

**BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI**

In the Matter of a Repository Docket for     )	
Materials Relating to the Underground     )	Case No. GW-2010-0120
Facility Damage Prevention Project.     )	

**COMMENTS OF CITY UTILITIES OF SPRINGFIELD  
ON POTENTIAL CHANGES TO CHAPTER 319 RSMO**

At the recent Roundtable held in the above-captioned proceeding, the Staff of the Missouri Public Service Commission (Staff) requested that interested participants provide comments regarding potential changes to the provisions of Chapter 319 RSMo. To that end, City Utilities of Springfield submits the following comments. City Utilities of Springfield, Missouri is a municipal utility system governed by the Board of Public Utilities. City Utilities is responsible for the generation, transmission and distribution of electric power; the acquisition, transportation and distribution of natural gas; and the acquisition, treatment and distribution of water; plus the operation of the bus transportation system. City Utilities of Springfield also owns and operates an extensive telecommunications system that not only serves its internal communication needs but provides non-switched local exchange and intrastate interexchange services to several major customers. City Utilities' service territory covers approximately 320 square miles which includes all of the City of Springfield, and portions of Greene and Christian counties. City Utilities also has facilities in Dade and Polk Counties.

City Utilities of Springfield agrees that excavation related damages to underground utility facilities constitute the single greatest threat to utility service and safety. To this end City Utilities of Springfield has participated in Common Ground Alliance. City Utilities (CU) was one of the original members of Missouri Common

Ground Alliance and CU participates in the only active regional common ground alliance in the State. CU has reduced excavated related damages in each of the last five years. CU has accomplished this by fostering a partnership between the excavator, the locator and CU.

### **319.015 (ticket life)**

Section 319.015 proposes to establish a life of a ticket. Currently the life of the ticket, once issued and marked, allows the excavator to continue to excavate as long as the paint marks are still visible. The proposed change would introduce two types of tickets; fifteen working days and an extended excavation project with a life of 30 working days as long as the paint marks are still visible. City Utilities sees no benefit in having two types of tickets. Once excavators start receiving invoices for damages after 15 working days, every ticket will become a project ticket. CU recommends the selection of one type of ticket with a life of 30 working days.

### **319.026 (completion ticket)**

The proposed change will require the excavator to notify Missouri One Call once the excavator has completed its excavation, including a reference to the locate request ticket number for the original notice of intent to excavate. CU recommends the rejection of this provision as unnecessary and costly. With the life of ticket established at 30 working days, the excavator will serve notice that construction has been completed by not calling in another ticket. In calendar year 2008, CU received 31,400 locate requests from Missouri One Call. Assuming that 43% of all the locate requests received by CU, are either CU doing the excavation or are contractors working for CU, CU would be notifying CU 13,500 times that CU has completed its excavation. CU's ticket volume

would double with no benefit to CU. The cost of additional programming, manpower, and notification costs makes this section too costly to member utilities.

**319.030 (positive response by facility owners that facilities have been marked)**

CU recommends member utilities reporting back to the call center, then the excavator viewing his/her ticket on-line to see if all member utilities have responded.

**319.032 (locating sewer laterals)**

CU views this change as positive and we support the concept. However, CU does not support allowing the sewer operator to avoid liability for damages when they do not know where their connections are.

**319.055 (need for miscellaneous damage related data)**

Collecting data concerning ticket volume, type of ticket, and damages submitted to the PSC by February 28<sup>th</sup> of each year. CU already submits this information for it's Natural Gas operations to the PSC on an annual basis. CU recommends the PSC require all information to be submitted through the Common Ground Alliance's Damage Information Reporting Tool (DIRT). This may provide the PSC with the basic type of data they are looking for and since the DIRT program is used nationally; performance comparisons and program effectiveness could be measured more easily with other regions of the country.

**319.060 (performance measures and quality assurance programs for locating services)**

City Utilities recommends the establishment of locating measurements for locating companies and member utilities. The quality of the locate does make a difference in damage prevention and construction productivity. However CU believes this section

needs to be further defined as to what exactly the performance measures will be and stated in the states statute.

#### **319.065 (damage prevention review board)**

The purpose of this review board would be to arbitrate issues between the excavator and member utility and to make recommendations concerning provisions of section 319.010 through 319.070. The members of the review board are from various stake holders throughout the State of Missouri. City Utilities recommends requiring any member of the review board that is a facility owner or operator, must also be a member of Missouri One Call.

#### **319.070 (underground facility to be locatable)**

Underground facilities as defined in section 319.015 shall be installed in such a manner as to be locatable through the use of electronic locating equipment, or the location of the facilities shall be documented on an as-built drawing. Several of CU facilities are locatable by assigning state plane coordinates to points on the underground facility. CU recommends that another option be added to locate underground facilities by state plane coordinate points. Failure to comply with this section shall not be a defense to any civil or criminal action or proceeding against an excavator for damage to an underground facility or failure to comply with this chapter, provided that the approximate location of the underground facility was correctly marked in accordance with the provisions of this chapter.