



City of Azusa

Jason Corsey
Office of Energy Infrastructure Safety
Underground Safety Board
715 P St., 20th Floor
Sacramento, CA 95814

Case No.: 21LA01483

Address/Location of Violation(s): 350 W. Mauna Loa Ave., Glendale, CA 91740
Date/Time of Violation(s): October 15, 2021, 10:30 a.m.

Dear Mr. Corsey,

In response to your letter to Mr. Mark Silva dated May 6, 2022 about the alleged violation(s), I am writing you this letter in the spirit of informing you there are errors on your agency's part. This is not a letter of contest of any kind because we are not in any type of violations. Let's me explain to you about the errors. First and foremost, the City of Azusa's Electric division serves electric utility to its customers within the City's limit only. In your letter to Mr. Silva, you have indicated that Mr. Silva did not respond the request to identify/mark the electric facilities on requested date October 15, 2021 at the address at 350 Mauna Loa Avenue., Glendora, CA 91740. As you can see this address is clearly not in the service areas of the City of Azusa. Therefore, we are not obligated to respond to that request by contractor. The second error we have discovered on your letter is the error on the address. It may be a typo, but you have indicated the address is in the City of Glendale on your subject line, and City of Glendora in the body of your letter (please see attached letter with highlighted typo). In either case, we don't have any facilities in either of these Cities. Therefore, we did not respond to errors made by other parties.

As you can see, there are clerical errors made by other parties. Having said that, I respectfully request that you rescind your letter to Mr. Mark Silva, and clear City of Azusa's name from your record of any violations pertaining to this address.

Your prompt response to this matter is greatly appreciated!

Sincerely,

Hien K. Vuong
Assistant General Manager of Utilities
Electric Operations

Cc: Dave Patterson – Distribution Supervisor - dpatterson@azusaca.gov

~~Mark Silva – Crew Supervisor – msilva@azusaca.gov~~

Azusa Light & Water
Tel: (626) 812-5225

729 N. Azusa Avenue
Fax: (626) 812-0963

Azusa, California 91702
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State of California – A Natural Resources Agency

OFFICE OF ENERGY INFRASTRUCTURE SAFETY
UNDERGROUND SAFETY BOARD
715 P Street, 20th Floor | Sacramento, CA 95814
916.902.6000 | www.energysafety.ca.gov

Marjorie Del Toro, Chair

May 6, 2022

NOTICE OF PROBABLE VIOLATION

Mark Silva
City of Azusa Light & Water Dept.
729 N. Azusa Ave.
Azusa, CA 91702

Case No.: 21LA01483

Address/Location of Violation(s): 350 W. Mauna Loa Ave., Glendale, CA 91740

Date/Time of Violation(s): October 15, 2021, 10:30 a.m.

Dear Mr. Silva:

You are receiving this Notice of Probable Violation (Notice) as a result of an investigation pursuant to Government Code sections 4216 *et seq.* The California Underground Safety Board (Board) investigator has concluded an investigation of an incident on October 15, 2021, at 10:30 a.m. at 350 Mauna Loa Ave., Glendale, CA 91740, and found that there is a probable violation of Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code. The probable violations are:

- 4216.3(a)(1)(A) Unless the excavator and operator mutually agree to a later start date and time, or otherwise agree to the sequence and timeframe in which the operator will locate and field mark, an operator shall do one of the following before the legal excavation start date and time: (i) locate and field mark within the area delineated for excavation and, where multiple subsurface installations of the same type are known to exist together, mark the number of subsurface installations, (ii) to the extent and degree of accuracy that the information is available, provide information to an excavator where the operator's active or inactive subsurface installations are located, or (iii) advise the excavator it operates no subsurface installations in the area delineated for excavation.

City of Azusa Light and Water Department did not respond to ticket A212910968, which had a legal excavation start date and time of 5:01 p.m. on October 20, 2021. A department representative stated that they did not respond to the Sun Country Systems notification because the excavation address was outside of their service area and that they do not respond to notifications outside of their service area.

Hearing and Referral to Enforcement Agency

The Board will hear and vote on your case at a public meeting on July 11, 2022, at 1:00 p.m. in Sacramento.