



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**  
**Office of the State Fire Marshal**  
**California Underground Facilities Safe Excavation Board**  
2251 Harvard Street  
SACRAMENTO, CA 95815  
(916) 568-3800  
<https://digsafe.fire.ca.gov>



August 21, 2020

## **NOTICE OF PROBABLE VIOLATION**

Brian Wong  
Pacific Gas & Electric Company  
77 Beale Street, 30th Floor  
San Francisco, CA 94105

Case No.: 20SA1059

Address/Location of Violation(s): 211 Broad St., Nevada City, CA 95959

Date/Time of Violation(s): 6/16/2020 @ 8:43am

Dear Mr. Wong,

The California Underground Facilities Safe Excavation Board has concluded its investigation of an incident on the above date, time and location and has determined that Pacific Gas and Electric Company violated the following:

Gov't Code § 4216.3 (a) (1) (A) requires the utility operator to locate and field mark subsurface installations or provide information to the excavator on their location in the delineated area when they receive a USA ticket request.

While responding to a valid USA North 811 request, # X016202421, PG&E failed to mark a secondary power line that powered multiple streetlights behind The National Hotel in Nevada City, CA. On 6/16/2020 the excavator, Peter Shack Construction Engineering, struck the unmarked power line with a Caterpillar 420 backhoe while digging a narrow trench to install a new electrical line.

Violation of Government Code (sections 4216 *et seq.*) is punishable by a maximum penalty of \$10,000. A knowing and willful violation is punishable by a maximum penalty of \$50,000.

A Corrective Action of mandatory completion of the Dig Safe Board's education course is being imposed. Please see <https://digsafe.fire.ca.gov/education-course/> for more information.

The proposed sanction reflects the nature and gravity of the violation and takes into consideration the Respondent's history of prior offenses, cooperation with the investigation and demonstration of his/her intent to comply with Gov't Code § 4216 *et seq.* in the future.

This matter will be referred to the California Public Utilities Commission with a recommended penalty of mandatory completion of the Board's education course.

The California Underground Facilities Safe Excavation Board will act on this notice of probable violation in a future meeting.

You may contest this notice by responding to this notice promptly. Please see attached instructions on completing and submitting your response for options available to you. Your response to this notice must be received by the California Underground Facilities Safe Excavation Board no later than October 2, 2020.

Sincerely,

*Jason Corsey*

Jason Corsey  
Chief of Investigations  
California Underground Facilities Safe Excavation Board  
916-926-1660

Proposed hearing date: November 16, 2020