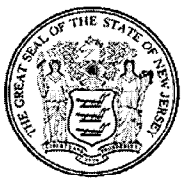
Agenda Date: 8/18/04
Agenda Item: VI A



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

IN THE MATTER OF ALLEGED VIOLATIONS OF THE UNDERGROUND FACILITY PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ.	)	DIVISION OF RELIABILITY AND SECURITY ORDER ACCEPTING SETTLEMENTS DOCKET NOS. WS04060517K-GS04060569K TS04060625K-TS04060677K (see attached Appendix)

BY THE BOARD:

The Board of Public Utilities ("Board") has jurisdiction to oversee and enforce the provisions of the Underground Facility Protection Act ("the Act") pursuant to the provisions set forth in N.J.S.A. 48:2-73 et seq. The primary purpose of the Act is to establish the One-Call Damage Prevention System for the protection of underground facilities that are used for the conveyance of water, forced sewage, telecommunications, cable television, electricity, oil, petroleum products, gas, optical signals, traffic control, or for the transportation of a hazardous liquid. In declaring its findings and the purpose of the Act, the Legislature stated, in pertinent part:

> [T]hat damage to underground facilities caused by excavation and the discharge of explosives poses a significant risk to the public safety; that such damage to underground natural gas facilities poses a substantial risk to the public safety; and that the implementation of a comprehensive One-Call Damage Prevention System can substantially reduce the frequency of damage caused by these activities.
>
> The Legislature therefore determines that it is in the public interest for the State to require all operators of underground facilities to participate in a One-Call Damage Prevention System and to require all excavators to notify the One-Call Damage Prevention System prior to excavation or demolition. N.J.S.A. 48:2-74.

The Act defines "excavator" as "any person performing excavation or demolition," while the term "operator" is defined as "a person owning or operating, or controlling the operation of, an underground facility . . ." N.J.S.A. 48:2-75. The One-Call Damage Prevention System ("the System") coordinates communication and responsive action between these two groups of persons. N.J.S.A. 48:2 -80, -82.

The Act subjects violators of its provisions to civil penalties of not less than $1,000 and not more than $2,500 per violation per day. N.J.S.A. 48:2-88. In addition, the violator may be assessed the cost of

any Board investigation, inspection or monitoring survey which leads to the establishment of a violation and for the reasonable costs of preparing and litigating the matter. N.J.S.A. 48:2-86(b)(2). Following reports of failure to call the System prior to commencing excavation or demolition activities, failure to hand dig and locate facilities, failure to use reasonable care, or reports of failure to mark out underground facilities or properly mark them, Board staff contacted the entities listed on the Appendix and informed them of the date and location of the alleged violations, also listed on the Appendix.

In an attempt to resolve this matter, each excavator or operator has submitted an Offer of Settlement to the Board for its consideration, the dollar amount of each being given on the Appendix. After consideration of these matters, the Board HEREBY ACCEPTS these offers of settlement in full settlement of the above referenced alleged violations of the Act.

By acceptance of the various 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 Underground Facility Protection Act in connection with the above referenced alleged violations of the Act. It must also be noted that the acceptance of the Offers of Settlement are for settlement purposes only and apply strictly to the specific incidents set out in the Appendix. 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.

NO FURTHER ACTION BY RESPONDENTS.

DATED: 8/19/04

BOARD OF PUBLIC UTILITIES
BY:

JEANNE M. FOX
PRESIDENT

FREDERICK F. BUTLER
COMMISSIONER

CAROL J. MURPHY
COMMISSIONER

CONNIE O. HUGHES
COMMISSIONER

JACK ALTER
COMMISSIONER

ATTEST:

KRISTI IZZO
SECRETARY

Service List

Kristi Izzo, Board Secretary
James Giuliano, Director
Douglas R. Ziemba, Chief
Rachel Boylan, Legal Specialist
Board of Public Utilities
2 Gateway Center
Newark, NJ 07102

Department of Public Safety
Division of Law
Tirza Wahrman
24 Halsey Street, 5th Floor
PO Box 45029
Newark, NJ 07101

Verizon
Sam Caldwell
540 Broad Street Rm. 300
Newark, NJ 07101

Giambattista Construction
10 Ora Court
East Hanover, NJ 07936

Perini/Slattery
430 Communipaw Avenue
Jersey City, NJ 07304

Pennsgrove Water Supply Company
14 Mill Road, PO Box 249
Mullica Hill, NJ 08062

New Jersey American Water Company
500 Grove Street
Haddon Heights, NJ 08035

Jersey Central Power & Light Company
Sallly Cheong
300 Madison Avenue
Morristown, NJ 07962

Lacey Municipal Utilities Authority
124 South Main Street, PO Box 205
Forked River, NJ 08731

Kiewit Construction
330 Passaic Avenue
Fairfield, NJ 07004

Elizabethtown Water Company
1341 North Avenue
Plainfield, NJ 07062

Yonkers Contracting
969 Midland Avenue
Yonkers, NY 10704

V. Diorio & Sons
260 Mack Place
South Plainfield, NJ 07080

Public Service Electric & Gas Company
Will Carey, Regulatory Leader Federal
80 Park Plaza – Mail Code T14
Newark, NJ 07102

Alternate Construction, Inc.
1751 Clover Avenue
Vineland, NJ 08361

Conectiv Power Delivery
Paula James
5100 Harding Highway
Mays Landing, NJ 08330

Canine Fence Company
493 Danbury Road
Wilton, CT 08697

Morristown DPW
200 South Street
Morristown, NJ 07960

C & M Construction Company
4313 Route 27

Princeton, NJ 08540

WorldCom Network Services
25 Kimberly Road Suite D
East Brunswick, NJ 08816

Gray Supply Corp.
379 Cranberry Road
Farmingdale, NJ 07727

William Bowman Assoc.
603 Cooper Road
West Berlin, NJ 08009

Joe Bran Co.
139 Harper Street
Newark, NJ 07102

AT&T Local Services
275 Old New Brunswick Road
Piscataway, NJ 08854

Aquifer Drilling – Testing
2100 S. Wood Avenue
Linden, NJ 07036

PHA Construction
609 West Whitehorse Pike
Cologne, NJ 08213

Metra Industries
50 Muller Place
Little Falls, NJ 07424

Grandview Cable Company
572 Wyckoff Road
Freehold, NJ 07728

Henkels & McCoy
PO Box 609
Hainesport, NJ 08036

Comcast Cablevision of
Garden State
1250 Haddonfield Berling Road
Cherry Hill, NJ 08034

Comcast of Toms River
830 Highway 37 West
Toms River, NJ 08755

Flats & Curbs, Inc.
PO Box 877
Westfield, NJ 07091

Sprint
4101 Maple Avenue
Pennsauken, NJ 08110

Kemsco Equipment Company, Inc.
139 Harper Street
Newark, NJ 07114

Cablevision of Morris
Tony Castrilli
683 Route 10 East
Randolph, NJ 07869

Romano Landscaping
Robert Romano
1008 Monmouth Avenue
Toms River, NJ 08753

Liberty Contracting
Nick Parente
469 Prospect Avenue
Piscataway, NJ 08854

Borough of Point Pleasant Beach
416 New Jersey Avenue
Point Pleasant Beach, NJ 08742

Middlesex Water Company
Bob Fullagar
1500 Ronson Road
Iselin, NJ 08830

Aspen Landscaping Contracting, Inc.
Don Fuentes, President
515 Springfield Road
Kenilworth, NJ 07033

South Jersey Gas Company
Sam Pignatelli
One South Jersey Plaza – Rt. 54
Folsom, NJ 08037

Granese Drilling, Inc.
Mike Granese
82 White Road
Shrewsbury, NJ 07702

Ferraro Construction Corp.
98 E. Lake Shore Road
Lake Awassa Road
Newton, NJ 07860

Dow Asphalt Co.
22 Charlotte Terrace
Wayne, NJ 07470

A. Bruno & Sons Garden Center
315 Brighton Avenue
Long Branch, NJ 07740

Action Plumbing
42 N. Pine Avenue
Maple Shade, NJ 08052

R & R Construction
105 B Parker Road
Chester, NJ 07930

Webco Construction
86 Lavergne Street
Belleville, NJ 07109

Mr. Rooter Plumbing
24 Riordan Place
Shrewsbury, NJ 07702

Anthony Mascracola Plumbing
212 Whittier Avenue
Dunellen, NJ 08812

Ocean Pipe Works
PO Box 945
Ocean Gate, NJ 08740

New Jersey Natural Gas Company
Kevin Moss
1415 Wyckoff Road
PO Box 1464
Wall, NJ 07719

Helois Construction
1321a Allenhurst Avenue
Ocean, NJ 07712

Kojeski Construction Co., Inc.
800 Cooper Road
Voorhees, NJ 08043

J. Ford Electric
3106 Hurley Pond Road
Wall, NJ 07719

Industrial Environmental Contractor
PO Box 40
Port Reading, NJ 07064

Eagle Paving
242 Dover Road
South Toms River, NJ 08753

Defino Contracting Co., Inc.
28 Industrial Drive
Cliffwood Beach, NJ 07735

Brittshan Electric
7 Park Drive
Franklin, NJ 07416

A.P. Construction Inc.
915 S. Blackhorse Pike
Blackwood, NJ 08012

Appendix Page 1

BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
WS04060517K	OC#99-02	*New Jersey American Water		9/16/02	21 Country Squire Lane, Holmdel	$1,000	10/14/02	Did Not Properly Mark Out
CS04060518K	OC#100-02	*Cablevision of Morris		9/13-18,/02	167-191 Springhill Drive, Parsippany	$6,000	12/3/02	Did Not Properly Mark Out
ES04060519K	OC#103-02	*Jersey Central Power & Light		9/ 13-18/02	167-191 Springhill Drive, Parsippany	$3,000	10/28/02	Did Not Properly Mark Out
ES04060520K	OC#104-02	*Jersey Central Power & Light		9/10-11/02	Mt. Airy Road, Bernards	$2,000	10/28/02	Did Not Properly Mark Out
ES04060521K	OC#109-02	*Jersey Central Power & Light		9/24/02	Rambling Brook Drive, Holmdel	$1,000	12/2/02	Did Not Properly Mark Out
TS04060522K	OC#111-02	*Verizon		9/24/02	Rambling Brook Drive, Holmdel between Newman Springs Rd. & Shadow Lane	$1,000	12/6/02	Did Not Properly Mark Out
ES04060523K	OC#112-02	*Jersey Central Power & Light		9/ 20/02	Bald Eagle Drive, Allamuchy	$1,000	10/28/02	Did Not Properly Mark Out
ES04060524K	OC#113-02	*Public Service Electric & Gas		10/9-10/02	810 Sunnyview Oval, Woodbridge	$2,000	11/5/02	Did Not Properly Mark Out
WS04060525K	OC#115-02	*New Jersey American Water		10/ 3/02	42 West Main Street, Holmdel	$2,000	11/21/02	Did Not Properly Mark Out
GS04060526K	OC#116-02		*New Jersey Natural Gas	10/22/02	Intersection of Holmdel Road & Rt. 520, Holmdel	$3,000	11/4/02	Did Not Start Job in 10 days of Ticket
ES04060527K	OC#117-02		*Public Service Electric & Gas	10/2/02	123 Dunhams Corner Road, East Brunswick	$2,500	11/5/02	No Call
AS04060528K	OC#118-02		*Romano Landscaping	10/2/02	123 Dunhams Corner Road, East Brunswick	$1,000	11/13/02	No Call
ES04060529K	OC#119-02	*Public Service Electric & Gas		10/4/ 02	121 S. Carnot Avenue, Woodcliff Lake	$1,000	12/20/02	Did Not Properly Mark Out
ES04060530K	OC#121-02	*Jersey Central Power & Light		10/16-31/02	1 Highland Avenue, Monmouth Beach	$10,000	11/26/02	Did Not Properly Mark Out

***Alleged Violator**

Appendix Page 2

BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
ES04060531K	OC#122-02		*Public Service Electric & Gas	8/7-10/1/02	Federal Point Blvd. near Traditions Way, Lawrence Township	$35,000	12/2/02	No Call
AS04060532K	OC#123-02		*Nick Parente Liberty Contracting	10/17/02	123 Dunhams Corner Road, East Brunswick	$1,000	12/17/02	No Call
AS04060533K	OC#127-02	*Point Pleasant Boro		11/18/02	2901 Bridge Avenue, Point Pleasant Boro	$1,000	1/14/03	Did Not Properly Mark Out
WS04060534K	OC#128-02	*Middlesex Water		11/20/02	Grandview Avenue & Rt. 1 North, Edison	$1,000	12/23/02	Did Not Properly Mark Out
WS04060535K	OC#129-02	*New Jersey American Water		11/7/03	White Horse Pike, Galloway Township	$1,500	12/30/02	Did Not Properly Mark Out
AS04060536K	OC#132-02		*Aspen Landscaping Contracting, Inc.	11/30/02	Milltown Road & Rt. 22 West, Bridgewater	$1,000	1/21/03	No Call
GS04060537K	OC#133-02	*South Jersey Gas		11/27 – 12/2/02	147 Stokes Road, Medford Lakes	$7,000	12/30/02	Did Not Properly Mark Out
AS04060538K	OC#134-02		*Granese Drilling	12/2/02	Holmdel Road 700 ft. south of intersect.w/Roberts Road, Holmdel	$1,000	1/2/03	No Call
GS04060539K	GOC2002-0015	Public Service Electric & Gas	*Ferraro Construction Corp.	3/19/02	206 Delevan Street, New Brunswick	$5,000	4/22/02	No Call
GS04060540K	OC#25-02	*South Jersey Gas		3/1/02	7 Millard Avenue, Egg Harbor Township	$2,000	4/29/02	Did Not Properly Mark Out
GS04060541K	OC#26-02	*South Jersey Gas		2/27/02	6 Mill Court, Mantua	$2,000	4/29/02	Did Not Properly Mark Out
GS04060542K	OC#28-02	*South Jersey Gas		2/26/02	Lowell, Lindenwold	$2,000	4/29/02	Did Not Properly Mark Out
GS04060543K	OC#30-02	South Jersey Gas		2/26/02	314 South Railroad Avenue	$2,000	4/29/02	Did Not Properly Mark Out

***Alleged Violator**

Appendix Page 3

BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
GS04060544K	OC#33-02	*South Jersey Gas		2/26/02	304 E. Gibbsboro Road, Lindenwold	$2,000	4/29/02	Did Not Properly Mark Out
GS04060545K	GOC2002 -0018	*South Jersey Gas		3/7/02	Brewster Road, Buena	$2,000	4/26/02	Did Not Properly Mark Out
GS04060546K	GOC2002 -0019	*South Jersey Gas		3/5/02	972 Shunpike Road, Lower Township	$2,000	5/16/02	Did Not Properly Mark Out
GS04060547K	GOC2002 -0020	Public Service Electric & Gas	*Dow Asphalt	4/2/02	79 Hopper Avenue, Waldwick	$2,000	4/9/02	No Call
GS04060548K	GOC2002 -0021	New Jersey Natural Gas	*A. Bruno & Sons Garden Center	4/9/02	1115 Green Grove Road, Neptune	$2,000	5/15/02	No Call
GS04060549K	GOC2002 -0022	Public Service Electric & Gas	*Action Plumbing	5/31/02	Rt. 130 & Merchantville Avenue, Pennsauken	$1,000	6/11/02	No Call
GS04060550K	GOC2002 -0026	New Jersey Natural Gas	*R & R Construction	6/13/02	Flanders Draketown Rd., Mt. Olive	$3,000	6/27/02	Failure to Hand Dig
GS04060551K	GOC2002 -0027	*Elizabethtown Gas		6/18/02	1287 Strykers Rd., Lopatcong	$3,000	7/19/02	Did Not Properly Mark Out
GS04060552K	GOC2002 -0028	*Public Service Electric & Gas	Webco Construction	6/21/02	Teherune Drive, Wayne	1,000	8/20/02	Did Not Properly Mark Out
GS04060553K	GOC2002 -0029	*Public Service Electric & Gas		6/27/02	720 Riverton Road, Morristown	$3,000	8/14/02	Failure to Hand Dig & Locate
GS04060554K	GOC2002 -0031	*New Jersey Natural Gas	Mr. Rooter Plumbing	7/8/02	3 Rosewood, Holmdel	$3,000	9/25/02	Did Not Properly Mark Out
GS04060555K	GOC2002 -0033	Public Service Electric & Gas	*Anthony Mastrocola Plumbing	7/11/02	750 E. Front Street, Plainfield	$3,000	9/16/02	No Call
GS04060556K	GOC2002 -0034	*New Jersey Natural Gas		7/29/02	36 Washington Street, Dover	$3,000	9/25/02	Did Not Properly Mark Out
GS04060557K	GOC2002 -0036	New Jersey Natural Gas	*Ocean Pipe Works	7/31/02	127 Millcreek Road, Berkeley	3,000	10/18/02	No Call

***Alleged Violator**

BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
GS04060558K	GOC2002-0040	Public Service Electric & Gas	*Helois Construction	8/14/02	Avenue C, West 2nd Street, Bayonne	$3,000	9/27/02	No Call
GS04060559K	GOC2002-0045	South Jersey Gas	*Kojeski Construction	8/22/02	Blackhorse Pike, Gloucester	3,000	12/12/02	No Call
GS04060560K	GOC2002-0047	New Jersey Natural Gas	*J. Ford Electric		E. Country Line Road, Lakewood	$3,000	12/2/02	Failure to Hand Dig & Locate
GS04060561K	GOC2002-0048	Public Service Electric & Gas		9/25/02	100 Blackford Avenue Middlesex	$3,000	11/26/02	Did Not Properly Mark Out
GS04060562K	GOC2002-0049	Public Service Electric & Gas	*Industrial Environmental Contractors	9/25/02	126 Pulaski Street, Dunellen	$1,000	12/18/02	No Call
AS04060563K	GOC2002-0052	Public Service Electric & Gas	*Eagle Paving	9/28/02	Haddon Avenue, Walnut Street, Camden	$2,000	12/10/02	No Call
AS04060564K	GOC2002-0054	Public Service Electric & Gas	*Defino Contracting Co.	11/25/02	18 Norton Road, E. Brunswick	$1,000	3/17/02	No Call
GS04060565K	GOC2002-0056	Public Service Electric & Gas	*Brittshan Electric	12/5/02	7 Park Drive, Franklin	$3,000	1/29/03	Failure to Hand Dig & Locate
GS04060566K	GOC2002-0059	Elizabethtown Gas	*A. P. Construction Inc.	12/12/02	201 Penn Street, Camden	$3,000	1/13/03	Failure to Hand Dig & Locate
GS04060567K	GOC2002-0062	*Public Service Electric & Gas		12/9/02	2300 Woodbridge Avenue By Kearny Avenue, Edison	$3,000	2/19/03	Did Not Properly Mark Out
GS04060568K	GOC2002-0070	*Elizabethtown Gas		7/11/02	312 Park Street, Westfield	$3,000	8/26/03	Did Not Properly Mark Out
GS04060569K	GOC2002-0126	*Elizabethtown Gas		9/23/02	216 Lynn Lane, Westfield	$3,000	8/26/03	Did Not Properly Mark Out

***Alleged Violator**

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BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
TS04070625K	TOC1997-0004	*Bell Atlantic- New Jersey		3/20/97	Gaithers Dr. Mt. Laurel	$4,000	2/14/02	Did Not Properly Mark Out
TS04070626K	TOC1997-0030	*Bell Atlantic – New Jersey		5/14/07	Jane & newell Beach Haven	$1,000	2/16/99	Did Not Properly Mark Out
TS04070627K	TOC1999-0003	*Bell Atlantic – New Jersey		2/9/99	Parking lot/Newark Airport, Newark	$1,500	9/30/99	Did Not Properly Mark Out
TS04070628K	TOC1999-0004	*Giambattista Construction		4/28/99	50 Beachmont Terr. North Caldwell	$1,000	5/27/99	No Call
TS04070629K	TOC1999-0095	Bell Atlantic – New Jersey	*Perini/Slattery	12/1/99	Ocean Avenue Virginia & Forest St. Jersey City	$2,000	2/7/00	No Call
TS04070630K	TOC1999-0027	*Bell Atlantic – New Jersey	Pennsgove Water Co.	5/28/99	Virginia Avenue Jersey City	$4,000	2/14/00	Did Not Properly Mark Out
WS04070631K	WOC1999-0001		*New Jersey American Water Co.	73/30/99	795 Springfield Avenue Summit	$1,000	4/15/99	Did Not Properly Mark Out
WS04070632K	WOC2000-0001	Lacey Municipal Utilities Authority	*Jersey Central Power & Light Co.	3/28/00	316 South Main Street Lacey	$4,000	8/1/00	No Call
WS04070633K	WOC2000-0002	Lacey Municipal Utilities Authority	*Jersey Central Power & Light Co.	3/28/00	314 South Main Street Lacey	$2,000	1/21/00	No Call
WS04070634K	WOC20000-0015	Elizabethtown Water Co.	*Kiewit Construction	6/16/00	Route 1 N/Gilcrest Avenue Linden	$1,000	10/24/00	Excavated Outside Work Area
WS04070635K	WOC2000-0016	*Elizabethtown Water Co.		6/27/00	Stony Road & Route 1 North Edison	$1,500	11/8/00	Did Not Properly Mark Out
WS04070636K	WOC2000-0018	Elizabethtown Water Co.	*Yonkers Contracting	7/6/00	Rt. 1 North, South Old Post Rd., Edison Edison	$1,000	8/4/00	Failure to Hand Dig & Locate
WS04070637K	WOC2000-0020	*Elizabethtown Water Co.		7/19/00	858 Route 1 North, Edison	$1,000	11/8/00	Did Not Properly Mark Out
WS04070638K	WOC2000-0027	*Elizabethtown Water Co.	V. Diorio & Sons	10/31/00	78 NewBrooklyn, Rd., Edison	$1,500	2/28/01	Did Not Properly Mark Out
ES04070639K	EOC2000-0001	*Public Service Electric & Gas		3/22/00	897 Raymond Blvd. Newark	$1,000	4/26/00	Did Not Properly Mark Out
ES04070640K	EOC2000-0002	*Public Service Electric & Gas		3/17/00	273 Cold Soil Rd., Province Rd, Lawrence	$4,000	4/26/00	Did Not Properly Mark Out

***Alleged Violator**

BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
ES04070641K	EOC2000-0003	*Public Service Electric & Gas		2/14/00	901 Spring Street, Elizabeth	$1,000	5/11/00	Did Not Properly Mark Out
ES04070642K	EOC2000-0005	*Public Service Electric & Gas		5/19/00	83 W. Main Street Somerville	$2,000	9/18/00	Did Not Properly Mark Out
ES04070643K	EOC2000-0012	Conectiv Power Delivery	*Alternate Construction	6/16/00	500 Plymouth Place Hammonton	$1,000	8/15/00	No Call
ES04070644K	EOC2000-0014	*Jersey Central Power & Light		11/20/00	Winding River Rd, Lakewood	$1,500	2/14/01	Did Not Properly Mark Out
TS04070645K	TOC2000-0001	Bell Atlantic – New Jersey	*Canine Fence Company	3/14/00	11 Greenway, Old Tappan	$2,000	4/11/00	No Call
TS04070646K	TOC2000-0002	*Bell Atlantic – New Jersey		4/2/00	Market & Broad Street Newark	$2,000	5/15/00	Did Not Properly Mark Out
TS04070647K	TOC2000-0003	*Bell Atlantic – New Jersey		3/31/00	Parkway Avenue/Farrell St., Trenton	$2,000	5/4/00	Did Not Properly Mark Out
TS04070648K	TOC2000-0004	*Bell Atlantic – New Jersey		3/30/00	Engle Street, Englewood	$2,000	5/4/00	Did Not Properly Mark Out
TS04070649K	TOC2000-0006	Bell Atlantic – New Jersey	*Morristown DPW	4/11/00	Cory Rd./RR Tracks & Speed Well, Morristown	$1,000	5/9/00	No Call
TS04070650K	TOC2000-0007	Bell Atlantic – New Jersey	*C & M Construction Co. of New Jersey, Inc.	5/25/00	Raymond Road & Deer Park Road, South Brunswick	$1,000	7/11/00	Failure to Hand Dig & Locate
TS04070651K	TOC2000-0009	WorldCom Network Services	*Public Service Electric & Gas	11/18/00	1400 Federal Blvd. Carteret	$2,000	1/29/01	Excavated Out side Scope
WS04070652K	WOC2001-0001	New Jersey American Water Co.	*Gray Supply Corp.	5/10/01	9 Oakland Avenue Middletown	$3,000	8/2/01	No Call
WS04070653K	OC#58-01	*New Jersey American Water Co.		5/1/01	123 Lexington Avenue Maplewood	$2,000	6/5/01	No Mark
WS04070654K	WOC2001-0004	Consumers of NJ Water	*William Bowman Assoc.	8/6/01	Ashburn Way, Woolwich	$1,000	10/12/01	No Call
TS04070655K	TOC2001-0003	Verizon	*Joe Bran Co.	2/21/01	Rt. 21 behind Don Pepe Restaurant, Newark	$1,500	3/13/01	No Call
TS04070656K	TOC2001-0004	*AT&T Local Services		2/16/01	Rear of Citco Refinery, Linden	$1,000	4/23/01	Did Not Properly Mark Out
TS04070657K	TOC2001-0005	Verizon	*Aquifer Drilling-Tesing	3/21/01	101 Greenwood Avenue in Roadway, Montclair	$1,500	5/25/01	No Call
ES04070658K	EOC1999-0003	*Jersey Central Power & Light Co.		3/23/99	William Street Blk 45 Lot 16.01, Fair Haven	$1,000	5/21/99	Did Not Properly Mark Out
ES04070659K	EOC1999-0014	Public Service Electric & Gas	*Giambattista Construction	4/28/99	50 Beachmont Terrace North Caldwell	$,1000	5/10/99	No Call
ES04070660K	EOC2001-0003	*Jersey Central Power & Light Co.		10/19/01	Kings Arrow Road, Mount Olive	$2,000	12/11/01	Did Not Properly Mark Out
ES04070661K	EOC2001-0004	*Jersey Central Power & Light Co.		11/28/01	51 Rumson Road, Rumson	$2,000	1/18/02	Did Not Properly Mark Out

***Alleged Violator**

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BPU Docket No.	One Call Docket No.	Operator	Excavator	Violation Date	Location	Penalty	Payment Received	Type of Violation
WS04070662K	WOC2002-0002	*New Jersey American Water Co.	PHA Construction	4/1/02	2 Berkley Avenue, Absecon	$2,000	12/12/02	Did Not Properly Mark Out
WS04070663K	WOC2000-0005	*New Jersey American Water Co.	Metra Industries	4/3/02	Grand Avenue, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070664K	WOC2002-0007	*New Jersey American Water Co.	Metra Industries	4/3/02	Springdale & Westbourne Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070665K	WOC2002-0011	New Jersey American Water Co.	Metra Industries	6/10/02	43 Morrell Street, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070666K	WOC2002-0022	New Jersey American Water Co.	Metra Industries	4/30/02	107 Long Branch Avenue Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070667K	WOC2002-0026	New Jersey American Water Co.	Metra Industries	5/7/02	Cypress Street, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070668K	WOC2002-0028	New Jersey American Water Co.	Metra Industries	5/10/02	522 Bath Avenue, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070669K	WOC2002-0031	New Jersey American Water Co.	Metra Industries	5/24/02	274 Central Avenue, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070670K	WOC2002-0033	New Jersey American Water Co.	Metra Industries	5/30/02	461 Harrison Street, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
WS04070671K	WOC2002-0035	New Jersey American Water Co.	Metra Industries	5/30/02	562 Jay Street, Long Branch	$2,000	2/14/03	Did Not Properly Mark Out
CS04070672K	COC2002-0001	*Grandview Cable Co.		4/19/02	2500 Shafto Road, Tinton Falls	$3,000	5/28/02	Did Not Properly Mark Out
CS04070673K	COC2002-0002	Comcast Cablevision of Garden State	*Henkels & McCoy	7/8/02	Cedar Lane Access Road Springfield	$2,000	8/12/02	No Call
CS04070674K	COC2002-0005	*Comcast of Toms River		8/22/02	6 Carteret Court, Ocean	$2,000	10/25/02	Did Not Properly Mark Out
ES04070675K	EOC2002-0004	*Conectiv		7/22/02	Intersection of Ohio & Baltic Atlantic City	$2,000	8/19/02	Did Not Properly Mark Out
TS04070676K	TOC2002-0002	Sprint	*Flats & Curbs	10/29/02	Brookfield Glen Brookfield Dr. Belvidere	$1,000	12/9/02	No Call
TS04070677K	TOC2001-0001	WorldCom Network Services	*Kemsco Equipment Co. Inc.	1/18/01	6th St. Louis Munoz Marin Blvd. Jersey City	$2,000	3/28/01	Excavated Outside Scope

***Alleged Violator**