

California Underground Facilities Safe Excavation Board

In the Matter of
MCI Worldcom/Verizon,
Respondent

Case No. D223400004

DECISION REGARDING NOTICE OF PROBABLE VIOLATION(S)

On July 10, 2023, The Office of Energy Infrastructure Safety, California Underground Facilities Safe Excavation Board (the Board) considered Case No. D223400004. On May 08, 2023, Board investigative staff issued a Notice of Probable Violation to MCI Worldcom/Verizon (“Respondent”).

Board members Bianchini, Del Toro, Johns, Munoz, and Voss participated in the decision. Board members Charland and Johnson recused themselves and did not participate in the decision.

FINDINGS

Having considered the investigation report the Board finds that a violation of California Code of Regulations title 19, section 4151, subdivision (c) occurred.

VIOLATION SUMMARY

Respondent failed to cooperate with the investigation.

Under California Code of Regulations title 19, section 4151, subdivision (c), excavators and operators that take actions known or that reasonably should have been known to prevent, hinder, or impede an investigation are subject to sanctions. Respondent failed to acknowledge or respond to investigative staff emails and a phone message thus hindering the investigation.

JURISDICTION

This matter is subject to the jurisdiction of the Board.

SANCTIONS

The Board orders Respondent to take the Board's education course.

The following factors were considered relevant to this sanction determination:

- Respondent did not cooperate with Board investigative staff.
- Respondent does not have a history of similar violations before the Board.

/s/ Amparo Muñoz
Amparo Muñoz, Chair

Date: 08/04/2023