

**DIRECT TESTIMONY**

of

**TED ANDERSEN**

Special Claims Investigator

North Shore Gas Company

Peoples Energy Corporation

On Behalf of the  
Illinois Commerce Commission

**Illinois Commerce Commission vs. Quality Saw & Seal, Inc.**

Docket No. 05-0407

August 3, 2005

1 **Q. Please state your name and business address.**  
2 A. Ted Andersen, 3001 Grand Avenue, Waukegan, IL 60085

3  
4 **Q. By whom are you employed and what are your current duties?**

5 A. I am a Special Claims Investigator for North Shore Gas Company ("North Shore") a  
6 subsidiary of Peoples Energy Corporation ("Peoples").

7  
8 **Q. Please state your work history**

9 A. I have had claim-related responsibilities with Peoples since 1987. As a Special  
10 Claims Investigator, I am responsible for all North Shore claim matters including the  
11 investigation of damage to North Shore facilities as well as claims made by others  
12 against North Shore.

13  
14 **Q. On whose behalf are you testifying?**

15 A. I am testifying on behalf of the Staff of the Illinois Commerce Commission ("Staff").

16  
17 **Q. What is the purpose of your testimony?**

18 A. My testimony will describe the events if which I have knowledge of and contacts I  
19 have had with the Respondent, Quality Saw & Seal, Inc. ("Quality") with respect to  
20 the August 10, 2004, incident described in the Initiating Order in this docket.

21  
22 **Q. Did Quality provide notice to North Shore of excavation it was to perform at  
23 2180 Kipling Lane, Highland Park Illinois, on August 10, 2004?**

24 A. No. However, North Shore was notified of planned street excavation by  
25 Chicagoland Paving on August 4, 2004. Dig number 2172767 was called in to  
26 JULIE on August 4, 2004, at 2:59:09 p.m. The extent of the locate on this ticket  
27 included the area where Quality damaged North Shore's gas facility. A copy of  
28 locate request #2172767 is attached to this testimony as ICC Staff Exhibit 2.1

29  
30 **Q. Did North Shore respond to this locate request and mark its facilities at 2180  
31 Kipling Lane?**

32 A. Yes. The service was marked prior to the damage to the gas service. However,  
33 this was an on-going project so the exact time the service was marked is not  
34 possible to determine.

35

36 **Q. Please describe the underground facilities that North Shore operates at 2180**  
37 **Kipling Lane, Highland Park, Illinois.**

38 A. North Shore operates a ¾" steel gas service operating at a pressure of 45 p.s.i.  
39 This facility was buried at a depth of 8". This service connected to a North Shore  
40 gas main across the street from that address.

41

42 **Q. What are the potential consequences of causing damage to these facilities?**

43 A. There are many potential consequences of causing damage to natural gas facilities.  
44 The ramifications of damaged equipment and interrupted service are serious. Loss  
45 of natural gas service can leave communities without heat for homes and  
46 businesses, hot water, and cooking gas. In addition, natural gas is a volatile  
47 substance which can ignite or create an explosive atmosphere when in an  
48 uncontrolled state.

49

50 **Q. Please describe the incident that resulted in the damage to North Shore's**  
51 **gas facility at 2180 Kipling Lane on August 10, 2004.**

52 A. On that date an employee of Quality was operating a pavement saw-cutting  
53 machine and sawed through the steel gas service. Upon North Shore's arrival at  
54 the scene, the machine operator acknowledged cutting the gas service with the  
55 saw.

56

57 **Q. How was North Shore notified of this incident?**

58 A. According to North Shore's records North Shore received a call from Brian Lehr,  
59 Chicagoland Paving, on August 10, 2004, at 12:19 p.m. stating that a gas line  
60 had been hit (See ICC Staff Exhibit 2.2).

61

62 **Q. Was the gas service to any of North Shore's customers interrupted as a**  
63 **result of this excavation?**

64 A. Yes. One residential customer was interrupted for a period of about 4 hours.

65

66 **Q. Has the damage been repaired?**

67 A. Yes. North Shore repaired the service line on August 10, 2004, at a cost of  
68 \$750.10.

69

70 **Q. Who paid for the cost of repair?**

71 A. Chicagoland Paving paid \$750.10 in May 2005.

72

73 **Q. After the damage to North Shore's facility, was it determined that the**  
74 **facility location was properly marked?**

75 A. Yes. Several employees of North Shore responded to the scene and reported  
76 that the damaged service pipe was properly located (See ICC Staff Exhibit 2.3).  
77 Unfortunately, pictures of the incident are no longer available.

78

79 **Q. In response to Staff's investigation of this incident, Quality responded that**  
80 **North Shore's gas service was imbedded in the pavement and therefore,**  
81 **could not be avoided. Is this statement correct?**

82 A. No. The service was not imbedded in the concrete. It was just below the  
83 pavement in the dirt.

84

85 **Q. In response to Staff's investigation of this incident, Quality also responded**  
86 **that saw-cutting of pavement is not excavation and therefore, notification**  
87 **through JULIE is not required. Does North Shore agree with this opinion?**

88 A. No. Saw-cutting is a dangerous operation and can cause significant damage to  
89 underground facilities as well as to the operators of the machines. According to  
90 the definition of "excavation" contained in the Illinois Underground Utility Facilities  
91 Damage Prevention Act (the "Act"), saw-cutting is clearly an operation which  
92 requires a call to JULIE. Section 2.3 of the Act defines "excavation" as "any

93 operation in which earth, rock or other material in or on the ground is moved,  
94 removed, or otherwise displaced by means of tools, power equipment or  
95 explosives..." As such, when a saw-cutter's blade goes beyond the thickness of  
96 the pavement and penetrates the soil below, it becomes an excavation and thus  
97 requires a call to JULIE.

98

99 **Q. Would the integrity of North Shore's gas facilities and the safety of**  
100 **excavators and the public be jeopardized if saw-cutting of pavement were**  
101 **found to not require a call to JULIE?**

102 A. Yes. The incident at issue is a consequence of saw-cutting with disregard for  
103 locates that were placed on behalf of someone else. If the contractor had called  
104 prior to saw-cutting to appraise himself of the location of the underground  
105 facilities, efforts to avoid damaging them could have been undertaken. Pot-  
106 holing to determine depth in the parkway and then not completely cutting through  
107 the pavement where conflicts exist are ways saw-cutters could avoid damaging  
108 facilities or causing harm to their employees. An explosion and fire could have  
109 easily resulted from the damage incurred as a result of this incident, potentially  
110 injuring the machine operator, or members of the public who were in the vicinity.

111

112 **Q. Did North Shore file an incident report with the Illinois Commerce**  
113 **Commission regarding this incident?**

114 A. Yes.

115

116 **Q. Was the report prepared in the ordinary course of business?**

117 A. Yes.

118

119 **Q. What did the incident report state?**

120 A. A copy of the report is attached as ICC Staff Exhibit 2.4

121

122 **Q. Has North Shore had any similar incidents involving in which Quality failed to**  
123 **call JULIE prior to saw-cutting of pavement?**

124 A. Yes. On May 29, 2003, Quality damaged a ¾" gas service while saw cutting at 910  
125 Larchmont, Lake Forest, Illinois. In that incident, Quality was also excavating under  
126 a locate request submitted by Chicagoland Paving.  
127

128 **Q. After the May 29, 2003, incident, did North Shore advise Quality that Quality**  
129 **should submit its own locate request to JULIE?**

130 A. Yes. In all billings for damage, North Shore includes excerpts from the Act that  
131 outline an excavator's responsibilities with regard to providing notice. Quality would  
132 have received that information regarding its obligations under the Act when it  
133 received a bill for the damage that occurred on May 29, 2003. A copy of the  
134 excerpts included in North Shore's billing is attached as ICC Staff Exhibit 2.5.  
135

136 **Q. Did North Shore submit an incident report to the Illinois Commerce**  
137 **Commission regarding the May 29, 2003, incident in Lake Forest Illinois.**

138 A. Yes.  
139

140 **Q. Does this complete your direct testimony?**

141 A. Yes.

Docket No. 05-0407  
ICC Staff Exhibit 2.1

**Locate Request #A2172767**

120

AULIE

03/04/2004 2:58:08 PM

NORMAL NOTICE

Dig #: 2172767

Dig Start: 03/06/2004 3:00:00 PM

Rcvd: 03/04/2004 2:58:08 PM

NSGCCA

Org Dig: 2172767

Firm: CHICAGO LAND PAVING

Caller: BRIAN LEHR

Address: 225 TELSER RD

City, St: LAKE ZURICH, IL

Zip: 60047

Phone: (847)-550-9631 ext.

Fax: (847)-550-9634 ext

Call Back: WAIVES REQD CALLBACK

Done For: CITY OF HIGHLAND

Site Contact: SAME AS ABOVE

Cnt Phone:

County: LAKE

Address: KIPLING LN

Subdivision:

Place: HIGHLAND PK CIT

Cross: CHURCHILL LN

Grids: Grids: T43NR12E21NW

Location: Locat: IN THE CITY OF HIGHLAND PARK.

Type: STREET EXCAVATION

Extent: LOCATE: FROM RIGHT OF WAY TO RIGHT OF WAY ON KIPLING LN FROM CHURCHILL

Remarks: TICKET SENT TO AMTCHA CECOSA COM04A HLPKDA NSGCCA NSSDCA SMPJA TCGCDA

Members: History: (EXTENT CONT)-LN GOING NORTH TO MALLORY LN-(EXTENT END)

DIRECTIONAL BORING=NO DEPTH EXCEEDS 7 FEET=NO TICKET EXPIRES AFTER 06/31/04

Locator: BRUGIONI, STEVE

Completed:

Actions: -Painted:10-AUG-04

Remarks:

Docket No. 05-0407  
ICC Staff Exhibit 2.2

**North Shore Gas Company – Facilities Damage Record**

**Facilities Damage**

Damage #       Damage Date:       Damage Time:

Owner:       Location:

City:       Subdivision / Cross Street:

Caller:       Caller's Company:

Call Back #       Site Contact:

Notes:

Form View NUM

**Facilities Damage**

File Edit Tools Window Help

**Facilities Damage**

Basic Info | Emergency Log | Company Causing Damage | Facilities Damaged | Locate Information | Other | Claims

Leak Status:       How Secured:

Service:       Distribution:

Dispatch Time:       Dispatch Time:

Arrival Time:       Other 1:

Completed Time:       Other 2:

ETV:       Dispatcher 1:       Dispatcher 2:

Form View NUM

**Facilities Damage**

File Edit Tools Window Help

Facilities Damage

Basic Info | Emergency Log | Company Causing Damage | Facilities Damaged | Locate Information | Other | Claims

Company: CHICAGOLAND PAVING INC Address: 325 TELSER ROAD

City: LAKE ZURICK State: ILLINOIS Zip: 60047 Phone: (847) 550-9631

Non NSG Operator: BRIAN LEHR NSG Crew Members

Non NSG Supervisor:

Damage Caused By: CUTTING MACHINE

Type of Work: CUTTING ROAD TO REPLACE PAVEMENT

Cause of Incident: SERVICE PIPE WAS 8" DEEP

Form View NJM

**Facilities Damage**

File Edit Tools Window Help

Facilities Damage

Basic Info | Emergency Log | Company Causing Damage | Facilities Damaged | Locate Information | Other | Claims

Facilities Damaged: GAS SERVICE Gas Pipe Type: STEEL Gas Pipe Size: 3/4"

Depth of Facilities (inches): 8  Repair Made Reported By: DISTRIBUTION

Customer Notified  Fire Department Response  Police Department Response

Form View NJM

Basic Info | Emergency Log | Company Causing Damage | Facilities Damaged | Locate Information | Other | Claims

Was There a Request for Location of Utility      Locate Request Date: 8/04/2004      JULIE #: 2172767

Was Utility Located      Located On: 8/10/2004      NSS Locator: BRUGIONI STEVE

Were Marks/Markers Intact After Damage

Was Utility Properly Located

Form View NUM

**Facilities Damage**

File Edit Tools Window Help

**Facilities Damage**

Basic Info | Emergency Log | Company Causing Damage | Facilities Damaged | Locate Information | Other | Claims

Photos Taken       Should Damaging Party be Billed

Explain: NO LOCATES DID NOT TEST HOLE

Report Submitted On: 8/12/2004      Submitted By: SILARSKI, TED

Department: DISTRIBUTION      Supervisor: SILARSKI, TED

Approved By: JOHN JUST      Approved On: 8/16/2004       Preventable by NSG

Manager Approval

Form View NUM

**Facilities Damage** [Min] [Max] [Close]

File Edit Tools Window Help

---

**Facilities Damage** [Close]

Basic Info | Emergency Log | Company Causing Damage | **Facilities Damaged** | Locale Information | Other | Claims

---

Repair Cost:

Amount Waived:

Total Payments:

Net Balance:

OCD #:    No Charge

Manual OCD:  -

Payment:	
Date Paid	Amount Paid
5/03/2005	\$750.10

Closed Without Payment (CWP)  File Closed

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Form View NUM

Docket No. 05-0407  
ICC Staff Exhibit 2.3

**North Shore Gas Company – Report of Facility Damage**

M.M. 8/13/04

001 04-118

Damage No. 1084

### NORTH SHORE GAS Report of Facility Damage

1/11

Owner of Damaged Facilities  North Shore Gas  Other (Explain) \_\_\_\_\_

Date of Damage 8-10-04 Time 12:30  AM  PM

Address / Location 2180 KIPLING LANE City / Town HIGHLAND PARK

Company Causing Damage	
Company	<u>CHICAGO LAND PAVING INC.</u> <i>Quality Seward Seal</i>
If NSG, list crew members:	<u>Bridgeman</u> <u>7600 W. 79th St.</u> <u>100455</u>
Address	<u>225 TELSAR ROAD</u> City/Town <u>LAKE ZURICH</u>
State	<u>ILL</u> Zip <u>60047</u> Phone <u>847-550-9681</u>
Operator	<u>BRIAN LEHR</u> Supervisor _____
Damage Caused By:	<input type="checkbox"/> Backhoe <input type="checkbox"/> Trencher <input type="checkbox"/> Bore Machine <input checked="" type="checkbox"/> Other <u>CUTTING MACH.</u>
Type of Work being Performed	<u>CUTTING ROAD TO REPLACE PAVEMENT</u>
What was Cause of Incident	<u>SERVICE LINE WAS NOT DEEP IN THE MIDDLE OF THE ROAD ONLY 8" IN</u>

What Facilities Were Damaged			
<input checked="" type="checkbox"/> Gas Service	<input type="checkbox"/> Plastic	<input type="checkbox"/> Steel	Size: <input type="checkbox"/> 5/8" <input checked="" type="checkbox"/> 3/4" <input type="checkbox"/> 1-1/8" <input type="checkbox"/> 1-1/4" <input type="checkbox"/> 2" <input type="checkbox"/> Other _____
<input type="checkbox"/> Gas Main	<input type="checkbox"/> Plastic	<input type="checkbox"/> Steel	Size: <input type="checkbox"/> 2" <input type="checkbox"/> 4" <input type="checkbox"/> 6" <input type="checkbox"/> 8" <input type="checkbox"/> 12" <input type="checkbox"/> Other _____
<input type="checkbox"/> Electric Cable	<input type="checkbox"/> Telephone Cable	<input type="checkbox"/> Cable TV	<input type="checkbox"/> Water
<input type="checkbox"/> Sanitary Sewer	<input type="checkbox"/> Sump/Drain Tile	<input type="checkbox"/> Storm Sewer	<input type="checkbox"/> Other _____
Depth of Facilities	<u>8</u> Inches	Repairs Made	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Customer Notified <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Fire Department Response	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Police Department Response	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Utility Locate Information			
Was There a Request for Location of Utility:	<input checked="" type="checkbox"/> Yes	Date	<u>8-4-04</u> Julie No. <u>A2172769</u> <input type="checkbox"/> No
Was Utility Located	<input checked="" type="checkbox"/> Yes	Date	<u>8-10-04</u> NSG Locator Name <u>BROGIONI</u> <input type="checkbox"/> No <i>ON GOING PROJECT.</i> <small>(if applicable)</small>
Were Marks/Markers Intact After Damage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Was Utility Properly Located	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If No, How Far Off _____	Inches

Repairs Made By <input type="checkbox"/> Distribution <input type="checkbox"/> Service							
Date	Distribution Employees	ST	OT	Date	Service Employees	ST	OT
8-10	MERKLING	2 1/2	1	8/10/04	860/Carroll	1 1/2	
8-10	LANGE	2 1/2	1	8/10/04	923/Ramos Relight		1 1/2
8-10	LOPE		1 1/2				

Sitariski

Material Used

Quantity	Size	Description
1	3/4"	2 BOLT SLEEVE
		\$ 10
		10 camera
		\$ 20

Photos Taken  Yes  No  
 Should Damaging Party be Billed  Yes  No Explain CONTRACTOR

SAW CUTTING ROAD SHOULD HAVE TEST HOLED GAS LINE TO FIND DEPTH AND LOCATION OF SERVICE. CONTRACTOR DOING SAW CUTTING. WAS WORKING FOR CHICAGO LAND PAVING. THEY DID NOT HAVE LOCATES.

Date Report Submitted 8-12-04 Submitted By Sitariski  
 Department DIST Supervisor Sitariski  
 Manager \_\_\_\_\_

\*Remember to include ALL Company Work Tickets, Time Tickets, JULIE Locate Tickets, Film, etc. with form

Docket No. 05-0407  
ICC Staff Exhibit 2.4

**Illinois Commerce Commission Incident Report**

**ILLINOIS COMMERCE COMMISSION**  
 Illinois Underground Utility Facilities Damage Prevention Act  
 Incident Report

**Mail or Fax To:**  
 Manager, JULIE Enforcement  
 Illinois Commerce Commission  
 527 E. Capitol Avenue  
 Springfield, IL 62701  
 Fax (217) 524-5516  
 Questions (217) 782-5911

**Provide the following information and include copies of any relevant photos, drawings, damage reports, etc.**

<b>INCIDENT DATE &amp; TIME:</b> Date: August 10, 2004                      Time: 12:30 PM		<b>REPORT DATE:</b> August 23, 2004	
<b>REPORTER:</b> <u>Ted A. Andersen</u>		Work No. <u>(847) 263-4614</u>	
Company: <u>North Shore Gas Company</u>		Fax No. <u>(847) 263-7287</u>	
Address: <u>300 Grand Avenue</u>		E-Mail: <u>tandersen@pecorp.com</u>	
City: <u>Waukegan</u>			
State: <u>IL</u> Zip Code: <u>60085</u>			
<b>EXCAVATOR:</b> <u>Quality Saw and Seal</u>		Work No. <u>708 728-1895</u>	
Contact Person: <u>Scott L Eilken</u>		Fax No. <u>708 728-1913</u>	
Address: <u>7600 W 79th Street</u>		E-Mail: _____	
City: <u>Bridgeview</u>			
State: <u>IL</u> Zip Code: <u>60455</u>			
<b>UTILITY OPERATOR:</b> <u>North Shore Gas Company</u>			
<b>LOCATE COMPANY:</b> <u>North Shore Gas Company</u>			
<b>INCIDENT LOCATION:</b>		<b>Please Check One:</b>	<b>Please Check One:</b>
Address: <u>2180 Kipling Lane</u>		Public Property: <input checked="" type="checkbox"/>	State ROW*: <input type="checkbox"/>
City/town: <u>Highland Park</u>		Private Property: <input type="checkbox"/>	City ROW: <input checked="" type="checkbox"/>
County: <u>Lake</u>			County ROW: <input type="checkbox"/>
			*Right of Way

**INCIDENT DESCRIPTION:**

Provide a detailed explanation of the circumstances and cause of the incident:

Contractor did not make a call to JULIE prior to beginning saw cutting for road reconstruction. Contractor saw-cut through .75" steel gas service under the road surface.

If the incident was a result of the owner's/operator's failure to mark properly the location of underground facilities, provide a detailed sketch and/or picture of the incident area and the damaged facilities that includes (a) the underground utilities, roads, fixed landmarks, etc., (b) the point of damage using distances to the landmarks, (c) the actual position of each paint mark or flag placed by the operator for the facility, and (c) the actual distances between the facilities and the paint or flags.

JULIE Dig Number(s): None

Mechanical Equipment/Hand Tool Involved: Saw-cutting machine

Nature of Excavation or Demolition (Trenching/Plowing/Drilling/Boring/etc.): saw cutting

Direction of excavation relative to the facility: Parallel  Perpendicular

**INCIDENT IMPACT:**

No. Customers Affected: 1 Repair Cost: 750.10

Injury - No. of Outpatient Care: 0 Injury - No. of Inpatient Care: 0 Fatalities: 0

Fire Department Response: Yes  No  Police Department Response: Yes  No

Other Property Impacted: \_\_\_\_\_

Other Property Repair Cost: \_\_\_\_\_

**FACILITIES INVOLVED:**

Type of facility (check one):

Gas  Water  Electric  CATV  Telecommunications  Sewer  Common Carrier Pipeline Facility

Material Type: (check one):

Steel  Plastic  Cast Iron  Copper  Fiber Optic  Concrete  Other \_\_\_\_\_

Facility Size: Pipe: 0.75 inches diameter  
Operating Pressure: 45.00 psig / inches water  
Voltage: \_\_\_\_\_ Volts / Kv  
Other: \_\_\_\_\_

Facility Function (check one):

Service  Main  Primary  Secondary  Transmission  Trunk  Other \_\_\_\_\_

Depth Of Facility: 8.00 Inches

Docket No. 05-0407  
ICC Staff Exhibit 2.5

**North Shore Gas Company Billing Insert**

**EXCERPTS FROM THE ILLINOIS UNDERGROUND UTILITY  
FACILITIES DAMAGE PREVENTION ACT**

Sec. 4. Required activities. Every person who engages in nonemergency excavation or demolition shall: (a) take reasonable action to inform himself of the location of any underground utility facilities or CATS facilities in and near the area for which such operation is to be conducted; (b) plan the excavation or demolition to avoid or minimize interference with underground utility facilities or CATS facilities within the tolerance zone by utilizing such precautions that include, but are not limited to, hand excavation, vacuum excavation methods, and visually inspecting the excavation while in progress until clear of the existing marked facility; (c) if practical, use white paint, flags, stakes, or both, to outline the dig site; (d) provide notice not more than 14 days nor less than 48 hours (exclusive of Saturday, Sundays and holidays) in advance of the start of the excavation or demolition to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the State-Wide One-Call Notice System or, in the case of nonemergency excavation or demolition within the boundaries of a municipality of at least one million persons which operates its own one-call notice system, through the one-call notice system which operates in that municipality; (e) provide, during and following excavation or demolition, such support for the excavation or demolition area as may be reasonably necessary for the protection of such facilities unless otherwise agreed to by the owner or operator of the underground facility or CATS facility; and (f) backfill all excavations in such manner and with such materials as may be reasonably necessary for the protection of existing underground utility facilities or CATS facilities in and near the excavation or demolition area.

Sec. 6. Emergency excavation or demolition. (a) Every person who engages in emergency excavation or demolition outside of the boundaries of a municipality of at least one million persons which operates its own one-call notice system shall take all reasonable precautions to avoid or minimize interference between the emergency work and existing underground utility facilities or CATS facilities in and near the excavation or demolition area, through the State-Wide One-Call Notice System, and shall notify, as far in advance as possible, the owners or operators of such underground utility facilities or CATS facilities in and near the emergency excavation or demolition area, through the State-Wide One-Call Notice System. At a minimum, the notice required under this subsection (a) shall provide: (1) the person's name, address, and (i) phone number at which a person can be reached and (ii) fax number; (2) the start date of the planned emergency excavation or demolition; (3) the address at which the excavation or demolition will take place; and (4) the type and extent of the work involved. A 2-hour wait time exists after an emergency locate notification request is made through the State-Wide One-Call Notice System. If the conditions at the site dictate an earlier start than the 2-hour wait time, it is the responsibility of the excavator to demonstrate that site conditions warranted this earlier start time.

Sec. 7. Damage or dislocation. In the event of any damage to or dislocation of any underground utility facilities or CATS facilities in connection with any excavation or demolition, emergency or nonemergency, the person responsible for the excavation or demolition operations shall immediately notify the affected utility and the State-Wide One-Call Notice System.

**EXCERPTS FROM THE OCCUPATIONAL SAFETY AND HEALTH  
ADMINISTRATION STANDARDS**

1926.651 Specific Excavation Requirements: (b) Underground installations (1) The estimated location of utility installations, such as sewer, telephone, fuel, electric, water lines, or any other underground installations that reasonably may be expected to be encountered during excavation work, shall be determined prior to opening an excavation. (2) Utility companies or owners shall be contacted within established or customary local response times, advised of the proposed work, and asked to establish the location of the utility underground installations prior to the start of actual work.

1926.958 Underground Lines: (c) Trenching and Excavating (1) During excavation or trenching, in order to prevent the exposure of employees to the hazards created by damage to dangerous underground facilities, efforts shall be made to determine the location of such facilities and work conducted in a manner designed to avoid damage. (2) Trenching and excavation operations shall comply with 1926.651 and 1926.652. (3) When underground facilities are exposed (electric, gas, water, telephone, etc.) they shall be protected as necessary to avoid damage.