

The Act defines “excavator” as “any person performing excavation or demolition” and “operator” as “a person owning or operating, or controlling the operation of, an underground facility.” N.J.S.A. 48:2-75.

Pursuant to the Act, violators of its provisions shall be subject to civil penalties of no less than \$1,000.00 and no more than \$2,500.00 per violation per day, not to exceed \$25,000.00 for any related series of violations. N.J.S.A. 48:2-88(a). Violations relating to natural gas or hazardous liquid underground pipelines, or distribution facilities, shall be subject to civil penalties not to exceed \$200,000.00 per violation per day, and not to exceed \$2,000,000.00 for any related series of violations. N.J.S.A. 48:2-86(c). In addition, costs may be assessed related to any Board investigation, inspection, or monitoring survey, which leads to the establishment of a violation, and/or the reasonable costs of preparing and litigating the matter. N.J.S.A. 48:2-86(b) (2).

Following reports of various alleged violations under the Act including, but not limited to, failing to call the One-Call System prior to commencing excavation and failing to mark out or properly mark out underground facilities, Board Staff issued Notices of Probable Violations and Offers of Settlement to the alleged violators and informed them of the date and location of the alleged violations. A complete list of accepted said Offers of Settlement is provided in Appendix A attached hereto and made a part hereof.¹

II. DISCUSSION AND FINDINGS

After consideration of the matters provided in Appendix A, including the alleged violations and the Offers of Settlement, the Board **HEREBY FINDS** the Offers of Settlement to be reasonable and in the public interest, and **HEREBY ACCEPTS** the Offers of Settlement in full satisfaction of the alleged violations of the Act as provided in Appendix A attached hereto and made part hereof.

By acceptance of the Offers of Settlement and the timely payment thereof, the excavator or operator has waived any rights to a hearing, and the Board has waived any rights to bring an action for civil penalties as permitted by the Act in connection with the above-referenced alleged violations. It must also be noted that the acceptance of the Offers of Settlement is for settlement purposes only and applies strictly to the specific incidents described in Appendix A. This acceptance is without prejudice as to the position of the State of New Jersey or any agency or subdivision thereof if other violations are present, now or in the future.

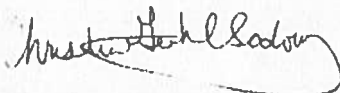
¹ The seventy-nine (79) Offers of Settlement were accepted by the alleged violator, and each made full payment on the dates provided in Appendix A.

NO FURTHER ACTION BY THE RESPONDENT IS REQUIRED.

This Order shall be effective on October 16, 2024.

DATED: October 9, 2024

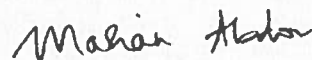
BOARD OF PUBLIC UTILITIES
BY:



CHRISTINE GUHL-SADOVY
PRESIDENT



DR. ZENON CHRISTODOULOU
COMMISSIONER



MARIAN ABDOU
COMMISSIONER



MICHAEL BANGE
COMMISSIONER



ATTEST:

SHERRI L. GOLDEN
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public Utilities.

IN THE MATTER OF ALLEGED VIOLATIONS OF THE UNDERGROUND FACILITY
PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ. EOC2021-0186

DOCKET NOS. ES24090632K et al. (see attached Appendix)

SERVICE LIST

Akorfa Gidiglo
Jersey Central Power & Light Company
101 Crawfords Corner Rd.
Holmdel NJ, 07733
agidiglo@firstenergycorp.com

Chelsey Gaworecki
Public Service Electric and Gas Company
240 Kuller Rd.
Clifton, NJ 07011
chelsey.gaworecki@pseg.com

Alison Sbriscia
New Jersey Natural Gas Company
1415 Wyckoff Road Wall, NJ 07719
asbriscia@njng.com

Board of Public Utilities
44 South Clinton Avenue, 1st Floor
PO Box 350
Trenton NJ, 08625-0350

Sherri L. Golden, Board Secretary
board.secretary@bpu.nj.gov

Stacy Peterson, Deputy Executive Director
stacy.peterson@bpu.nj.gov

Heather Weisband, Senior Counsel
heather.weisband@bpu.nj.gov

Division of Reliability & Security

Francis Gaffney, Director
francis.gaffney@bpu.nj.gov

Shawn McIvor, Deputy Director
shawn.mcivor@bpu.nj.gov

Ann Lang
ann.lang@bpu.nj.gov

Lauren Mattox
lauren.mattox@bpu.nj.gov

Phillip Galka
phillip.galka@bpu.nj.gov

Amanda Davila
amanda.davila@bpu.nj.gov

Attorney General's Office

Matko Ilic, DAG
Richard J. Hughes Justice Complex
25 Market Street– P.O. Box 112
Trenton, NJ 08625
matko.ilic@law.njoag.gov

APPENDIX A

In the Matter of Jersey Central Power & Light Company Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. EOC2021-0186
 Docket Nos. ES24090632K et al.

Facility Damaged	BPU Docket #	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Electric	ES24090632K	EOC2021-0186	Did Not Properly Mark	\$2,500	JCP&L	8/31/2021	Merrill Rd, Flemington	11/1/2023
Electric	ES24090633K	EOC2020-0268	Failure to Use Reasonable Care	\$2,500	PSE&G	11/16/2020	Tennyson Dr, Plainsboro	12/27/2023
Electric	ES24090634K	EOC2021-0122	Did Not Properly Mark	\$2,500	PSE&G	6/23/2021	Clarke Dr, Cranbury	12/27/2023
Water	WS24090635K	WOC2022-0099	Failure to Use Reasonable Care	\$2,500	PSE&G	8/22/2022	Gray St, Bogota	12/27/2023
Electric	ES24090636K	EOC2018-0095	Did Not Properly Mark	\$2,500	PSE&G	6/14/2018	Union Ave, Irvington	1/3/2024
Electric	ES24090637K	EOC2021-0084	Did Not Properly Mark	\$3,000	PSE&G	4/27/2021	Adams Ter, Clifton	1/3/2024
Electric	ES24090638K	EOC2020-0270	Failure to Hand Dig	\$2,500	PSE&G	11/26/2020	Forest, Glen Dr, Highland Park	1/18/2024
Electric	ES24090639K	EOC2021-0233	Did Not Properly Mark	\$2,500	PSE&G	7/8/2021	Morris Pesin Dr, Jersey City	1/25/2024
Water	WS24090640K	WOC2021-0112	Failure to Hand Dig	\$2,500	PSE&G	11/9/2021	Prospect Ridge Blvd, Haddon Heights	1/25/2024
Electric	ES24090641K	EOC2021-0094	Did Not Properly Mark	\$2,500	PSE&G	5/12/2021	Redwood Ave, West Orange	1/26/2024
Electric	ES24090642K	EOC2021-0103	Failure to Use Reasonable Care	\$2,500	PSE&G	5/22/2021	Halsted St, East Orange	1/26/2024
Electric	ES24090643K	EOC2021-0199	Did Not Have a Valid Markout	\$2,500	JCP&L	8/12/2021	Honey Run Rd, Blairstown	2/1/2024
Electric	ES24090645K	EOC2021-0123	Did Not Properly Mark	\$3,000	PSE&G	6/23/2021	Danbury Ct, Hillsborough	2/15/2024
Electric	ES24090646K	EOC2022-0117	Did Not Properly Mark	\$2,500	JCP&L	4/18/2022	Hearthstone Dr, Englishtown	3/13/2024
Electric	ES24090647K	EOC2022-0185	Did Not Properly Mark	\$2,500	JCP&L	7/15/2022	Denmark Ln, Jackson	6/14/2024
Electric	ES24090648K	EOC2022-0188	Did Not Properly Mark	\$2,500	JCP&L	7/25/2022	Schooner Ave, Barnegat	6/14/2024
Electric	ES24090649K	EOC2023-0047	Did Not Properly Mark	\$2,500	JCP&L	3/16/2023	Elizabeth Ln, Andover	6/14/2024
Electric	ES24090650K	EOC2023-0055	Did Not Properly Mark	\$2,500	JCP&L	3/28/2023	Tanglewood Ct, Colts Neck	6/14/2024
Electric	ES24090651K	EOC2023-0057	Did Not Properly Mark	\$2,500	JCP&L	3/30/2023	Stagecoach Rd, Milestone	6/14/2024
Natural Gas	GS24090652K	GOC2024-0113	Did Not Have a Valid Markout	\$2,500	JCP&L	2/27/2024	Brooklyn Ave, Whiting	6/28/2024

APPENDIX A

In the Matter of Jersey Central Power & Light Company Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. EOC2021-0186
 Docket Nos. ES24090632K et al.

Facility Damaged	BPU Docket #	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Electric	ES24090653K	EOC2023-0145	Did Not Properly Mark	\$2,500	JCP&L	6/5/2023	The Blvd, Brick	6/28/2024
Electric	ES24090654K	EOC2023-0154	Did Not Properly Mark	\$2,500	JCP&L	6/20/2023	Stone Tavern Rd, Clarksburg	6/28/2024
Electric	ES24090655K	EOC2023-0136	Did Not Properly Mark	\$2,500	JCP&L	5/10/2023	N Honeyman Rd, Whitehouse Station	6/28/2024
Electric	ES24090656K	EOC2023-0336	Did Not Properly Mark	\$2,500	JCP&L	11/3/2023	Browns Dock Rd, Middletown	7/31/2024
Electric	ES24090657K	EOC2023-0334	Did Not Properly Mark	\$2,500	JCP&L	10/26/2023	Riverside Dr, Rumson	7/31/2024
Electric	ES24090658K	EOC2023-0335	Did Not Properly Mark	\$2,500	JCP&L	10/27/2023	Overlook Dr, High Bridge	7/31/2024
Electric	ES24090659K	EOC2023-0273	Did Not Properly Mark	\$2,500	JCP&L	9/26/2023	7th St, Ocean	7/31/2024
Electric	ES24090660K	EOC2023-0149	Did Not Properly Mark	\$2,500	JCP&L	6/9/2023	Mills Ln, Jackson	7/31/2024
Electric	ES24090661K	EOC2023-0331	Did Not Properly Mark	\$2,500	JCP&L	10/12/2023	Twin Rivers Rd, East Windsor	7/31/2024
Electric	ES24090662K	EOC2023-0347	Did Not Properly Mark	\$2,500	JCP&L	12/20/2023	Limekiln Ct, Andover	7/31/2024
Electric	ES24090663K	EOC2023-0349	Did Not Properly Mark	\$2,500	JCP&L	10/17/2023	Schindler Dr, Brick	7/31/2024
Electric	ES24090664K	EOC2023-0328	Did Not Properly Mark	\$2,500	JCP&L	10/2/2023	Ironwood Ct, Jackson	8/2/2024
Electric	ES24090665K	EOC2023-0271	Did Not Properly Mark	\$2,500	JCP&L	9/20/2023	Parsonage Lot Rd, Lebanon	8/2/2024
Electric	ES24090666K	EOC2024-0027	Did Not Properly Mark	\$2,500	JCP&L	2/27/2024	E Kennedy Blvd, Lakewood	8/2/2024
Electric	ES24090667K	EOC2022-0085	Did Not Properly Mark	\$2,500	JCP&L	3/23/2022	Shetland Dr, Leisure Village East	1/4/2024
Natural Gas	GS24090668K	GOC2018-0533	Failure to Use Reasonable Care	\$3,000	JCP&L	6/12/2018	Boulder Dr, Marlboro	1/4/2024
Natural Gas	GS24090669K	GOC2023-0175	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	3/1/2023	Greensprings Dr, Lakewood	9/6/2023
Natural Gas	GS24090670K	GOC2021-0822	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	7/5/2021	Dorothys Ln, Jackson	11/3/2023
Natural Gas	GS24090671K	GOC2016-0250	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	3/16/2016	Bonaire Dr, Toms River	2/21/2024
Natural Gas	GS24090676K	GOC2024-0239	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	3/29/2024	Long Beach Ave, Lakewood	5/22/2024

APPENDIX A

In the Matter of Jersey Central Power & Light Company Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. EOC2021-0186
 Docket Nos. ES24090632K et al.

Natural Gas	GS24090677K	GOC2022-0203	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	3/3/2022	Holly Rd, West Creek	6/4/2024
Natural Gas	GS24090678K	GOC2023-0176	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	3/2/2023	Bonita Way & Ocean Dr, Ocean Beach	6/4/2024
Facility Damaged	BPU Docket #	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Natural Gas	GS24090679K	GOC2023-0467	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	5/25/2023	Longman St, Toms River	6/5/2024
Natural Gas	GS24090680K	GOC2023-0597	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	6/5/2023	Cheryl Dr. Toms River	6/5/2024
Natural Gas	GS24090681K	GOC2023-0606	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	6/8/2023	Cedar Row, Lakewood	6/5/2024
Natural Gas	GS24090682K	GOC2023-0249	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	3/21/2023	E Mount Ave, Atlantic Highlands	6/6/2024
Natural Gas	GS24090683K	GOC2023-0353	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	4/25/2023	Walter Blvd, Beach Haven West	6/6/2024
Natural Gas	GS24090684K	GOC2023-0355	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	4/27/2023	Thompson Ave, Leonardo	6/6/2024
Natural Gas	GS24090685K	GOC2023-0378	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	5/2/2023	Washington Ave, Leonardo	6/6/2024
Natural Gas	GS24090686K	GOC2023-0389	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	5/10/2023	Herbertsville Rd, Point Pleasant	6/6/2024
Natural Gas	GS24090687K	GOC2023-0431	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	5/16/2023	W 75th St, Harvey Cedars	6/6/2024
Natural Gas	GS24090688K	GOC2023-0465	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	5/25/2023	Lee Dr, Manalapan	6/6/2024
Natural Gas	GS24090689K	GOC2023-0612	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	6/13/2023	Cedar Row, Lakewood	6/12/2024
Natural Gas	GS24090690K	GOC2023-0795	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	7/5/2023	N 13th St, Surf City	6/12/2024
Natural Gas	GS24090691K	GOC2023-0796	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	7/5/2023	Brook Rd, Lakewood	6/12/2024
Natural Gas	GS24090692K	GOC2023-0853	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	7/27/2023	Allen Ave, Oceanport	6/12/2024

APPENDIX A

In the Matter of Jersey Central Power & Light Company Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. EOC2021-0186
 Docket Nos. ES24090632K et al.

Natural Gas	GS24090693K	GOC2022-1127	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	9/13/2022	Evergreen St, Hazlet	6/13/2024
Natural Gas	GS24090694K	GOC2022-1224	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	9/20/2022	MacKenzie Ln N, Denville	6/13/2024
Natural Gas	GS24090695K	GOC2022-1320	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	10/11/2022	Union Hill Rd, Marlboro	6/13/2024
Natural Gas	GS24090696K	GOC2022-1321	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	10/11/2022	Bellevue Ave, Rumson	6/13/2024
Natural Gas	GS24090697K	GOC2022-1323	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	10/12/2022	11th Ave, Belmar	6/13/2024
Natural Gas	GS24090698K	GOC2023-0858	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	7/31/2023	Bash Rd, Toms River	6/13/2024
Natural Gas	GS24090699K	GOC2023-0860	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	7/31/2023	Gold Ct, Manalapan	6/13/2024

APPENDIX A

In the Matter of Jersey Central Power & Light Company Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. EOC2021-0186
 Docket Nos. ES24090632K et al.

Facility Damaged	BPU Docket #	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Natural Gas	GS24090700K	GOC2022-1562	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	11/15/2022	Route 70 & Colonial Dr, Manchester	6/14/2024
Natural Gas	GS24090701K	GOC2022-1566	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	11/16/2022	Lien St, Toms River	6/14/2024
Natural Gas	GS24090702K	GOC2022-1567	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	11/17/2022	Spruce Dr, Little Egg harbor	6/14/2024
Natural Gas	GS24090703K	GOC2022-1574	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	11/21/2022	Surrey Ct, Oceanport	6/14/2024
Natural Gas	GS24090704K	GOC2022-1575	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	11/21/2022	Coral St, & S Delaware St, Beach Haven	6/14/2024
Natural Gas	GS24090705K	GOC2022-1583	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	11/20/2022	S Delaware Ave, Beach Haven	6/14/2024
Natural Gas	GS24090706K	GOC2022-1644	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	12/2/2022	Long Beach Blvd, North Beach	6/14/2024
Natural Gas	GS24090707K	GOC2022-1694	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	12/15/2022	Monterey Dr, Brick	6/14/2024
Natural Gas	GS24090708K	GOC2024-0378	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	4/30/2024	Spar Ct, Barnegat	6/19/2024
Electric	ES24090709K	EOC2017-0010	Did Not Properly Mark	\$3,000	PSE&G	2/1/2017	Springfield Ave, Newark	8/2/2023
Electric	ES24090710K	EOC2017-0112	Did Not Properly Mark	\$3,000	PSE&G	6/14/2017	Petunia Ln, Willingboro	8/2/2023
Natural Gas	GS24090711K	GOC2017-0691	Did Not Properly Mark	\$3,000	NJ Natural Gas Company	6/22/2017	Oak Ln, Trenton	8/2/2023
Natural Gas	GS24090712K	GOC2021-0614	Did Not Properly Mark	\$3,000	PSE&G	5/25/2021	Sagamore Rd, Maplewood	10/13/2023
Natural Gas	GS24090713K	GOC2021-0690	Did Not Properly Mark	\$3,000	PSE&G	6/1/2021	Seaman Rd, East Orange	10/13/2023
Natural Gas	GS24090714K	GOC2021-0779	Did Not Properly Mark	\$3,000	PSE&G	6/16/2021	River St, Paterson	10/13/2023
Natural Gas	GS24090715K	GOC2023-0716	Did Not Properly Mark	\$3,000	PSE&G	6/16/2023	W 5th St, Bayonne	10/13/2023
Total Cases - 79								
Total Fines - \$220,500								