



October 24, 2025

Office of Energy Infrastructure Safety
Underground Safety Board
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Sacramento, CA 95814
Enforcement.dig@energysafety.ca.gov

RE: Response to a Notice of Probable Violation
Case Number N250381136

Dear Board Members,

In response to the Notice of Probable Violation we received on September 15, 2025, Padre Dam Municipal Water District (Padre Dam) is hereby contesting in writing and requesting an informal hearing relating to Case Number N250381136. Padre Dam took reasonable actions to provide an electronic positive response to a request to locate utilities within its service area. Our actions were taken prior to the legal excavation start date and time and Padre Dam was not negligent in its actions.

For clarification, the investigation was a result of an incident that occurred on February 5, 2025, for which a ticket was not submitted, and no Padre Dam facilities were damaged. The Notice of Probable Violation is related to ticket A250630266-00A created March 4, 2025, which had a legal excavation start date and time of March 7th at 8:00 am. Padre Dam was performing an internal upgrade to its GIS system scheduled for March 3rd, which extended through March 7th. This upgrade affected all GIS applications and systems including our DigAlert Response GIS interface. During the internal GIS upgrade, Padre Dam staff was not able to process tickets using our standard operating procedure which includes email notifications, GIS integration, and internal reporting. Padre Dam, understanding the importance of responding to DigAlert tickets, resorted to an alternative process to respond to the tickets.

From time to time, our staff has had to respond to tickets without the use of our GIS system. In these instances, we make use of the DigAlert website to provide responses. To our knowledge, we have not had issues in the past where our use has failed to provide an electronic positive response. Due to the time that has passed between the incident and our receipt of the Notice of Probable Violation, we are not able to provide full details of all actions taken related to the ticket. However, our staff did not note seeing any errors in response to ticket A250630266-00A or any other tickets during the manual entry of responses during the time Padre Dam was upgrading our GIS system. In cooperating with the investigator, Padre Dam staff provided a response speculating on possible technical issues due to system upgrades to our GIS system and use of the DigAlert website.

According to the investigation notes, Padre Dam staff accessed the DigAlert website on March 4th to address the ticket. This is consistent with the timing of our GIS upgrade schedule, and it verifies that Padre Dam staff took action to respond to the ticket the day it was received and within the legal time frame. Padre Dam staff would not have taken any action on the ticket until it reviewed the information on the ticket, verifying the scope of work and reviewing Padre Dam assets in the area to check for conflicts. This specific ticket had no conflict with our assets and therefore would have been marked as "clear-no conflict". Padre Dam staff continued to process tickets through the DigAlert website daily until its GIS interface was restored. When tickets are cleared using our GIS interface, Padre Dam does have an automated process to alert staff in the event that a positive response failed to be sent. However, due to the ongoing upgrade, this process was not operational.

On March 7, 2025, the District received a revised ticket notifying us of a "no response" to the ticket in question. The investigation notes show that Padre Dam staff responded within minutes to this ticket through the DigAlert website. It should also be noted that the electronic positive response to the ticket in question was "clear-no conflict". The process for responding to this revised ticket was the same as done for the original ticket. In all responses to this ticket, Padre Dam staff reviewed the ticket information and Padre Dam assets to confirm that there were no conflicts with District facilities prior to responding through the DigAlert website. Padre Dam information systems staff completed our internal GIS upgrades and testing the evening of March 7th and resumed responding to tickets using our GIS interface soon thereafter.

In response to the recommendations of the investigator, Padre Dam Municipal Water District feels strongly that its actions to respond to the ticket were reasonable and with full intent to meet all obligations as legally required. In no way was Padre Dam negligent in its action or process. Padre Dam is committed to its customers in providing excellent service as is evidenced by the quick response to the notice of a "no response" ticket. Padre Dam feels that the recommended penalties are not warranted given the circumstances. The absence of an electronic positive response code for ticket A250630266 is best described as a technical error. Padre Dam staff did not note seeing any errors when responding on March 4th to the original ticket and followed the same procedure when responding on March 7th for which the response generated an electronic positive response. However, Padre Dam is open to receiving information and/or training on the use of the DigAlert website for situations where it is obligated to use it as a tool to respond.

Padre Dam will use this as an opportunity to evaluate its standard operating procedures and alternative processes to ensure efficient and accurate responses are provided in accordance with its legal obligations. Padre Dam appreciates your review of our response and requests an informal hearing to answer any questions and to further clarify our position.



Director of Engineering and Planning