



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD  
EXECUTIVE COMMITTEE  
Meeting on February 27, 2024**

---

**MINUTES**

---

The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:59 a.m. at the Tennessee Public Utility Commission, 502 Deaderick Street, Ground Floor Conference Room, Nashville, TN, 37243.

**Executive Committee Members Present:**

Kevin Tubberville- Chairman  
Wayne Hastings- Vice Chairman (via telephone)  
Eddie Hood  
Bob Pitts  
Steve Raper

**TPUC Staff Present:**

Aaron Conklin, Legal Advisor to the TPUC staff  
Ryan McGehee, Legal Advisor to the TUUDEB  
Brittany Shaw  
Slayde Warren  
Stacy Balthrop

**Tennessee 811 Present:**

Kathy Quartermaine

**Roll Call & Minutes:**

Roll call confirmed Chairman Kevin Tubberville, Vice Chairman Wayne Hastings (via phone), Mr. Eddie Hood, Mr. Steve Raper, and Mr. Bob Pitts as present, making a quorum. The Committee considered the Minutes from the January 09, 2023, meeting. Mr. Pitts motioned to approve the Minutes which were seconded and approved.

**Presentation of Investigation of Complaints:**

The Committee heard and ruled on the following complaints:

**EB23-0320-**

**Alleged Violator:** The Plumbing Company

**Alleged Excavator:** Floyd Lenard

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Mini-Excavator

**Root Cause:** Excavating/Demolishing beyond 15-day expiration.

**Finding:** In violation for excavating/demolishing beyond 15-day expiration and Floyd Lenard ordered to attend compliance training.

**EB23-0322-**

**Alleged Violator:** South Drilling

**Alleged Excavator:** Larry Weeks

**Complainant:** Knoxville Utilities Board

**Facility Type:** Water

**Equipment:** Directional Drill

**Root Cause:** Excavating/Demolishing beyond 15-day expiration.

**Finding:** In violation for excavating/demolishing beyond 15-day expiration and Larry Weeks ordered to attend compliance training.

**EB23-0324-**

**Alleged Violator:** GPRS, LLC

**Alleged Excavator:** Unknown

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Boring Machine

**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.

**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and the safety manager ordered to attend compliance training.

**EB23-0327**

**Alleged Violator:** Total Property Management

**Alleged Excavator:** Luis Apariciv

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Trencher

**Root Cause:** Excavating/Demolishing before locate request is valid.

**Finding:** In violation for excavating/demolishing before locate request is valid and Luis Apariciv ordered to attend compliance training.

**EB23-0328-**

**Alleged Violator:** C2C Connect

**Alleged Excavator:** Tony Koppeck

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Shovel

**Root Cause:** Failure to use reasonable care in the tolerance/safety zone.

**Finding:** In violation for failure to use reasonable care in the tolerance/safety zone and Tony Koppeck ordered to attend compliance training.

**EB23-0329-**

**Alleged Violator:** ABS Construction

**Alleged Excavator:** John Layne

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe-Trackhoe

**Root Cause:** Excavating/Demolishing beyond 15-day expiration.

**Finding:** In violation for excavating/demolishing beyond 15-day expiration and John Layne ordered to attend compliance training.

**EB23-0330-**

**Alleged Violator:** GPRS, LLC

**Alleged Excavator:** Unknown

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Directional Drill

**Root Cause:** Failure to use reasonable care in the tolerance/safety zone.

**Finding:** In violation for failure to use reasonable care in the tolerance/safety zone, it is a subsequent violation, and a \$2,500 civil penalty assessed.

**EB23-0331-**

**Alleged Violator:** Whaley Construction

**Alleged Excavator:** Jeremy Whaley

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Backhoe-Trackhoe

**Root Cause:** Failure to use reasonable care in the tolerance/safety zone.

**Finding:** No violation.

**EB23-0332-**

**Alleged Violator:** Alian Cable Construction

**Alleged Excavator:** Jakob Leath

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Boring Machine

**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.

**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone, it is subsequent violation, and a civil penalty of \$7,500 assessed.

**EB23-0333-**

**Alleged Violator:** Murphy Bobcat

**Alleged Excavator:** Erik Boudy

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Trackhoe

**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.

**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and Erik Boudy ordered to attend compliance training.

**EB23-0335**

**Alleged Violator:** Whaley Construction, LLC

**Alleged Excavator:** Jason Suttles

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Trackhoe

**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing

**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing, it is a subsequent violation, and a civil penalty of \$10,000 assessed.

**EB23-0337-**

**Alleged Violator:** C2C Connect

**Alleged Excavator:** Tony Koppeck

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** N/A

**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.

**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone, it is a subsequent violation, and civil penalty of \$2,500 assessed.

**EB23-0338-**

**Alleged Violator:** Adams Heating Cooling and Plumbing

**Alleged Excavator:** Stephanie Rasmussen

**Complainant:** Metro Water and Sewer

**Facility Type:** Water

**Equipment:** N/A

**Root Cause:** Reporting a false emergency for a locate ticket.

**Finding:** In violation for reporting a false emergency for a locate ticket and Stephanie Rasmussen ordered to attend compliance training.

**EB23-0340-**

**Alleged Violator:** Ridgetop Properties, LLC

**Alleged Excavator:** Franklin Frazier

**Complainant:** Horton Highway Utility District

**Facility Type:** Gas

**Equipment:** Mini-Excavator

**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.

**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and Franklin Frazier ordered to attend compliance training.

**EB23-0341-**

**Alleged Violator:** Reliant Construction

**Alleged Excavator:** Carlos Mejia

**Complainant:** Atmos Energy

**Facility Type:** Gas  
**Equipment:** Boring Machine  
**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.  
**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and Carlos Mejia ordered to attend compliance training.

**EB23-0342-**

**Alleged Violator:** Volunteer Utility Services  
**Alleged Excavator:** Austin Stoutt  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** N/A  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** No violation

**EB23-0343-**

**Alleged Violator:** Airtech  
**Alleged Excavator:** Jeff Caulwell  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Backhoe-Trackhoe  
**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.  
**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and Jeff Cauwell ordered to attend compliance training.

**EB23-0344-**

**Alleged Violator:** Sharpscapes  
**Alleged Excavator:** Todd Sharpe  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Trencher  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing, it is a subsequent violation, and a civil penalty of \$2,500 assessed.

**EB23-0346-**

**Alleged Violator:** Jones Bros. Contractors, LLC  
**Alleged Excavator:** Ronnie Melton  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Bulldozer  
**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.  
**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and Zach Gustafson ordered to attend compliance training.

**EB23-0348-**

**Alleged Violator:** Earth Solutions  
**Alleged Excavator:** Ron Trinidad  
**Complainant:** Atmos Energy

**Facility Type:** Gas  
**Equipment:** Backhoe-Trackhoe  
**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.  
**Finding:** No violation.

**EB23-0351**

**Alleged Violator:** City of Alcoa Electric  
**Alleged Excavator:** Unknown  
**Complainant:** Hodges Pools, LLC  
**Facility Type:** Electric  
**Equipment:** N/A  
**Root Cause:** Facility not marked or located.  
**Finding:** No violation.

**EB24-0002-**

**Alleged Violator:** Mays Utilities  
**Alleged Excavator:** AJ Mays  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Hand Tool  
**Root Cause:** Excavating before locate ticket is valid.  
**Finding:** Warning Letter

**EB24-0003-**

**Alleged Violator:** Superior Plumbing and Services  
**Alleged Excavator:** Howard Hayes  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Backhoe-Trackhoe  
**Root Cause:** Excavating beyond 15-day expiration.  
**Finding:** No violation.

**EB24-0006-**

**Alleged Violator:** DC Foundations  
**Alleged Excavator:** Luke Perry  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Trackhoe  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing, it is a subsequent violation, and a civil penalty of \$5,000 assessed.

**EB24-0020-**

**Alleged Violator:** Hiller Plumbing Columbia  
**Alleged Excavator:** Austin Fox  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Backhoe-Trackhoe  
**Root Cause:** Failure to use reasonable care in the safety/tolerance zone.

**Finding:** In violation for failure to use reasonable care in the safety/tolerance zone and Austin Fox ordered to attend compliance training.

**EB23-0248, EB23-0305, EB23-0308, EB23-0309, EB23-0323, EB23-0325, EB23-0336, EB23-0350, EB24-0001, and EB24-0007.**

**Alleged Violator:** First Violation

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to give notice prior to excavation.

### **Discussion of Future Topics for the Next Executive Committee Meeting**

TPUC staff provided the program update and TN 811 provided a training report handout but with no verbal updates. The Executive Committee and Staff wished Kathy Quartermaine well on her upcoming retirement and thanked her for her service. The March Executive meeting was cancelled in light of its proximity to the April 9, 2024, Board and Executive Committee Meetings.

There was no public comment. A motion to adjourn was made by Mr. Eddie Hood, seconded, and the meeting concluded at 10:49am.