training Center – Room 211, 29353 Town Center Loop E,
Wilsonville, OR 97070, July 13, 2016

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

X	Jeff Daniels Natural Gas Distribution	X	Dan Miles Regulated Electric	X	Ron Coffell OUCC	X	Lori Koho OPUC
X	Shannon Davis Telecom >50K Access Lines	X	Russell Thomas Cities Population <25K	X	Trevor Voris Counties	X	Ron Stenger Telecom Cooperatives
X	Joyce Nelsen Regulated Telecom <50K Access Lines	X	Matt Wales Cities Population >25K	X	Ted Miller ODOT	X	Nathan Taylor Excavators
X	Ryan Sandhu Special Districts	X	Troy Rabe Cable TV	X	Tony Schacher Electric Cooperatives	X	Dan Jensen Interstate Natural Gas Pipeline
X	Micah Brown NULCA	X	John Norrena Public Utility Districts	O	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Others in attendance were: Kitty Davis – OUNC, Greg Snyder – OCC, Adam Franco – OCC, Luc Fortier – Pacific Marketing, Johnny Sapp – ODOT, Jarrod Morrison – PGE, Jennifer Carter – Emery & Sons.

Introductions: Jeff Daniels welcomed everyone to the meeting. Introductions were completed.

Plaque Presentation: A plaque was presented to Jennifer Carter for her years of service to the OUNC Board from 2007 - 2014.

Adopt Previous Board Meeting Minutes: Joyce Nelsen moved to accept the minutes as corrected. Tony Schacher seconded the motion. Vote record 07-13-16-01

Committee Report – Contracts Committee: Shannon Davis – Shannon received information from Joyce Nelsen that if only three locator training sessions are done this year then the entire amount of the grant will not be used. Would need to have four training sessions to use entire grant money.

Shannon Davis is the contact name on the Locate Trainer contract but need to have her CenturyLink email and physical address removed per the Boards legal council.

Also, there is a possible issue with OUNC Board Members using their individual company organizations computers, emails, etc.. Even though previously OK'd. Shannon will request Jen Marcantonio with Bent Metal Design (the OUNC web page designer) create an email address for the contracts committee. May need a physical address for mail instead of using the One Call Centers mailing address. Possibly using the PUC physical address. Lori Koho will check on that.

Next item is the Board discussion on the One Call Center Contract. Greg Snyder and Adam Franco, both with One Call Concepts, excused themselves from the meeting so the Board could speak freely on this subject. Kitty Davis took the portion of the minutes starting on the next page. These notes were reviewed by OUNC Board Chair Jeff Daniels before being added.

Contracts Committee- Notes

July 13, 2016

Location: Clackamas Community College

Wilsonville Training Center - Room 211

29353 SW Town Center - Loop E, Wilsonville, OR 973070

Attendees:

Board Members: Jeff Daniels, Shannon Davis, Trevor Voris, Troy Rabe, Ron Stenger, Matt Wales, Tony Schacher, Ryan Sandhu, Russ Thomas, John Norrena, Ron Coffell, Dan Miles, Lori Koho, Micah Brown, Dan Jensen, Nathan Taylor and Ted Miller.

Guests: Jarrod Morrison, Jennifer Carter, Luc Fortier, Kitty Davis and Johnny Sapp.

Discussion of RFP - One Call Center

Shannon Davis chose not to hold a Contracts Committee meeting because she wanted all members to participate as they discuss Texas 811 and One Call Concepts. She put together a number comparison and passed that out to members.

Open discussion followed with some questions for Texas 811: Who runs their creative team? Voice call in ticket; do they have hearing impaired service? Who does invoice and billing? Would a third party need to be hired to handle billing? What cost are complete costs? What is their back up plans? Do they have mobile ITIC or something equivalent? Ask for references. Will they be present at OUNC board meetings?

Shannon will email questions to Texas 811 and give them 2 weeks to answer.

New Business:

-Lori reported she is checking with the state to see what services we have available to the board. Shannon Davis reported she has DAS coming to the next board meeting August 10, 2016 in Salem.

-Tony Schacher asked Shannon to send all board members copies of contract and RFP's.

Open Testimony: None.

OUNC Operations Report:

Greg Snyder advised the Board that Portland Public Schools, under district code PPS01, had completed and returned the form to be removed from the one call system. Greg is also working with OUCC president Ron Coffell to see if any contact information can be found for Connexion Technologies under district code CONNT01. They have an amount owing of \$326.70 and all attempts to reach this member have been unsuccessful. He also advised the Board that the letterhead used to draft this letter contained an incorrect toll free 800 phone number for the One Call Center and provided the correct phone number. The members will check their letterhead to make sure it is correct.

Greg provided all board members present with a copy of the operations report for the month of June 2016. All reports were reviewed. The incoming ticket total for the month was 29,013 which was up 6.63% from 2015. The ITIC percentage was 56.47%. The Average Speed of Answer (ASA) for June was 29 seconds.

OUNC Billing & Aging Report: Greg Snyder provided copies of the billing reports for the month of June 2016. All reports were reviewed. Total revenue for the month was \$33,076.93. The June Aged Report was also distributed.

Jeff Daniels reported that Ruunning Y Ranch has private water and sewer lines that are not part of the One Call System. Jeff will check further with this entity and verify if they have lines in the public right of way or in utility easements and if so, he will email their contact information to the One Call Center. Micah Brown noted that NorPac in Salem, OR is also not registered with the One Call System.

Shannon Davis requested to be provided with the ticket totals for 2015 in each of the four ticket categories, center entered tickets and the three types of ITIC tickets.

Treasurer Report: Joyce Nelsen: Joyce Nelsen reviewed the OUNC Balance Sheet, Profit and Loss Detail and Profit and Loss Budget Performance for the month of June. Shannon Davis made a motion to approve the Treasurers Report for June 2016 as submitted and Trevor Voris seconded the motion. **Vote record 07-13-16-02.**

OUCC Event Trailer – The just completed OUCC Event Trailer made a stop at the OUNC Board Meeting and all Board members were able to view the final product. A flyer on how to become a sponsor and get your company logo adhered to the trailer was passed out – (See Attachment 1 following the voting record)

Board of Directors Officer's Reports:

Chair's Report: Jeff Daniels: Jeff reported that he, Joyce Nelsen, and Lori Koho met with Stacey A Chase from the State of Oregon DAS regarding the new rules requiring the OUNC Board to report on state agencies receivables processes. They need for OCC to start including a Due Date on the OUNC members invoices and they need updated information on OCC's collections practices for delinquent accounts. Greg Snyder will work on the Due Date issue and get the collection practices from the OCC billing department and report back to the OUNC Board at the next meeting.

Vice Chair's Report: Ron Stenger: No report.

Treasurer Report: Joyce Nelsen: No report

Secretary Report: Trevor Voris: Trevor asked that if something specific needs to be on next months meeting agenda to please let him know about two weeks in advance.

PUC Representative Report: Lori Koho: Lori reported that in looking at how to get peoples attention on enforcement for rule violations they did a memorandum of understanding with OSHA as some of the things being brought to them are better handled through OSHA then as a rules violation.

There was also discussion regarding on line training for 811 laws modeled after a State of Virginia system and the roll of the UCC's in training safe digging and the dig laws. Possibly using an on line system as a supplement to the UCC's.

Lori has looked into codes and federal regulations and what is required in a damage prevention program. Lori will put together some information to provide to the Board.

Executive Session: The Board met in Executive Session in accordance with ORS192.660(2)(i) to complete an annual review of the OCC contracted position of Administrative Assistant. This position is held by Kitty Davis.

Ron Stenger made a motion to have OCC increase the hourly wage of Kitty Davis by 3%, retroactive to March 1st 2016. Nathan Taylor seconded the motion. **Vote record 07-13-16-03.**

Committee Reports:

<p>Budget and Audit Committee: Joyce Nelsen: No report</p>

Damage Reporting/Dirt: Lori Koho: Lori Koho and Scott Gallegos with NW Natural Gas met to discuss DIRT. There needs to be a data grant in order to share data. They need additional training to get back data entered. Lori asked if CGA if they could do a webinar on DIRT and they said they could. Lori will try to get this set up. Scott suggested that Dawn Hickson could help with the screen shots. Dan Miles also offered to have a Pacific Power employee with experience on DIRT put together some information and send it on to Lori.

Oregon Administrative Rules (OAR'S) & Tariff: Micah Brown: There was discussion on which committee should work on updating the RAA process.

The 48-hour rule was discussed and a handout with the final revisions was handed out (see Attachment 2 following the voting record). The committee recommends the change to OAR's and FAQ's. There was discussion on the need to get an impact statement, the need for public comment and that the UCC's should be involved with a grass roots approach on education of the rule change. Micah Brown made a motion to accept the corrected changes to the OAR policy changing to 2 full business days. Lori Koho seconded the motion. [Vote record 07-13-16-04](#).

Micah also noted that the 45-day rule was back to the committee and that positive response was not being pursued at this time.

There was discussion on the tariffs and it was asked: What is the balance of funds objective. Are there any other reserves that should be on hand? And the need for a cost holding place for interagency agreement or Executive Administrator. Adam Franco offered to provide information on the latest centers that did analysis for getting a new call center up and running. He has an equation but needs to get the numbers to plug into it.

Policy & Procedures Committee: Matt Wales: Matt reported that the Policy and Procedures Manual was now on the OUNC website for the Members review.

Matt may need to call for a committee meeting to make an edit for Senate Bill #55.

Matt said he might have found someone to be his replacement on the Board.

Publicity Committee: Nathan Taylor: Nathan reported that in terms of the budget, with orders yet to be invoiced, they are at 88½% of the budget. They are suspending tee shirts and sweatshirts in favor of smaller items.

Nathan provided information on a proposal to have Bi-Mart donate \$2,500 for a calendar with pictures drawn by the school children that participated in the dig safe poster-coloring contest. There would need to be other members contributing towards the printing costs. This would need to be completed by October 1, 2016 – approximately five weeks.

Luc Fortier with Pacific Marketing will either stop displaying an item when it is out of stock, or place a banner across the item to let buyers know it is out of stock.

Enforcement: - Lori Koho. Lori handed out a Summary of Findings (see Attachment 3 following the voting record) that does not identify the person or entity involved but does provide information on what was found. The PUC is using enforcement as a tool to get excavators attention.

Lori also passed out the Enforcement Committee's Statement of Purpose (see Attachment 4 following the voting record).

There is a need for Board Members to volunteer to be backups for those that participate in the enforcements actions. Micah Brown, John Norrena, and Tony Schacher may be interested.

The Enforcement Committee will rewrite the RAA process and then submit it to Micah Brown at the OAR Committee for inclusion in the Standards Manual.

Training and Education Committee: Troy Rabe: Troy was not present. It was noted that the new Locator Training Company received good reviews from the last training class.

Ron Stenger made a motion to proceed with the October 2016 training seminar. Tony Schacher seconded the motion. **Vote record 07-13-16-05.**

Membership: Lori Koho: Lori reported that Dan Miles with Pacific Power is the newest Board Member. Dan introduced himself to the Board.

Lori asked if the open Board position of National Telecom Damage Prevention, which was created by the Board, should be removed from the Board. Lori Koho made a motion to eliminate this position. Micah Brown seconded the motion. After discussion the motion was tabled until the next meeting when both Shannon Davis and Joyce Nelsen, who represent the Telecom's interests, can comment.

Russell Thomas said his time available to the Board would be limited starting in November 2016 due to scheduling conflicts. There was discussion on term dates and possible replacements. It was noted that could possibly approach an ODOT Rail person for the open Railroad Board position.

Oregon Utilities Coordinating Council (OUCC) Report: Ron Coffell: There was discussion on the OUCC event trailer that made a visit earlier today. If you find you have extra items after your event please leave them in the trailer for the next user.

Every UCC Council has been provided a power point presentation to use for training, which includes a test. RAA training requires the test be taken, all other training does not require testing. A copy of the test was handed out (see Attachment 5 following voting record).

The next OUCC meeting will be in September 2016 in Lincoln City, OR.

National Industry News: NULCA, CGA, Open Discussion: The Board would like to send someone to the next CGA convention which will be held in Orlando FL.

Old business: None

New Business: None

Good of the Order: Nominations for Executive Board.

Ron Stenger nominated Jeff Daniels for Chair. Russell Thomas seconded the nomination
Tony Schacher nominated Joyce Nelsen for Treasurer. Lori Koho seconded the nomination.
Micah Brown nominated Nathan Taylor as Vice Chair. Tony Schacher seconded the nomination.
Ron Stenger nominated Micah Brown for Vice Chair. Matt Wales seconded the nomination.
Matt Wales nominated Ryan Sandhu for Secretary. Ron Stenger seconded the nomination.
Tony Schacher nominated Trevor Voris for Secretary. Matt Wales seconded the nomination.

Voting will take place at the August 2016 OUNC Board meeting.

The 2017 Meeting Schedule with locations was handed out (see Attachment 6 following the voting records). Lori Koho made a motion to accept the Board meeting schedule and locations. Russell Thomas seconded the motion. [Vote record 07-13-16-06](#)

Next meeting August 10, 2016 at the PUC in Salem.

Ron Stenger made a motion to adjourn the meeting and Tony Schacher seconded the motion. [Vote record 07-13-16-07](#)

Adjourn.

Voting Record
Motion 07-13-16-01

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
Y	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	Y	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	Y	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	Y	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	Y	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 18

No = 0

Not Present = 1

Voting Record
Motion 07-13-16-02

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
Y	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	Y	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	Y	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	Y	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	Y	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 18

No = 0

Not Present = 1

Voting Record
Motion 07-13-16-03

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
N P	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	Y	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
N P	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	Y	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	N P	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	Y	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 15

No = 0

Not Present = 4

Voting Record
Motion 07-13-16-04

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
N P	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	Y	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
N P	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	Y	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	N P	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	N P	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 14

No = 0

Not Present = 5

Voting Record
Motion 07-13-16-05

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
N P	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	N P	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
N P	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	N P	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	N P	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	N P	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 12

No = 0

Not Present = 7

Voting Record
Motion 07-13-16-06

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
N P	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	N P	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
N P	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	N P	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	N P	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	N P	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 12

No = 0

Not Present = 7

Voting Record

Motion 07-13-16-07

Y	Jeff Daniels Natural Gas Distribution	Y	Dan Miles Regulated Electric	Y	Ron Coffell OUCC	Y	Lori Koho OPUC
N P	Shannon Davis Telecom >50K Access Lines	Y	Russell Thomas Cities Population <25K	N P	Trevor Voris Counties	Y	Ron Stenger Telecom Cooperatives
N P	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Matt Wales Cities Population >25K	Y	Ted Miller ODOT	N P	Nathan Taylor Excavators
Y	Ryan Sandhu Special Districts	N P	Troy Rabe Cable TV	Y	Tony Schacher Electric Cooperatives	N P	Dan Jensen Interstate Natural Gas Pipeline
Y	Micah Brown NULCA	Y	John Norrena Public Utility Districts	N P	Nathan Rivera Municipal Electric		
	OPEN Contractors		Open Railroads		Open National Telecom Damage Prevention		

Summary

Yes = 12

No = 0

Not Present = 7



DEAR PROSPECTIVE SPONSOR,

The purpose of this letter is to invite you to join us as a "Contributing Sponsor" for our new 811 Trailer. Recently purchased by the Oregon Utilities Coordinating Council, our trailer will travel the state of Oregon, visiting our local council events to promote public safety and the importance of calling 811 before you dig.

Community events the 811 Trailer is attending already in 2016:

- Pendleton Bike Week
- Bi-Mart Country Music Festivals
- Newberg Old Fashion Festival
- Fun Festival in Coos Bay
- Wasco County Fair

If you are interested in being a Contributing Sponsor, please contact Kitty Davis at kitty@digsafelyoregon.com by September 9, 2016. We are asking a donation of \$1,000 to our non-profit organization. Your company logo will be adhered to the trailer. Size of logo: 18" x 18".

We hope that you will join our partnership!

Sincerely yours,

Executive Board Members
of the OUCC



Attachment 2 – Next page

Reasoning Justification

To provide clarification to the rule as it is now and to guarantee operators two full business days to complete their required notices. The committee believes this was the primary intent of the ORS 757.542 "Business Day" definition.

OAR Rules Draft for (48-hour) Amendment

Proposed amendment changes to pages 14 (2), 19 (1), 20, 21 (1) with adjustments to be made to corresponding sections (6) and (8) on pages 38.

Page 14

952-001-0010 (2)

"Business day" means any 24-hour day other than a Saturday, Sunday, or federal or state legal holiday.

Micha, Brown 4/12/2016 5:27 PM

Comment [1]: Full Business Day means any day beginning at 12:00:00AM and ending at 11:59:59PM (midnight to midnight) other than a Saturday, Sunday, or federal or state legal holiday.

Page 19 (Amendment to be made section one (1) of rule below)

952-001-0050 (1)

(1) Except as provided in section (2) of this rule, at least two (2) business days but no more than ten (10) business days before commencing an excavation, the excavator shall notify the Oregon Utility Notification Center of the date and location of the proposed excavation, and the type of work to be performed.

Micha, Brown 4/12/2016 5:28 PM

Comment [2]: (1) Except as provided in section (2) of this rule, at least two (2) full business days but no more than 10 full business days before commencing an excavation, the excavator shall notify the Oregon Utility Notification Center of the date and location of the proposed excavation, and the type of work to be performed.

Page 20 (Amendment to be made to both definition header and subheading of rule below to remove "48 hours")

952-001-0060

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

Micha, Brown 4/12/2016 5:31 PM

Comment [3]: When Excavator May Give Less than Two (2) full Business Day Notice

An excavator may provide less than two (2) business days ~~(48) hours~~ prior notice if:

Micha, Brown 4/12/2016 5:34 PM

Comment [4]: An excavator may provide less than two (2) full business days prior notice if:

Page 21 (Amendment to remove "48 hours").

952-001-0070

(1) Except as provided in section (3) of the rule, within two business days ~~(48 hours) after the~~ excavator notifies the Oregon Utility Notification Center of a proposed excavation, the operator or its designated agent shall:

Micha, Brown 4/12/2016 5:38 PM

Comment [5]: (1) Except as provided in section (3) of the rule, within two full business days following the day an excavator notifies the Oregon Utility Notification Center of a proposed excavation, the operator or its designated agent shall:

952-001-0090

(1) An excavator shall not commence an excavation which requires notice under these rules until the excavator has received a response from each operator of the underground facilities in the area of the proposed excavation, or until at least two (2) business days have elapsed ~~(48 hours) from the time the~~ excavator notified the Oregon Utility Notification Center.

Michah, Brown 4/12/2016 5:42 PM
Comment [6]: (1) An excavator shall not commence an excavation which requires notice under these rules until the excavator has received a response from each operator of the underground facilities in the area of the proposed excavation, or until at least two (2) full business days have elapsed following the day an excavator notified the Oregon Utility Notification Center.

FAQ 6

When can I start digging after I make the call? May I start my excavation before the two business day deadline?

It is strongly recommended that you wait the full two business day waiting period. This allows all Operators to complete their required responsibilities. If you start before the time you may be accepting liability for damages.

Michah, Brown 4/12/2016 5:43 PM
Comment [7]: It is strongly recommended that you wait the full two business day waiting period following the day of submitting your request. This allows all Operators to complete their required responsibilities. If you start before the time you may be accepting liability for damages.

FAQ 8

If I call for a locate, ~~after 5:00 p.m.~~, will my locate be done in 2 business days/~~48 business hours~~?

The One Call Center ~~business hours are 8:00 a.m. to 5:00 p.m.~~ Any locate requests placed ~~after 5:00 p.m.~~ will be treated as if they were submitted at ~~8:00 a.m.~~ the following business morning. The 2 business day ~~(48 business hours)~~ waiting period begins at that time.

Michah, Brown 6/8/2016 2:47 PM
Comment [8]: The One Call Center observes the waiting period to be 2 full business days following the day a locate request is submitted. Any locate requests placed will be treated as if they were called in at 12:00 A.M. the following business morning. The two 2 full business day waiting period begins at that time.

ATTACHMENT 3 – NEXT PAGE

Summary of Findings

PUC NC 2016-08

Stakeholder	Contractor/Developer	Work Type	Construction Development		
Equipment	Track hoe				
Facility Type	Natural Gas	Damage to Facility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Date of Violation	May 13, 2016				
Location of Violation	61310 Meeks Trail, Bend OR				
Civil Penalties	\$1,000	Suspended	80%	Suspension Period	1 year
Training Required	OUNC	Operator Trainer Provided By	Cascade Natural Gas		

OAR Citations
952-001-0090(2)(a)(c)
Excavator to Give Notice of Proposed Work; Exemption
(2) Once underground facilities have been marked, the excavator must: <ul style="list-style-type: none"> (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; (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 to determine the exact location of the underground facility when excavation is to be made within the reasonable accuracy zone.

The following are Common Ground Alliance (CGA) Best Practices are topic highlights that present themselves during an investigation. These are intended be complimentary and presented as general guidance to mitigate risks. It should not be assumed the following would ensure compliance with regulations. The investigative committee recommends consulting and considering employer practices, industry practices, federal and state statutes and regulations, building and fire codes, and local laws, regulations and ordinances.

CGA - Best Practices
5.11
Locate Verification
An excavator uses dated pictures, videos, or sketches with distance from markings to fixed objects recorded, to document the actual placement of markings.
5.17
Marking Preservation
The excavator protects and preserves the staking, marking, or other designation of underground facilities until no longer required for proper and safe excavation. The excavator stops excavating and notifies the one call center for re-marks if any facility mark is removed or is no longer visible.
5.20
Excavation with Tolerance Zone
When excavation is to take place within the specified tolerance zone, the excavator exercises such reasonable care as may be necessary for the protection of any underground facility in or near the excavation area. Methods to consider, based on certain climate or geographical conditions, include hand digging when practical (pot holing), soft digging, vacuum excavation methods, pneumatic hand tools, other mechanical methods with the approval of the facility owner/operator, or other technical methods that may be developed. Hand digging and non-invasive methods are not required for pavement removal.

Summary of Findings

PUC NC 2016-09

Stakeholder	Contractor/Developer	Work Type	Construction Development		
Equipment	Track hoe				
Work Facility	Natural Gas	Damage to Facility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Date of Violation	April 12, 2016				
Location of Violation	1271 Hudspeth Cir., Prineville OR				
Civil Penalties	\$1,000	Suspended	80%	Suspension Period	1 year
Training Required	OUNC	Operator Trainer Provided By	Cascade Natural Gas		

OAR Citations

952-001-0090(2)(c)

Excavator to Give Notice of Proposed Work; Exemption

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

(c) Employ hand tools or other such non-invasive methods to determine the exact location of the underground facility when excavation is to be made within the reasonable accuracy zone.

The following are Common Ground Alliance (CGA) Best Practices and topics that present relevance in advancing the safety message during an investigation. These are intended to be complimentary and presented as general guidance to mitigate risks. It should not be assumed the following would ensure compliance with regulations. It's recommended that you should consult and consider employer practices, industry practices, federal and state statutes and regulations, building and fire codes, and local laws, regulations and ordinances.

CGA - Best Practices

5.20

Excavation with Tolerance Zone

When excavation is to take place within the specified tolerance zone, the excavator exercises such reasonable care as may be necessary for the protection of any underground facility in or near the excavation area. Methods to consider, based on certain climate or geographical conditions, include hand digging when practical (pot holing), soft digging, vacuum excavation methods, pneumatic hand tools, other mechanical methods with the approval of the facility owner/operator, or other technical methods that may be developed. Hand digging and non-invasive methods are not required for pavement removal.

Summary of Findings

PUC NC 2016-10

Stakeholder	Contractor/Developer	Work Type	Construction Development		
Equipment	Mini Excavator				
Facility Type	Natural Gas	Damage to Facility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Date of Violation	April 22, 2016				
Location of Violation	20835 Gateway Dr., Bend OR				
Civil Penalties	\$2,000	Suspended	80%	Suspension Period	1 year
Training Required	OUNC	Operator Trainer Provided By	Cascade Natural Gas		

OAR Citations
<p>952-001-0050 Excavator to Give Notice of Proposed Work; Exemption (1) Except as provided in section (2) of this rule, at least 2 business days, but not more than 10 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.</p>
<p>952-001-0090 Delay of Excavation Until Response from Facility Operators; Duty of Excavator to Use Reasonable Care; Damage to Facilities (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; (c) Employ hand tools or other such non-invasive methods to determine the exact location of the underground facility when excavation is to be made within the reasonable accuracy zone.</p>

The following are Common Ground Alliance (CGA) Best Practices and topics that present relevance in advancing the safety message during an investigation. These are intended be complimentary and presented as general guidance to mitigate risks. It should not be assumed the following would ensure compliance with regulations. It's recommended that you should consult and consider employer practices, industry practices, federal and state statutes and regulations, building and fire codes, and local laws, regulations and ordinances.

CGA - Best Practices
<p>5.1 One Call Facility Locate Requests The excavator requests the location of underground facilities at each site by notifying the facility owner/operator through the one call center. Unless otherwise specified in state/provincial law, the excavator calls the one call center at least two working days and no more than ten working days prior to beginning excavation.</p>
<p>5.17 Marking Preservation The excavator protects and preserves the staking, marking, or other designation of underground facilities until no longer required for proper and safe excavation. The excavator stops excavating and notifies the one call center for re-marks if any facility mark is removed or is no longer visible.</p>
<p>5.20 Excavation with Tolerance Zone When excavation is to take place within the specified tolerance zone, the excavator exercises such reasonable care as may be necessary for the protection of any underground facility in or near the excavation area. Methods to consider, based on certain climate or geographical conditions, include hand digging when practical (pot holing),</p>

Summary of Findings

PUC NC 2016-14

Stakeholder	Contractor/Developer	Work Type	Construction Development		
Equipment	Mini Excavator				
Facility Type	Natural Gas	Damage to Facility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Date of Violation	May 12, 2016				
Location of Violation	61000 Sweet Pea Dr., Bend OR				
Civil Penalties	\$2,000	Suspended	80%	Suspension Period	1 year
Training Required	OUNC	Operator Trainer Provided By	Cascade Natural Gas		

OAR Citations
952-001-0050 Excavator to Give Notice of Proposed Work; Exemption (1) Except as provided in section (2) of this rule, at least 2 business days, but not more than 10 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.
952-001-0090(2)(c) Excavator to Give Notice of Proposed Work; Exemption (2) Once underground facilities have been marked, the excavator must: (c) Employ hand tools or other such non-invasive methods to determine the exact location of the underground facility when excavation is to be made within the reasonable accuracy zone.

The following are Common Ground Alliance (CGA) Best Practices and topics that present relevance in advancing the safety message during an investigation. These are intended to be complimentary and presented as general guidance to mitigate risks. It should not be assumed the following would ensure compliance with regulations. It's recommended that you should consult and consider employer practices, industry practices, federal and state statutes and regulations, building and fire codes, and local laws, regulations and ordinances.

CGA - Best Practices
5.1 One Call Facility Locate Requests The excavator requests the location of underground facilities at each site by notifying the facility owner/operator through the one call center. Unless otherwise specified in state/provincial law, the excavator calls the one call center at least two working days and no more than ten working days prior to beginning excavation.
5.20 Excavation with Tolerance Zone When excavation is to take place within the specified tolerance zone, the excavator exercises such reasonable care as may be necessary for the protection of any underground facility in or near the excavation area. Methods to consider, based on certain climate or geographical conditions, include hand digging when practical (pot holing), soft digging, vacuum excavation methods, pneumatic hand tools, other mechanical methods with the approval of the facility owner/operator, or other technical methods that may be developed. Hand digging and non-invasive methods are not required for pavement removal.

Summary of Findings

PUC NC 2016-15

Stakeholder	Contractor/Developer	Work Type	Construction Development		
Equipment	Mini Excavator				
Facility Type	Natural Gas	Damage to Facility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Date of Violation	April 14, 2016				
Location of Violation	17963 Chaparrel Dr., Powell Butte OR				
Civil Penalties	\$1,000	Suspended	80%	Suspension Period	1 year
Training Required	OUNC	Operator Trainer Provided By	Cascade Natural Gas		

OAR Citations
<p>952-001-0050 Excavator to Give Notice of Proposed Work; Exemption (1) Except as provided in section (2) of this rule, at least 2 business days, but not more than 10 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.</p>

The following are Common Ground Alliance (CGA) Best Practices and topics that present relevance in advancing the safety message during an investigation. These are intended be complimentary and presented as general guidance to mitigate risks. It should not be assumed the following would ensure compliance with regulations. It's recommended that you should consult and consider employer practices, industry practices, federal and state statutes and regulations, building and fire codes, and local laws, regulations and ordinances.

CGA - Best Practices
<p>5.1 One Call Facility Locate Requests The excavator requests the location of underground facilities at each site by notifying the facility owner/operator through the one call center. Unless otherwise specified in state/provincial law, the excavator calls the one call center at least two working days and no more than ten working days prior to beginning excavation.</p>
<p>5.2 White Lining When the excavation site cannot be clearly and adequately identified on the locate ticket, the excavator designates the route and/or area to be excavated using white premarking prior to the arrival of the locator.</p>

Summary of Findings

PUC NC 2016-16

Stakeholder	Contractor/Developer	Work Type	Construction Development	
Equipment	Track hoe			
Facility Type	Natural Gas	Damage to Facility	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Date of Violation	May 13, 2016			
Location of Violation	60876 Garrison Dr., Bend OR			
Civil Penalties	\$1,000	Suspended	80%	Suspension Period 1 year
Training Required	OUNC	Operator Trainer Provided By	Cascade Natural Gas	

OAR Citations
952-001-0050
Excavator to Give Notice of Proposed Work; Exemption
(1) Except as provided in section (2) of this rule, at least 2 business days, but not more than 10 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.

The following are Common Ground Alliance (CGA) Best Practices and topics that present relevance in advancing the safety message during an investigation. These are intended to be complimentary and presented as general guidance to mitigate risks. It should not be assumed the following would ensure compliance with regulations. It's recommended that you should consult and consider employer practices, industry practices, federal and state statutes and regulations, building and fire codes, and local laws, regulations and ordinances.

CGA - Best Practices
5.1
One Call Facility Locate Requests
The excavator requests the location of underground facilities at each site by notifying the facility owner/operator through the one call center. Unless otherwise specified in state/provincial law, the excavator calls the one call center at least two working days and no more than ten working days prior to beginning excavation.
5.2
White Lining
When the excavation site cannot be clearly and adequately identified on the locate ticket, the excavator designates the route and/or area to be excavated using white premarking prior to the arrival of the locator.

ATTACHMENT 4 – NEXT PAGE



Oregon

Kate Brown, Governor

Oregon Utility Notification Center

305 NE 102nd Ave. Ste 300

Portland, OR 97220-4170

503-232-1987



OUNC Enforcement Committee

Statement of Purpose

Proposed:

The Enforcement Committee works with the PUC and reviews the facts from enforcement actions to determine the effectiveness of the administrative rules, public awareness and training programs in preventing damage to underground facilities. Based on that analysis, the Enforcement Committee makes recommendations to the board to modify rules and programs that will improve outcomes.

Current:

The Enforcement Committee is the focal point that brings three state agencies, the Oregon Public Utility Commission (PUC), the Oregon Department of Justice (DOJ) and the Oregon Utility Notification Center (OUNC) together for enforcement of the Oregon Excavation laws. The PUC has sole responsibility for assessing civil penalties for violations of the excavation laws, and acts in concert with the DOJ in processing the stipulations and other documents necessary for resolving the violations. The PUC then processes and serves the final order that assesses the amount of the civil penalties, and provides for the collection of civil penalties, as necessary. The OUNC Enforcement Committee assists the PUC and DOJ by providing an informal meeting between alleged violators and the complainants, in an effort to resolve the cases with the least cost and stress for all parties involved. Recommendations from the informal meeting are then forwarded to the OPUC for final action and processing.

July 12, 2016

ATTACHMENT 5 – NEXT PAGE

OREGON ADMINISTRATIVE RULES
CHAPTER 952, DIVISION 1
TEST

In today's construction and development environment, most if not all utilities are being placed underground. Not only is it for convenience and protection, but for aesthetics and conservation. With the dramatically increasing demand for all types of underground utility services, the danger of hitting those buried facilities is increasing as well.

It is imperative that we all call for locates at least two (2) business days before starting any excavation and it is equally important that we hand expose to prevent damaging underground facilities.

Senate Bill-559 was developed under the auspices of the Oregon Utilities Coordinating Council (OUCC) to protect the public, the excavators, and the buried facilities.

The 1995 Oregon Legislature passed SB-559 into law and created the Oregon Utility Notification Center (OUNC) as a new state agency. The governor-appointed Board of Directors was given the authority to adopt Oregon Administrative Rules to implement the new excavation laws. This established the creation of a single statewide one-call center with a single toll-free number for access to the center throughout the State of Oregon. The OUNC Board contracts with a private vendor to run the one-call center.

SB-559 has made it mandatory for all operators of underground facilities in public right-of-way or utility easements to register those facilities with the OUNC. Operators of underground facilities that have not registered their facilities with the OUNC are responsible for damage to their own facilities and can be held liable for product loss, and personal injury. SB-559 also established civil penalties for those failing to comply with the Oregon excavation laws. Those failing to comply with the excavation laws will be faced with the following penalties:

First offense: Up to \$1,000.00

ORS 757.993(1)

1. Penalties start at 50% paid and 50% suspended with no further violations for one-year of probation, or
2. Negotiated to 20% paid and 80% suspended with an educational component and one-year probation.

Second offense: Up to \$5,000.00

ORS 757.993(1)

1. Start at 50% paid and 50% suspended with no further violations for one-year of probation, or
2. Negotiated to 20% paid and 80% suspended with and educational component and one-year probation.

In addition to the penalties described above, "... every person who intentionally violates or who intentionally procures, aids or abets in the violation of any rule of the Oregon Utility Notification Center shall incur a penalty of not more than \$5,000 for the first violation and not more than \$10,000 for each subsequent violation". ORS 757.993(2)

The following test is part of the educational component as stipulated in the negotiated agreement with the Oregon Public Utility Commission (OPUC). Person/s taking this test must pass the test with a correct answer score of at least 70%. All of the questions are taken from the OUCC's "Standards Manual" which is provided with the test. This is an open book test. It is advised that you read the manual thoroughly before taking the test.

7. Once, underground facilities have been marked by the operator, the excavator shall maintain the marks during the excavation period to ensure that the original marks remain effective for the life to the project, and can be re-established.
 - a. True
 - b. False
8. An operator is to notify the excavator that the operator does not have any underground facilities in the area of the proposed excavation. This can be done by phone, in person, or by marking on the ground in the area of excavation.
 - a. True
 - b. False
9. An excavator may give less than two business days notice if the excavator is responding to an emergency.
 - a. True
 - b. False
10. An emergency is?
 - a. Scheduled excavation work that has to be completed within twenty-four (24) hours.
 - b. Unscheduled excavation work that has to be completed within twenty-four (24) hours.
 - c. Excavation work 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, or to prevent a customer service outage.
 - d. Excavation work that has to be done and the excavator doesn't have time to give two business days notice.
11. An Operator burying non-conductive, unlocatable facilities within public rights-of-way or utility easements shall place a tracer wire or other similar conductive marking tape or device with the facility to allow for later location and marking.
 - a. True
 - b. False
12. An excavator may bury damaged underground facilities without the consent of the operator if the facilities appear to be undamaged.
 - a. True
 - b. False
13. An excavator can start his excavation before the two business days are up, if he has received a response from each operator of underground facilities in the area of the proposed excavation.
 - a. True
 - b. False
14. Prior to notifying the Oregon Utility Notification Center, an excavator shall pre-mark with the color _____ the immediate area of the proposed excavation within both the public rights-of-way and underground easements.
 - a. Red
 - b. Blue
 - c. White
 - d. Green
 - e. Yellow

15. An excavator is to give notice of proposed work at least two (2) business days, but not more than _____ business days before commencing an excavation.
- a. 5
 - b. 7
 - c. 10
 - d. 15
 - e. 30
16. Who is responsible for requesting locates for a project involving more than one contractor?
- a. General contractor
 - b. Sub Contractor
 - c. Whoever is doing the actual excavating
 - d. a.or b.
17. In areas of on-going excavation or construction, newly installed underground facilities shall be marked immediately upon placement.
- a. True
 - b. False
18. The excavator shall provide such lateral and subjacent support for underground facilities as may be reasonably necessary for the protection of such facilities.
- a. True
 - b. False
19. Are operators required to use only paint to mark their facilities?
- a. Yes
 - b. No
20. Are blasting, core drilling and well drilling considered excavation activities that require calling for locates?
- a. Yes
 - b. No

ATTACHMENT 6 – SEE NEXT PAGE

LOCATIONS & COST\$ FOR 2017

<u>Location</u>	<u>Room Rates: per diem + tax</u>	<u>Meeting Room Rental Cost</u>
January 11th PUC - Salem		
February 8th NWN Training Center, Sherwood 7 & 8th Locate Training Seminar Comfort Inn & Suites 3.3 miles to NW Training Center	\$89.99 per night	Meeting rooms are reserved Catering provided by NWN food truck or Dalton's Catering
March 8th <i>Committee Meeting</i> open for discussion		
April 12th Albany - NWN		Meeting room is reserved
May 10th Medford-Inn at the Commons 9 & 10th- Locate Training Seminar	\$89.00 per night	Catering provided by Inn at the Commons Rate for 2 meeting rooms \$500 <i>2nd day free</i>
June 14th <i>Committee Meeting</i> , open for discussion		

July 12th Hood River Hood River Inn - Best Western	\$129 per night They do not offer per diem rates during their peak season	Rate for one meeting room \$250
Hampton Inn	\$139 per night	Rate for one meeting room \$250
August 9th Wilsonville Training Center		
September 13th <i>Committee Meeting</i> open for discussion		
October 11th Hermiston - Event Center 10 & 11th Locate Training Seminar Best Western - 3 blocks from Event Center Holiday Inn Express - opening Sept. 2016 Oxford Suites	\$89 per night \$89 per night \$89 per night	Rate for 2 meeting rooms \$250
November 8th PUC-Salem		
December 13th <i>Committee Meeting</i> open for discussion		

Government Per Diem Rates will go up in 2017. Rates have not been adjusted yet.