



**TENNESSEE UNDERGROUND UTILITY DAMAGE PREVENTION BOARD  
EXECUTIVE COMMITTEE MEETING  
Meeting on February 14, 2018**

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**MINUTES**

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The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced immediately following the conclusion of the Enforcement Board Meeting, scheduled at 10:00 a.m., in the Ground Floor Meeting Room of 500 Deaderick Street, Nashville, Tennessee 37243.

*Executive Committee Members Present:*

Bob Lambert  
Kevin Tubberville, Chairman

*Executive Committee Members Absent:*

Steve Raper

*TPUC Staff Present:*

Ryan McGehee, legal advisor to the TUUDEB  
Aaron Conklin, legal advisor to the TPUC staff  
Stacy Balthrop  
Slayde Warren  
Jaclyn Hammons  
Sharla Dillon

*Also Present:*

Bill Turner, Tennessee 811  
Craig Ingram, Tennessee 811

## Roll Call & Minutes

Sharla Dillon opened the meeting and confirmed that all Executive Committee members were present. The Committee considered the Minutes of the meeting of January 10, 2018. The Minutes were approved on a voice vote.

### Presentation of Investigation of Complaints:

The Committee heard and ruled on the following complaints:

#### **EB17-0167** –

Alleged Violator: L&R Plumbing  
Complainant: OSP  
Facility Type: cable  
Equipment Used: backhoe  
Root Cause: failure to use reasonable care within the tolerance zone  
Finding: Tanner Walker to attend training and assessment of civil penalty of \$625.00

#### **EB17-0190** –

Alleged Violator: Lawson Electric  
Alleged Excavator: unknown  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: failure to use reasonable care within tolerance/safety zone  
Finding: No violation

#### **EB17-0197** -

Alleged Violator: Maven Group  
Alleged Excavator: Unknown  
Complainant: OSP  
Facility Type: cable  
Equipment Used: backhoe  
Root Cause: failure to use reasonable care  
Finding: No violation

#### **EB17-0216**–

Alleged Violator: Tomlinson Construction  
Alleged Excavator: William Tomlinson  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: boring device  
Root Cause: failure to use reasonable care in tolerance/safety zone  
Finding: Williamson Tomlinson to attend training and failure to use reasonable care

**EB17-0217-**

Alleged Violator: Axs Points, LLC  
Alleged Excavator: unknown  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: failure to use reasonable care  
Finding: Failure to use reasonable care; Axs Points, LLC ordered to provide member of excavation company to attend training

**EB17-0219 -**

Alleged Violator: Hawkins & Price  
Alleged excavator: Brad Pittman  
Complainant: OSP with Comcast  
Equipment Used: backhoe  
Root Cause: Failure to use reasonable care  
Facility Type: Atmos Energy  
Finding: Deferred; will revisit for not having proper ticket

**EB17-0220 -**

Alleged Violator: Premier Underground  
Alleged Excavator: Tim Dunn  
Complainant: PRG/Charter  
Facility Type: cable  
Equipment Used: backhoe  
Root Cause: Excavating before locate ticket was valid  
Finding: Tim Dunn to attend training

**EB17-0222 -**

Alleged Violator: Music City Handyman/GGP778 Masonry (subcontractor)  
Alleged Excavator: Unknown  
Complainant: Metro  
Facility type: water  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811 prior to excavating  
Findings: Employee of GGP78 to attend training; no violation on Music City Handyman

**EB17-0226 -**

Alleged Violator: Star Construction  
Complainant: property owner  
Facility Type: gas  
Equipment Used: not listed  
Root Cause: failure to use reasonable cause  
Finding: no violation

**EB17-0233 -**

Alleged Violator: Hackney Excavating  
Alleged excavator: Unknown  
Facility Type: gas  
Complainant: Atmos Energy  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811  
Finding: Hackney Excavating in violation for no notification made to One-Call prior to excavating and Terry Hackney ordered to training

**EB17-0242 -**

Alleged Violator: Ambrose Construction  
Alleged Excavator: Matt Ambrose  
Complainant: OSP on behalf of Comcast  
Facility Type: cable  
Root Cause: no notification made to Tennessee 811  
Finding: No notification and Matt Ambrose ordered to training

**EB17-0244 -**

Alleged Violator: Eddie Dearing  
Alleged excavator: unknown  
Complainant: Atmos Energy  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811  
Finding: No notification and Eddie Dearing ordered to training

**EB17-0246 -**

Alleged Violator: Jose Rubio (not related to company)  
Complainant: OSP on behalf of Comcast  
Facility Type: cable  
Equipment Used: auger  
Root Cause: No notification made to Tennessee 811  
Finding: no violation

**EB17-0248 -**

Alleged Violator: Brown Brothers  
Alleged excavator: unknown; safety director Matthew Abercrombie  
Complainant: OSP  
Facility Type: telecom  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811  
Finding: no notification and Matthew Abercrombie ordered to training

**EB17-0253** –

Alleged Violator: Wright Construction Company  
Alleged excavator: Mike Mason, Project manager Jeremy Lee; site supervisor Charlie Coode  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: no notification to One-Call  
Finding: no notification and Charlie Coode ordered to training

**EB17-0254** –

Alleged Violator: Perry Construction  
Alleged excavator: John Perry  
Complainant: Clarksville Gas & Water  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811 prior to excavating  
Finding: violation of no notification and John Perry ordered to training

**EB17-0256** –

Alleged Violator: Master Service Companies  
Alleged excavator: Denise Spradlin  
Complainant: USIC  
Facility Type: not listed  
Equipment Used: track hoe  
Root Cause: reporting of false emergency for locate ticket  
Finding: Master Service Companies in violation of false emergency reporting and Denise Spradlin ordered to training

**EB17-0258** –

Alleged Violator: South Central Excavating  
Alleged excavator: Marcus Baker, Registered agent Adam Lynn  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811 prior to excavating  
Finding: no notification and \$625 civil penalty assessed

**EB17-0263** –

Alleged Violator: Fossett Paving Company  
Alleged excavator: David Henderson  
Complainant:OSP  
Facility Type: cable  
Equipment Used: backhoe  
Root Cause: No notification made to Tennessee 811 prior to excavating  
Finding: no violation

**EB17-0264** –

Alleged Violator: Summers & Taylor construction  
Alleged excavator: unknown  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: track hoe  
Root Cause: failure to use reasonable care  
Finding: violation of failure to use reasonable care and J. W. Lane ordered to attend training

**EB17-0266** –

Alleged Violator: Hawkins & Price  
Alleged excavator: Josh Freeman  
Complainant: none listed  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: failure to use reasonable care  
Finding: Josh Freeman and Matthew Allen ordered for training and \$625 assessed in civil penalties

**EB18-0001** –

Alleged Violator: JP Yard  
Alleged excavator: Jason Pollard  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: no notification made to Tennessee 811  
Finding: no notification and Jason Pollard ordered to training

**EB18-00004** –

Alleged Violator: Santos Sanchez  
Alleged excavator: unknown  
Complainant: USIC  
Facility Type: gas  
Equipment Used: shovel  
Root Cause: reporting a false emergency for a locate ticket  
Finding: no violation

**EB18-00008** –

Alleged Violator: Davenport Remodeling & Construction  
Alleged excavator: Josh Davenport  
Complainant: Atmos Energy  
Facility Type: gas  
Equipment Used: backhoe  
Root Cause: no notification to One-Call prior to excavation  
Finding: no notification and Josh Davenport ordered to training

Presentation of Cost/Fee Request by Tennessee 811 for Training of Violators: None

Discussion of future topics for next executive committee meeting (Dillon): none

Ms. Balthrop advised the next meeting would be March 14, 2018.

The Executive Committee meeting adjourned at 11:40 a.m.