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CITY COUNCIL 2025

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SHARON RANALS, CITY MANAGER

October 23, 2025

Via Electronic Mail Only: enforcement.dig@energysafety.ca.gov

Office of Energy Infrastructure Safety
Underground Safety Board
715 P St., 15th Floor
Sacramento, CA 95814

**Re: Case No: D231530005
Approximately 640 Gateway Boulevard, South San Francisco, CA 94080
Contest in Writing
Request for Informal Hearing on November 17, 2025 (Virtual Meeting Platform)**

Dear Brittney Branaman:

This letter constitutes the City of South San Francisco's ("City") response to the Underground Safety Board's (the "Board") notice dated September 10, 2025, Case No. D231530005 (the "Notice") regarding Board's investigatory conclusions that the City failed to provide electronic positive responses to the following three tickets, in violation of Government Code Section 4216.3(c)(1)(A): ticket 2023033003533-000; ticket 2023033003533-00; and ticket 2023033003533-006.

The City does not contest the recommend mandatory completion of the Underground Safety Board's education course. However, the City does contest any imposition of penalties by the Board, for the reasons set forth below. To the extent necessary to answer any questions or comments raised by the Board in response to this letter, the City requests an informal hearing on November 17, 2025, which City staff can join virtually, if necessary.

The City takes its responsibility to identify underground utilities seriously and considers this work key to public safety. While the City contends that any necessary physical markings would have been present at the site at the time of the incident, the City does acknowledge failure to comply with electronic positive response requirements for the three tickets listed above. However, as the Notice indicates, the City was cooperative with investigators following the incident. Moreover, the unmarked 3-inch white PVC conduit that was struck during excavation by MGE Underground did not belong to the City. Therefore, any omission by the City would not have prevented the damage at issue.

The City's supervisor that was overseeing this particular job at the time and the City staff person who marked the utilities at that time are no longer with the City. Nevertheless, since the date of this incident, the City has taken steps to ensure that all positive electronic responses have been marked, has notified the appropriate staff that they must respond, and has updated its practices to ensure electronic positive responses are consistently provided. As such, while the City agrees to complete the Underground Safety Board's education course, any monetary penalties are unwarranted and would be unnecessarily punitive.

If you have any questions regarding this letter, please feel free to contact me at kimia.mahallati@redwoodpubliclaw.com or (510) 407-6751. The City appreciates your attention to this matter.

Sincerely,

Kimia Mahallati
Assistant City Attorney

cc: Dave Bockhaus, Deputy Public Works
Alex Henry, Maintenance Services Program Manager