



Agenda Date: 12/17/14
Agenda Item: 1B

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

DIVISIONS OF AUDITS &
RELIABILITY & SECURITY

IN THE MATTER OF THE RATE CHARGED) ORDER
BY ONE CALL CONCEPTS, INC. FOR OPERATION)
OF THE NEW JERSEY ONE-CALL DAMAGE)
PREVENTION SYSTEM) DOCKET NO. AA09020127

Party of Record:

R. Thomas Hoff, President One Call Concepts, Inc.

BY THE BOARD¹:

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 ("the 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.

Through the Department of Treasury, Division of Purchase and Property, a Request for Proposal was issued to designate a System Operator for the System. On September 16, 2009, after reviewing the report and recommendations of the Evaluation Committee, the Board selected One Call Concepts, Inc. ("OCC" or "the Vendor"), of Hanover, Maryland, as System Operator of the System for a period beginning February 17, 2010 and ending February 16, 2015. Accordingly, the Department of Treasury, Division of Purchase and Property ("Treasury"), entered into Contract No. A75304 ("Contract") with OCC, on behalf of the Board, for the five-year period effective February 17, 2010 through February 16, 2015. At the December 17, 2014, Agenda meeting the Board approved a one year, two week contract extension to expire February 29, 2016.

As System Operator, the Vendor's primary responsibility is to process incoming messages from excavators of planned excavation or demolition activity and send notifications ("Tickets") to

¹ President Richard S. Mroz was not present for this item.

underground facility operators with facilities in the area of the proposed activity. The Contract provides that OCC will be compensated for each request for mark-out ("Message") that it receives and that it will collect this compensation through a per-Ticket charge to underground facility operators. The exact amount of this charge is calculated based upon an estimate, made at the beginning of each contract year, of the average number of Tickets that will be sent for each Message received ("the Ratio"). The Ratio is established to ensure that the charges for Tickets will provide sufficient revenue to pay OCC at the current contract year per message rate.

OCC's first year contract rate effective February 17, 2010 through February 16, 2011 was \$6.90. OCC's second year contract rate effective February 17, 2011 was \$7.01 per Message. The third year contract rate effective February 17, 2012 was \$7.13 per Message. The fourth year contract rate effective February 17, 2013 is \$7.24 per Message. The fifth year contact rate effective February 17, 2014 will be \$7.36 per Message. OCC contract was extended one year, two week effective from February 17, 2015 to February 29, 2016 with the rate remaining at \$7.36. Because the estimated ratio for any given year may result in either an over or under compensation of the System Operator, the Contract provides that OCC shall, at the request of NJBPU staff, set a lower or higher charge per Ticket. On November 19, 2014, OCC filed with the Board seeking approval of a revised per Ticket rate. The proposed rate takes into account prior recoveries, charges for other permissible services as well as the contract extension rate which will remain at \$7.36 per message.

In addition to the Contract rate, the Tariff sets forth rates for other permissible services provided by OCC under the Contract. Any revenue from these charges shall be included by OCC when calculating the annual reconciliation as well as any subsequent rate changes and true-ups.

Following a review of the letter and supporting documents, as well as discussions with OCC, Staff recommends that the Board adopt the Tariff pages and increase the current Ticket Rate two cents to \$1.24 effective February 1, 2015.

The Board **HEREBY FINDS** that the change in the Ticket Rate is necessary to ensure appropriate recovery to fund the Contract Rate. Therefore, the Board **HEREBY ORDERS** that the rate per Ticket be increased to \$1.24 and that OCC's tariff be approved to be effective on February 1, 2015.²

The Board reserves the right to order an increase and/or decrease at a future point in the contract year if warranted. The information presented by OCC and a review of the proper collection and calculation of rates and ratios is subject to audit, including a review of collection activities, proper expenditure of money under the Contract and any additional over/under collections.

² This Order does not change the contract message Rate. Pursuant to the Amended Contract, OCC will continue to receive \$7.36 through the end of the contract on February 29, 2016.

This Order shall be effective on December 29, 2014.

DATED: 12/19/14

BOARD OF PUBLIC UTILITIES
BY:




JOSEPH L. FIORDALISO
COMMISSIONER



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



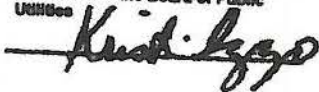
UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST:



KRISTI IZZO
SECRETARY

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



KRISTI IZZO

**IN THE MATTER OF THE RATE CHARGED BY ONE CALL CONCEPTS, INC. FOR
OPERATION OF THE NEW JERSEY ONE-CALL DAMAGE PREVENTION SYSTEM
DOCKET NO. AA09020127**

SERVICE LIST

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One Call Concepts, Inc.
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Hanover, MD 21076

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ONE CALL CONCEPTS

When safety is on the line.

7223 Parkway Drive
Hanover, MD 21076
www.occinc.com

19 November 2014

Honorable Kristi Izzo
Secretary
Board of Public Utilities
44 South Clinton Avenue
PO Box 350
Trenton, NJ 08625-0350

SENT by OVERNIGHT DELIVERY

Re: New Jersey One-Call Damage Prevention System Tariff Rate change,
Contract number 75304
BPU Docket number AA09020127

Dear Secretary Izzo:

Enclosed for filing with the Board of Public Utilities ("Board") are an original and ten copies of information supporting a Tariff Rate change for the New Jersey One Call Center.

One Call Concepts, Inc. (OCC) was awarded contract number 75304 for the operation of the New Jersey One Call Center on October 27th, 2009. Consistent with the New Jersey Department of the Treasury's Request for Proposal 09-X-20634 for the One Call Damage Prevention System, OCC provided pricing for five years, which included an increase each year. This contract was subsequently extended (see attachment 1).

In early 2014, the Board approved OCC's proposed tariff for the fifth year of operation of the Damage Prevention System, which established, among other things, a rate for service. The tariff further specified the rate would be adjusted in accordance with the agreement and the permission of the BPU.

Attached is the revised tariff page for the extension.


The extension indicates a rate of \$ 7.36 per incoming call during the extension. OCC proposes that a tariff rate of \$1.24 per outgoing message is required to minimize under-collection in support of the contract rate increase. We believe this will result a net over-collection. While we continue to exert every effort to collect the small number of delinquent accounts that exist, we believe there will be a relatively modest amount of bad debt remaining to be trued up and applied to any over-collection at the end of the term. OCC therefore respectfully requests the BPU approve the rate increase as outlined on Revised Tariff Page 9 (see attachment 2) in its December 2014 Agenda meeting. We are seeking the Board's authorization to implement the new rate on February 1, 2015.

Thank you for your consideration. Please feel free to contact us directly in the event further information is required.

Yours truly,



James L. Holzer
Project Manager
One Call Concepts, Inc.

	STATE OF NEW JERSEY PROCUREMENT BUREAU 33 WEST STATE ST 9TH FL TRENTON, NJ 08625-0230 PROFESSIONAL CONTRACT	NUMBER : A75304 DATE : 07/23/14 BUYER : ROY HAMBRECHT PHONE : (609) 292-3689 EFFECTIVE DATE : 02/17/10 EXPIRATION DATE : 02/28/16 T-NUMBER : 12655 CONTRACTOR : ONE CALL CONCEPTS INC	PAGE: 1
	NEW JERSEY ONE-CALL DAMAGE PREVENTION SYSTEM		

ONE CALL CONCEPTS INC
 7223 PARKWAY DRIVE
 SUITE 210
 HANOVER MD 21076


VENDOR NO. : 521273782 08
 VENDOR PHONE : (000)000-0000
 FEIN/SSN : 521273782
 REQ AGENCY : 822019
 MANAGEMENT & ADMINISTRATION, BPU
 AGENCY REQ NO. :
 PURCH REQ NO. : 1036913
 FISCAL YEAR : 10
 COMMODITY CODE : 96291
 SOLICITATION # : 20634
 BID OPEN DATE : 05/21/09

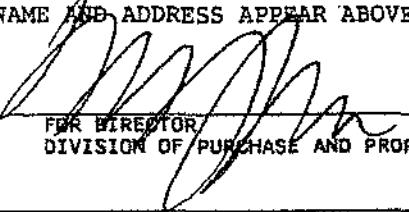
TERM CONTRACT FROM: 02/17/10 TO: 02/28/16 ESTIMATED AMOUNT: \$ 4,000,000.00

1. ORDERING PERIOD: CONTRACT BEGINNING ORDERING PERIOD IS:02/17/10
 CONTRACT ENDING ORDERING PERIOD DATE IS:02/28/16
2. F.O.B. POINT: DESTINATION
3. DELIVERY DELIVERY WILL BE MADE WITHIN AS SPECIFIED ELSEWHERE UNLESS SPECIFIED DIFFERENTLY ON EACH LINE OR UNLESS AN ALTERNATE DELIVERY SCHEDULE IS INDICATED. AN ALTERNATE DELIVERY SCHEDULE IS ENCLOSED HEREIN: YES
4. CASH DISCOUNT TERMS: CASH DISCOUNT TERMS ARE 00.00% DAYS.
- PERFORMANCE BOND: PERFORMANCE BOND REQUIRED: NO ; DATE REQUIRED 00/00/00
 AMOUNT \$0 ; PERCENT OF CONTRACT 0.00%
6. RETAINAGE: RETAINAGE PERCENT IS 0.00%
7. COOPERATIVE PROC: THIS CONTRACT IS AVAILABLE FOR POLITICAL SUBDIVISION USE UNDER THE COOPERATIVE PROCUREMENT PROGRAM NO
8. BID REFERENCE NO: YOUR BID REFERENCE NUMBER IS:
9. AWARDED LINES: YOU WERE AWARDED 7 LINES FROM THE SOLICITATION NUMBER 20634 .
 THESE LINES ARE INCLUDED AS A PART OF THIS CONTRACT.

ALL TERMS AND CONDITIONS AS A PART OF SOLICITATION NUMBER 20634 INCLUDING ANY ADDENDA THERETO AND ALSO INCLUDING THE BIDDER'S PROPOSAL AS ACCEPTED BY THE STATE ARE INCLUDED HEREIN BY REFERENCE AND MADE PART HEREOF EXCEPT AS SPECIFIED HEREIN

THIS IS NOTICE OF ACCEPTANCE BY THE DIRECTOR OF THE DIVISION OF PURCHASE AND PROPERTY ACTING FOR AND ON BEHALF OF THE STATE OF NEW JERSEY, OF THE OFFER REFERENCED ABOVE BY YOUR FIRM WHOSE NAME AND ADDRESS APPEAR ABOVE.


 BUYER _____ DATE 7/24/14


 FOR DIRECTOR _____ DATE 7/24/14
 DIVISION OF PURCHASE AND PROPERTY

USING AGENCIES CANNOT PROCESS INVOICES FOR PAYMENT OF DELIVERED GOODS AND/OR SERVICES UNTIL THE PROPERLY EXECUTED BOND HAS BEEN RECEIVED AND ACCEPTED BY THE PURCHASE BUREAU.

VENDOR COPY

ATTACHMENT 1

PRICE SHEET		PROFESSIONAL CONTRACT			
PROCUREMENT BUREAU PURCHASE BUREAU STATE OF NEW JERSEY 33 WEST STATE ST 9TH FL PO BOX 230 TRENTON NJ 08625-0230		NUMBER : A75304 T-NUMBER : T2655 CONTRACTOR: ONE CALL CONCEPTS INC			PAGE 2
LINE NO.	COMMODITY/SERVICE DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE OR PERCENT DISCOUNTS	EXTENDED AMT IF APPLICABLE
	UNLESS SPECIFIED OTHERWISE BELOW: SHIP TO: 822019 / 5001 MANAGEMENT & ADMINISTRATION, BPU BUDGET AND FINANCE 44 S CLINTON AVE 9TH FL TRENTON NJ 08625				
00001	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: ALL INCLUSIVE FIRM FIXED PRICE FOR MARKOUT/SERIAL NUMBER - YEAR 1	1	EACH	\$ 6.90	
00002	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: ALL INCLUSIVE FIRM FIXED PRICE FOR MARKOUT/SERIAL NUMBER - YEAR 2	1	EACH	\$ 7.01	
00003	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: ALL INCLUSIVE FIRM FIXED PRICE FOR MARKOUT/SERIAL NUMBER - YEAR 3	1	EACH	\$ 7.13	
00004	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: ALL INCLUSIVE FIRM FIXED PRICE FOR MARKOUT/SERIAL NUMBER - YEAR 4	1	EACH	\$ 7.24	
00005	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: ALL INCLUSIVE FIRM FIXED PRICE FOR MARKOUT/SERIAL NUMBER - YEAR 5	1	EACH	\$ 7.36	
00006	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: ADDITIONAL SERVICES (SECTION 5.21)	1	HOURL	\$ 30.00	
00007	COMMODITY CODE: 962-91-075983 [MISCELLANEOUS SERVICES, NO. 2 (NOT...)] ITEM DESCRIPTION: LITIGATION SUPPORT (SECTION 3.7)	1	HOURL	\$ 50.00	

VENDOR COPY

ATTACHMENT 2

ONE CALL CONCEPTS, INC.
B.P.U. NO. 1-FACILITIES PROTECTION SERVICES

Original Sheet No. 9

RATE SCHEDULE

Each operator that receives notification, or a copy of a notification, or for whom notification is provided to a third party, regardless of whether the notification included notifications on behalf of other Operators, shall be charged a rate as defined below.

The charge per Ticket effective February 1, 2015 and until the effective date of a revised tariff is established is \$ 1.24. The rate may be recalculated, if necessary, and approved by the Board in accordance with the agreement. No charge shall be made to Operators for notifications of Updates and Broadcasts.

TERMS OF PAYMENT

Payment shall be due not later than 30 days from the date of the bill. All bills shall list a due date.

BILLING FREQUENCY

Bills for service rendered under this Rate Schedule will be rendered in arrears monthly, quarterly or annually as agreed to by and between OCC and the Operator.

LATE PAYMENT FEE

For bills rendered to non-governmental entities only, any bill remaining unpaid more than 30 days after the bill due date shall be subject to a late fee payment of 1% of the amount of the bill for each 30-day period, or increment thereof, the bill remains unpaid.

Issued: February 1, 2015
By: R. Thomas Hoff, President
One Corporate Place South
Piscataway, New Jersey 08854

Effective: February 1, 2015.