



TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD
Meeting on August 19, 2025

MINUTES

The board meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:39 a.m., at the Tennessee Public Utility Commission, 502 Deaderick Street, Ground Floor Conference Room, Nashville, TN, 37243.

Board Members Present:

Kevin Tubberville, Chairman
Wayne Hastings, Vice Chairman
Earl Bolin
Vaughn Charles
Chris Gilmer
Milton Henderson
Eddie Hood
Craig Ingram
Charles Key
Scott Niehaus
Bob Pitts
Steve Raper (via telephone)
Tim Settles
Lance Sledge

Board Members Absent:

Jarrod Bracket

TPUC Staff Present:

Ryan McGehee, Legal Advisor to the TUUDEB
Aaron Conklin, Legal Advisor to the TPUC staff
Stacy Balthrop, Director, Consumer Services Division
Slayde Warren, UUDEB Staff

Tim Schwarz, Director of Communications
Bryce Keener, Director of Pipeline Safety

Current Vacancies:

Interstate Pipeline
Public Water/Wastewater

I. Opening of Meeting and Roll Call

Thirteen (13) members were present in the room and one (1) member participating by phone at roll call. A physical quorum was met.

II. Review and Adopt Board Meeting Minutes

The Board considered the Minutes of the last meeting on April 22, 2025. Mr. Hastings motioned to approve the minutes. The motion passed unanimously.

III. Program and Legislative Updates

Ms. Balthrop provided a program update and quarterly report in the meeting packet. Mr. Henderson sought clarification about the dismissed amount on the quarterly report. Mr. Henderson sought clarification about the amount of outstanding civil penalties. Mr. Conklin explained the efforts to try to reach out to violators, and the process that requires multiple layers of legal proceedings in order to get to the point to turn outstanding civil penalties over to the Attorney General's Office for collections, and that going through the process does not guarantee collection of civil penalties. Mr. Pitts made a motion authorizing the Staff to initiate legal proceedings for violators with multiple violations. There was a roll call vote, and the motion passed unanimously.

Mr. McGehee provided Board members with training on open meetings, public records and conflict of interest requirements.

Mr. McGehee discussed the grant application process and recommended the Board suspend the grant process for a year given the lack of interest in the grant program, and the issues of costs that have been raised. Mr. Pitts motioned to postpone the grant program for a year. Mr. Ingram commented that there is a fiduciary responsibility to utilize the money to offset Board costs, but that the intent of the legislation is to create opportunities for public awareness. Chairman Tubberville stated that he would like to have grants available rather than not offering them at all. Mr. Henderson suggested more advertising. Mr. Pitts stated that his motion was due to the quality of grant applications. The motion failed for lack of a second. Mr. Henderson made a motion to continue with the grant program and kick off the process earlier, starting in October. Mr. Hastings seconded the motion. There was a rollcall vote, and the motion passed.

Third-party enforcement of the Tennessee Underground Utility Damage Enforcement Act was discussed. Mr. McGehee summarized information from Mississippi's underground program which, according to PHMSA, is the only state identified with third-party

enforcement/collections. There was discussion of the comparison of the Mississippi program's enforcement statistics to those of from Tennessee's program. There was lengthy discussion about outsourcing collections to a third-party. Mr. McGehee advised he will take a deeper dive into the issue. No vote was taken on the issue.

Mr. Schwarz continues to reach out to appointing authorities on the Board vacancies.

Mr. Conklin summarized a TPUC legislative concept to reorganize the structure of the Board and the enforcement process for potential consideration by the General Assembly in 2026. Mr. Conklin stated the rationale stemmed from: PHMSA's emphasis on damage prevention as a priority, PHMSA's continued pressure in the annual evaluations, the exposure to a reduction of GPSD funding, and enforcement board cost concerns that have been raised by the Board. Mr. Conklin discussed the information previously provided to the Board by memorandum and answered questions. Mandatory reporting of gas damages, the PHMSA annual evaluation, equitable enforcement, current reporting to GPSD, complaint filing, TPUC legislative concept, and using damage tickets as complaints were discussed. No vote was taken on the issue.

Mr. Ingram provided the training update. He stated that the on-demand training has not been completed, but the reduced number of training requests has made it easier to keep up with the Zoom format.

The meetings for 2026 were scheduled for January 20, April 21, August 11, and October 27.

The meeting was adjourned at 12:56pm.