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July 5, 2022

Received Late

VIA E-MAIL

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Office of Energy Infrastructure Safety
Underground Safety Board
715 P Street
20th Floor
Sacramento, CA 95814

Re: Case Number 21SA01472

Dear California Underground Safety Board:

I am sorry for the late response to the Notice of Probable Violation (“NOPV”) issued for the events that occurred on April 29, 2021, and May 26, 2021, in Kingsburg, California, Case Number 21SA01472. AT&T asks that you please consider the following information provided to the California Underground Safety Board (Board) to document the factual record around these incidents. Both incidents were caused by COVID-19 related absences in staff at UtiliQuest. AT&T conducted an investigation and wishes to include AT&T’s understanding of the events in the record of this Board.

AT&T has a contract with UtiliQuest LLC to provide Locate Services as required under the Dig Safe Act. Under the contract, UtiliQuest is required to furnish all labor, supervision, tools, equipment, materials, and transportation required to perform Locate Services on all jobs assigned by AT&T within the agreed geographic area of responsibility. UtiliQuest is required to respond to Locate Requests and complete the marking prior to the start time and date indicated on Locate Requests. If UtiliQuest cannot meet this obligation, it is UtiliQuest’s responsibility to notify the excavator and arrange to perform the Locate Service at a date and time agreeable to the excavator. If the excavator does not agree, UtiliQuest must complete the Locate Service by the original due date and time.

Ticket Number W111700318

Our understanding of the facts surrounding the April 29, 2021, violation, Ticket Number W111700318, are as follows. On April 27, 2021, Swinerton submitted a Locate Request. The ticket was due by April 29, 2021, at 5:01 p.m. This Locate Request was made during the Pandemic period and when certain health requirements were in effect. There were two COVID callouts for this supervisor group this week which created shuffling of the work and staffing. On April 29, 2021, at 4:42 p.m., the field supervisor for UtiliQuest responded to Swinerton’s ticket "ongoing" and not marked, due to reason code “080 – Extraordinary Circumstances Exist – No Locate Due to Weather/Emergency/Safety Conditions.” An electronic positive response was sent to the One Call Notification center. This response was based on a conversation the field supervisor had earlier with the technician, and it was determined that the technician would not be

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able to make respond to the locate request on time. The technician arrived at the site approximately 10 mins prior to the ticket being due, which was verified by the vehicle tracking system. Once the technician arrived on site, reviewed all maps, and the surveyed the area, he began to place the necessary markings. AT&T has reviewed the photographs that were taken at the site that indicated, "No ATT/D" on the street. The photographs indicate that the date and time of the photographs are April 29, 2021, at 5:04 p.m. The technician then completed the ticket with a status of no conflict at 5:13 p.m. on April 29, 2021. The ticket was then completed in the system and responded electronically at 5:17 p.m.

Ticket Number X114000542

Our understanding of the facts surrounding the May 24, 2021, violation, Ticket Number X114000542, are as follows. On May 20, 2021, at 9:02 a.m. Bill Nelson Construction submitted a Locate Request to install new sewer drains, sewers, and water facilities. The ticket was due on May 24, 2021, at 5:01 p.m. This Locate Request was made during the Pandemic period and when certain health requirements were in effect. There was one COVID call out in the supervisor group for this week which created shuffling of the work and staffing at UtiliQuest. There was no available technician due to the COVID callout for this Locate Request, and UtiliQuest was unable to complete the ticket. An electronic positive response was sent to Bill Nelson Construction, with the status of, "ongoing" and not marked, due to "080 – Extraordinary Circumstances Exist – No Locate Due to Weather/Emergency/Safety Conditions." On May 25, 2021, the ticket was reassigned to another technician. Once the technician arrived on site, he determined that fulfilling the Locate Request would be a long job and required a longer period of time to process the request. The Locate Request was over a mile long and required markings on both sides of the center line for over 2,470 feet. Since there was no crew on site, and the excavation had not started, this Locate Request was rescheduled for the next day. On May 26, 2021, UtiliQuest was able to get to the jobsite at 7:30 a.m. and marked and completed the ticket at 9:05 a.m.

For both tickets, UtiliQuest responded to the One Call Center as "080 – Extraordinary Circumstances status" in order to notify the excavators that there were circumstances beyond the Utility Locator's control due to Pandemic, Natural Disaster or other occurrence which cannot be navigated, and thus resulted in a delay in responding to the tickets within the due date and time established. AT&T believes the timing of the COVID-19 emergency is the cause of this NOPV. The first ticket missed the deadline by only 16 minutes. The second ticket missed the deadline by about a day and a half, but there was no crew on site, and the job was very extensive. While AT&T does not contest the NOPV, AT&T asks for these violations to be excused due to extraordinary circumstances caused by COVID-19.

Again, I apologize for the delay in responding to the NOPV. Should you have any questions about this letter, please contact me at (925) 915-8397.

Sincerely,



Jill Van Slyke