



Missouri One Call System, Inc.

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November 3, 2009

Steven C. Reed
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, MO 65102-0360

Dear Secretary Reed,

On behalf of the 1,235 members of Missouri One Call System, Inc., I would like to make the following remarks concerning the proposed changes to RSMo 319 presented by the Commission staff on October 21, 2009.

Missouri One Call System appreciates the opportunity to discuss any and all possible changes to the legislation that pertains to operation of the state wide call center and its members. My remarks are limited to those proposed changes that directly affect the call center at this time.

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 MISSOURI ONE CALL SYSTEM, INC.

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, Missouri One Call System, Inc. (MOCS) submits the following comments:

MOCS is a non-profit organization operated by the underground facility owners in the State of Missouri. MOCS came into existence in 1989 and has operated as the one call locate request center from that date to the present. MOCS handles in excess of 650,000 requests by excavators annually and forwards notifications to its members in excess of 3.5 million annually.

MOCS is governed by a Board of Directors made up of its members with three non-voting members representing the excavation, building and engineering communities.

MOCS has two objectives; the first is to receive excavation requests from the excavation community and disseminate those requests to its members. The second is to educate the excavating community, the general public and its membership as to the importance and essential need of making a request for marking underground facilities prior to beginning an excavation.

MOCS believes that the proposed changes to 319 need further discussion and analysis prior to being submitted for possible legislative action. The items noted below would have considerable affect on our membership,

319.026 proposed Section 9. A completion of the excavation response should be rejected as it would not advance the safety of the excavation site. The same result could be accomplished using other methods. The increased financial burden to the underground facility community, who are members of Missouri One Call System, would be above seventy-five percent in their costs to MOCS due to the requirement of sending the additional notifications.

319.030 proposed Section 9. This section needs to be rejected as it is a duplication of existing requirements.

319.055 proposed Section 2. The requirement of the call center to provide real time notices of any infraction to 319.010 – 319.070 is a duplication of a complaint as the injured party would make a complaint and the call center may not have the information to make a complaint. MOCS would not be opposed to assisting in the investigation process if asked or required by either the member or the excavator. The requirement of making MOCS report individual infractions would be a conflict of interest between MOCS and its membership.

MOCS has identified other changes, working day, exemptions from making a request, and outdated language that while not affecting MOCS directly, may affect its members in a negative manner, thus affecting MOCS in the future.

Respectfully Submitted

John Lansford
Executive Director
Missouri One Call System