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DOCKET NO. 25116-U

In Re: Georgia Public Service Commission Rulemaking Regarding Promulgation of New Rule for marking Standards as Commission Utility Rule 515-9-4-.14.

ORDER ADOPTING RULE

All interested parties are hereby notified pursuant to Ga. Laws 1964, pp. 338, 342, as amended (Official Code of Georgia Annotated Section 50-13-4) that the Georgia Public Service Commission ("Commission") has considered and adopted a new rule under the Georgia Utility Facility Protection Act ("GUFPA") establishing marking standards for the location of utility facilities. The new rule shall become effective as provided by law twenty (20) days after adoption at the Commission's regularly scheduled Administrative Session on September 18, 2007, and subsequent filing with the Secretary of State.

BY THE COMMISSION:

Whereas, during Administrative Session on September 18, 2007, the Commission approved the adoption of Utility Rule 515-9-4-.14; and

Whereas, Utility Rule 515-9-4-.14 contains two (2) paragraphs, both of which have subparts; and

Whereas, copies of written notices of the proposed rule previously were mailed to all utilities subject to the jurisdiction of this Commission, and to all interested persons on the mailing list of the Commission pursuant to O.C.G.A. § 50-13-4(a)(1); and

Whereas, a copy of said notice was furnished to the Legislative Counsel of the State of Georgia, pursuant to said O.C.G.A. § 50-13-4(e); and

Whereas, the Commission received comments from parties regarding the proposed rules contained in the rule chapter that were duly considered and that resulted in some revisions to the rule in its final form.

WHEREFORE, IT IS ORDERED, that effective September 18, 2007, Utility Rule 515-9-4-.14 is hereby approved and adopted as follows:

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**RULES OF GEORGIA PUBLIC SERVICE COMMISSION
AMENDMENT TO CHAPTER 515-9-4
ENFORCEMENT PROCEDURES UNDER THE GEORGIA UTILITY FACILITY
PROTECTION ACT
BY ADDITION OF
UTILITY RULE 515-9-4-.14 GEORGIA UNDERGROUND MARKING STANDARDS**

515-9-4-.14. GEORGIA UNDERGROUND MARKING STANDARDS

(1) White Lining

(a) Scope. This Rule shall have statewide application; provided, however, that any municipal or county governing authority in this State may adopt, by resolution or ordinance, more stringent requirements relating to white lining, but no local governing authority may adopt less stringent marking standards requirements. –

(b) Purpose. The purpose of white lining the area to be located is to allow everyone involved with the dig site to know the exact location of the proposed excavation. White-lining the excavation site is an excellent way to assist the utilities or utility locators in marking lines in the work area right the first time and in less time. This technique eliminates speculation by the locator about where the excavation will take place and will often enable the utility or its agent to locate faster and more accurately. In short, pre-marking the area and the extent of the intended excavation can reduce delays and the time it takes to conduct the locate.

(c) Background. White lining is a practice that has been widely used in the United States where the National Transportation Board concluded that pre-marking is a practice that helps prevent excavation damage. The procedure simply involves an excavator using white paint to indicate the route or area that is going to be excavated, such that the locator then knows exactly how much marking is required and where. White lining reduces confusion about what utility facilities need to be marked or not marked.

(d) Directive to UPC. Pursuant to O.C.G.A. §§ 25-9-4 (a) (1), 25-9-6 (a) (1) and (b), 25-9-7 (a) (2), and 25-9-13 (f) and pursuant to Commission Utility Rule 515-9-6-.01, the Utilities Protection Center, Inc. (“UPC” or “One-Call Center”) is hereby directed to establish policies and procedures which identify when white lining is required. Examples of areas to be white lined are smaller (involving only a portion of a particular address) or linear excavations such as telecommunication drops and lines, service lines (such as for water, gas, electricity and sewer), utility pits, cuts and repairs, curb repairs, bore holes, directional boring pathways, pole and signage placements, etc. Such examples are merely explanatory of the type of excavation where white lining is appropriate and are not meant to be exclusive.

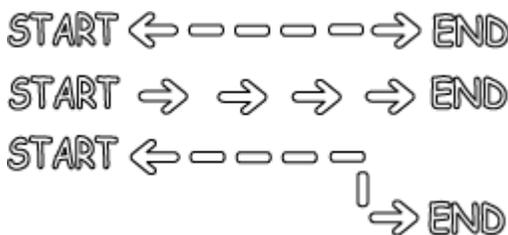
(e) Exceptions to White Lining. Unless otherwise required by applicable municipal or county ordinance, white lining will not be required in the following situations:

(i) Any large project so designated in accordance with GPSC Rule 515-9-4-.13;

(ii) Any jobsite that can be described with such particularity as required by O.C.G.A. 25-9-6(b); and

(iii) “Emergencies” and “extraordinary circumstances” as such terms are defined in O.C.G.A. § 25-9-3 (10) and O.C.G.A. § 25-9-3 (14), respectively, are [pursuant to O.C.G.A. § 25-9-12] statutory exceptions to O.C.G.A. § 25-9-6(a) requirement for obtaining a locate ticket prior to commencing mechanized excavation and, hence, also exceptions to the requirement for white lining under this Rule. However, if a particular emergency notification is later determined not to have been an emergency or an extraordinary circumstance, then the excavator’s failure to procure a locate ticket before excavating will be treated as a violation of O.C.G.A. § 25-9-6 and of this Rule as per O.C.G.A. § 25-9-12. Also, pre-excavation emergency locate ticket requests (that is, a requests for a locate ticket on an expedited basis sooner than the prescribed statutory time limit) will not be an exception to white lining as required in this Rule.

(f) White Lining Symbols as Directions to Locator. White lining proposed dig sites that will follow a single path or trench shall be marked using white lines and/or arrows and shall be located for twenty (2025^[AFB1]) feet on either side of the white line and for twenty (20) feet outward beyond the designate “START” and “END” of such linear white line. Therefore, it is important to identify the starting & ending points.



(g) Identification of White Lining Excavator. In order to enable the locating utility or its locators to quickly identify the requested locate at the job site and expedite the locating process, each excavator when white lining shall identify himself or itself by labeling the white line area with the excavator’s name or the applicable locate ticket number or both.

(2) Facility Marking by or for Utilities

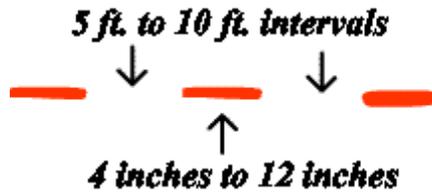
(a) No conflict with the excavation should only^[AFB2] be communicated by facility owners through the Positive Response Information System (PRIS) No marks or messages with paint or stakes should be left at the proposed excavation if there is no conflict^[AFB3].

(ab) Utility Markings. Facility owners or their locate contractors shall indicate utility facilities by placing their UPC alpha code, along with the type material (if known) that the facility consists of, at the beginning and end of locates. Also, arrows should be placed at the ends of markings to indicate that the underground facility continues. In accomplishing the locate task, the line locator shall use industry-approved and generally accepted methods of locating.

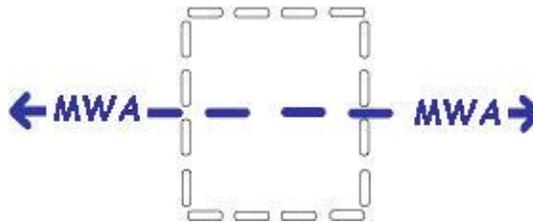
(i) To avoid confusion on long runs, the marks shall be frequent enough to identify the owner.

~~(ii) The marks shall indicate the approximate center-line of the underground lines. For example, the middle of the cable, line or pipe shall be at the center of the dashed marks~~^[AFB4].

(iii) Location marks shall be 4 to 12 inches in length and at intervals of 5 to 10 feet.

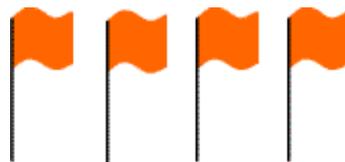


(iv) The line locator (person marking the lines) shall extend marks outside the proposed work area by 20 to 30 feet if those facilities extend outside the proposed excavation area.



~~(v) In areas such as flower beds, rock gardens, etc., flags or stakes may be an alternative to paint. The decision to use flags, paint, or stakes shall be based on the terrain and job conditions. For instance, flags or stakes in wet areas, offsets in dirt construction zones that have a high volume of traffic crossing their line location marks.~~

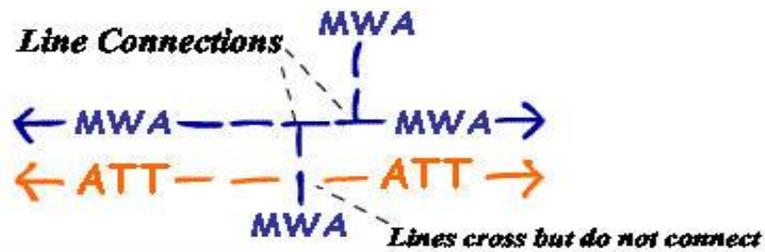
In environmental conditions such as but not limited to, rain, snow, wet or marshy areas and or temporary surface conditions, flags will be used in addition to paint markings. Flags and/or stakes cannot be used as a substitution to paint markings and offsets. It will be the facility owner's decision to use flags and or stakes in addition to paint markings^[AFB5].



(vi) Dead ends, stub-outs, termination points, etc., shall be marked as follows:



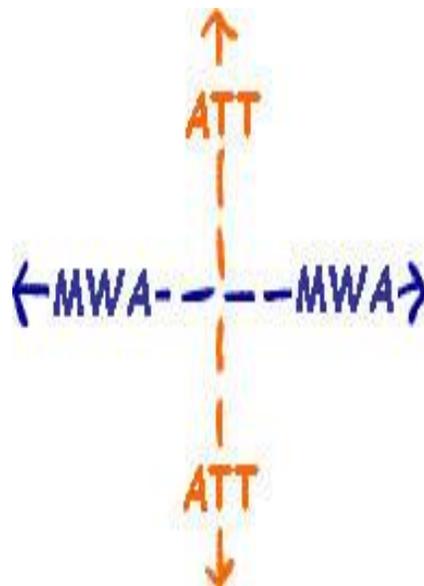
(vii) Lines that have connections (e.g., T's or Y's) or changes in directions shall be clearly indicated. Marks indicating lines or connections shall clearly show the intersection and path of the line or connection. Marks that show changes in direction shall be placed closer together for more clarity and accuracy.



(viii) Manholes and valves shall be identified by using a circle and letters if they are not visible (dirt covering valve boxes or pavement covering manhole cover).



(ix) Facilities that cross but do not intersect shall be marked as described to indicate such installation manner.



(x) Unlocateable sewer laterals, installed prior to 2006, shall be marked by placing a green triangle on the sewer main and, if the location of the tap for such unlocateable sewer lateral is known, by placing a green “T” or “Y” or other appropriate symbol at the tap pointing generally toward the address served by such unlocateable sewer lateral.

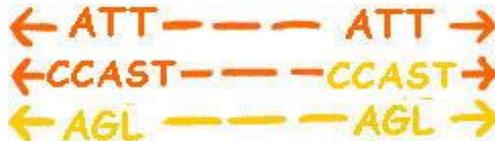


(xi) Single facilities should be marked by placing marks over the approximate center of the facility

(xii) If the facility to be marked has a diameter greater than 12", the size of the facility shall be indicated if known. If the size is not known, then the mark shall indicate greater than 12 inches.

(xiii) Multiple facilities of the same type (e.g., electric) where the separation does not allow for a separate tone for each facility but the number and width of the facilities is known should be marked at the approximate center of the facilities. The marks shall indicate the number and width of the facility^[AFB6].

(xiii) When facilities share the same trench, they shall be heavily identified and separated enough so that they can be readily identified. This would apply to lines that share the same ~~color code~~ alpha code. For example, cable television & telephone lines:



~~(xii) If the facility to be marked has a diameter greater than 12", the size of the facility shall be indicated if known. If the size is not known, then the mark shall indicate greater than 12 inches~~^[AFB7].

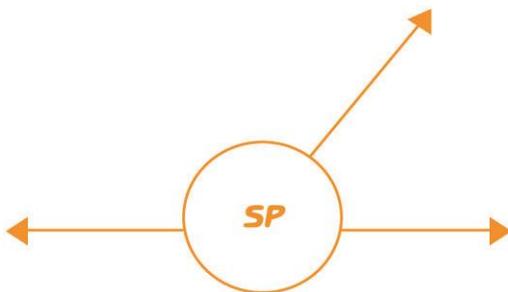
(xiii) Duct structures shall be marked by indicating the outer extremities of the facility^[AFB8]. ~~using a dot with parallel boundary on each side of the dot.~~



(xiv) In areas where there is a strong likelihood that any or all marker types showing line location would be destroyed, offsets ~~shall~~ should be placed on a permanent surface. However, offsets should be used only in conjunction with initial marks or remarks placed above a facility. Offset spacing should be every third or fourth mark. For example, the following mark would indicate the line is 16 feet from the end of the arrow.



(xv) In areas where cables are spliced, the facilities should be located individually as far as possible on both sides of the splice. When the signal is distorted due to the near proximity to the splice a circle with "SP" should indicate the area of distortion or "splice pit".



Authority: O.C.G.A. §§ 25-9-3, 25-9-6, 25-9-7 (a) (2), 25-9-12, 25-9-13 (f), 46-2-20 (i) and 46-2-30 and GPSC Utility Rule 515-9-1-.01.

ORDERED FURTHER, that said adopted rule, having been published as provided in O.C.G.A. § 50-13-13(b), shall be filed with the Administrative Procedure Act Division of the Secretary of State as provided in O.C.G.A. § 50-13-6(b).

ORDERED FURTHER, that jurisdiction over this matter is expressly retained for the purpose of entering such further Order or Orders as this Commission may deem just and proper.

ORDERED FURTHER, that a motion for reconsideration, rehearing or oral argument or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

The above action was taken by the Commission in Administrative Session on the 18th day of September, 2007.

Reece McAlister
Executive Secretary

Robert B. Baker, Jr.
Chairman

Date

Date