

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 25, 2023

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. URS-2023-00136

C & M SITE AND UTILITY CONTRACTOR LLC,
Defendant

ORDER OF SETTLEMENT

Pursuant to § 56-265.30 of the Code of Virginia ("Code"), the State Corporation Commission ("Commission") is charged with enforcing the provisions of the Underground Utility Damage Prevention Act, Code § 56-265.14 *et seq.* The Commission's Division of Utility and Railroad Safety ("Division"), after having conducted an investigation of this matter, alleges the following concerning C & M Site and Utility Contractor LLC ("Company"):

(1) On or about November 22, 2022, the Company damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 3300 Carney Farm Lane, Portsmouth, Virginia, while excavating.

(2) On the occasion set out in paragraph (1) above, the Company failed to make an additional call to the notification center after observing clear evidence of the presence of an unmarked utility line, in violation of Code § 56-265.24 C.

As evidenced in the attached Admission and Consent document, the Company neither admits nor denies these allegations but admits to the Commission's jurisdiction and authority to enter this Order.

As a proposal to settle all matters before the Commission arising from the Division's allegations herein, the Company represents and undertakes that it will pay a civil penalty to the

SCC - UTILITY'S OFFICE
COMMUNITY CONTROL CENTER

2024 APR 25 A 11:24

2433333333

Commonwealth of Virginia in the amount of \$500 to be paid contemporaneously with the entry of this Order.

NOW THE COMMISSION, being advised by the Division and finding sufficient basis herein for the entry of this Order, accepts this settlement.

Accordingly, IT IS ORDERED THAT:

- (1) The captioned case is docketed and assigned Case No. URS-2023-00136.
- (2) Pursuant to the authority granted to the Commission by Code § 12.1-15, the offer of settlement made by the Company is accepted.
- (3) The sum of \$500 tendered contemporaneously with the entry of this Order is accepted.
- (4) This case is dismissed.

A COPY hereof shall be sent electronically by the Clerk of the Commission to:
Carroll C. Hart, Jr., Registered Agent, C & M Site and Utility Contractor LLC, P. O. Box 6523,
Chesapeake, Virginia 23323, contractorcm@gmail.com; and a copy shall be delivered to the
Commission's Office of General Counsel and Division of Utility and Railroad Safety.

240450032

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. URS-2023-00136

C & M SITE AND UTILITY CONTRACTOR LLC,
Defendant

ADMISSION AND CONSENT

The Company, C & M Site and Utility Contractor LLC, admits the jurisdiction of the State Corporation Commission ("Commission") as to the party and subject matter hereof and, without admitting or denying the allegations made herein by the Division of Utility and Railroad Safety, hereby consents to the form, substance, and entry of the foregoing Order of Settlement. The Company acknowledges that the Order of Settlement entered herein is a public record and is subject to review by the public.

The Company further states that no offer, tender, threat, or promise of any kind has been made by the Commission or by any member, officer, agent, or representative thereof in consideration of this Admission and Consent.

C & M Site and Utility Contractor

LLC

By: Carroll L. Hest

Title: Owner - Superintendent

Email: contractorcm@gmail.com