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COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

CLERK OF THE  
DOCUMENT CONTROL CENTER

AT RICHMOND, APRIL 22, 2024

2024 APR 22 A 9:34

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. URS-2023-00268

SHIELD CONTRACTING, 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 Shield Contracting, LLC ("Company"):

(1) On or about July 28, 2022, the Company damaged a one-inch plastic gas service line operated by Richmond Gas Works, located at or near 374 Bramber Walk, Henrico County, Virginia, while excavating.

(2) On the occasion set out in paragraph (1) above, the Company failed to notify the notification center before beginning excavation, in violation of Code § 56-265.17 A.

(3) On the occasion set out in paragraph (1) above, the Company failed to promptly report the damage to the appropriate authorities by calling 911 after the escape of flammable, toxic, or hazardous gas due to excavation, in violation of 20 VAC 5-309-200 of the Commission's Rules for Enforcement of the Underground Utility Damage Prevention Act, 20 VAC 5-309-10 *et seq.*

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 Commonwealth of Virginia in the amount of \$1,250 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-2023-00268.
- (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 One Thousand Two Hundred Fifty Dollars (\$1,250) 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: Merlyn Lopez, Owner, Shield Contracting, LLC, 10168 Cedar Ridge Drive, Ashland, Virginia 23005, admin@shieldcontractingva.com; and a copy shall be delivered to the Commission's Office of General Counsel and Division of Utility and Railroad Safety.

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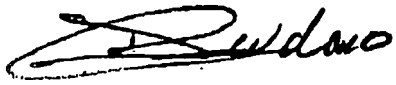
SHIELD CONTRACTING, LLC,  
Defendant

ADMISSION AND CONSENT

The Company, Shield Contracting, 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.

Shield Contracting, LLC

By: 

Title: PRESIDENT

Email: ADMIN@SHIELDCONTRACTINGVA

Date: 2/21/24 <sup>com</sup>