

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, OCTOBER 7, 2024

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COMMONWEALTH OF VIRGINIA, *ex rel.*  
STATE CORPORATION COMMISSION

2024 OCT -7 10 1:59

v.

CASE NO. URS-2024-00134

UTILIQUEST, 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 ("Act"), Code § 56-265.14 *et seq.* The Commission's Division of Utility and Railroad Safety ("Division"), charged with the investigation of probable violations of the Act, has completed investigations of certain incidents that occurred between April 17, 2023, and April 18, 2024, listed in Attachment A, involving Utiliquest, LLC ("Company"), the Defendant, and alleges that:

(1) The Company is a contract locator as that term is defined in Code § 56-265.15 and, as a contract locator acting on behalf of an operator, if the Company fails to perform the duties imposed by Chapter 10.3 of Title 56 of the Code, it is subject to the civil penalties set out in Code § 56-265.32 pursuant to Code § 56-265.19 D.

(2) During the aforementioned period, the Company violated the Act by the following conduct:

- (a) Failing on ten occasions to mark the approximate horizontal locations of the underground utility lines on the ground to within two feet of either side of the underground utility lines, in violation of Code § 56-265.19 A.
- (b) Failing on twenty-six occasions to mark the underground utility lines within the time prescribed in the Act, in violation of Code § 56-265.19 A.

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 \$36,300 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-2024-00134.
- (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 Thirty-Six Thousand Three Hundred Dollars (\$36,300) 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: Juan Vogel, Vice President of Operations, Utiliquest, LLC, 10110 Battleview Parkway Suite 160, Manassas, Virginia 20109, [juan.vogel@utiliquest.com](mailto:juan.vogel@utiliquest.com); and a copy shall be delivered to the Commission's Office of General Counsel and Division of Utility and Railroad Safety.

URS Report #	Date	Address	City/County	Code(s)	Civ. Pen.
23-0948	4/17/2023	111 Moore Avenue, S.W.	Fairfax	§ 56-265.19 A	\$900.00
24-0249	7/24/2023	609 Delano Drive Southeast	Fairfax	§ 56-265.19 A	\$1,150.00
24-0152	7/31/2023	1149 Melvin Drive	Portsmouth	§ 56-265.19 A	\$800.00
24-0248	7/31/2023	122 Melody Lane Southwest	Fairfax	§ 56-265.19 A (X3)	\$3,450.00
24-0243	8/4/2023	5765 Reading Avenue	Alexandria	§ 56-265.19 A	\$1,000.00
24-0185	8/7/2023	5704 Herring Lane 1	Rockingham County	§ 56-265.19 A	\$1,000.00
24-0242	8/8/2023	8354 Old Dominion Drive	Fairfax	§ 56-265.19 A	\$1,100.00
24-0263	8/14/2023	1603 Kentucky Avenue	Prince William County	§ 56-265.19 A	\$1,100.00
24-0262	8/15/2023	9431 Cornwell Farm Drive	Alexandria	§ 56-265.19 A	\$1,000.00
24-0265	8/15/2023	6 West Market Street	Loudoun County	§ 56-265.19 A	\$1,150.00
24-0334	8/17/2023	the intersection of Westmore Street and Walney Road	Fairfax	§ 56-265.19 A	\$1,000.00
24-0266	8/18/2023	3505 Cornell Road	Fairfax	§ 56-265.19 A (X2)	\$2,300.00
24-0299	8/23/2023	8731 Yorkshire Lane	Manassas	§ 56-265.19 A	\$1,150.00
24-0386	8/28/2023	1000 Saint Stephens Road	Alexandria	§ 56-265.19 A	\$1,150.00
24-0328	8/30/2023	2405 Wood Duck Court	Chesapeake	§ 56-265.19 A	\$900.00
24-0289	8/31/2023	20 Forrest Street	Alexandria	§ 56-265.19 A	\$800.00
24-0325	8/31/2023	8477 Portland Place	Fairfax	§ 56-265.19 A	\$1,100.00
24-0333	9/1/2023	5208 Washington Boulevard	Arlington County	§ 56-265.19 A	\$850.00
24-0294	9/6/2023	516 Hulen Drive	Chesapeake	§ 56-265.19 A	\$1,000.00
24-0352	9/12/2023	320 Big Pond Lane	Chesapeake	§ 56-265.19 A	\$1,000.00
24-0330	9/14/2023	18110 Marsh Pine Road	Prince William County	§ 56-265.19 A (X2)	\$1,500.00
24-0399	9/14/2023	43795 Transit Square	Loudoun County	§ 56-265.19 A	\$1,200.00
24-0408	9/14/2023	1131 Secretariat Court	Fairfax	§ 56-265.19 A	\$900.00
24-0392	9/15/2023	15320 Harrowgate Road	Chesterfield County	§ 56-265.19 A	\$1,100.00
24-0388	9/19/2023	3700 Riverwood Court	Alexandria	§ 56-265.19 A	\$1,100.00
24-0379	9/20/2023	2407 Cutherell Street	Portsmouth	§ 56-265.19 A (X2)	\$2,200.00
24-0427	9/27/2023	14415 General Longstreet Avenue	Culpeper County	§ 56-265.19 A	\$800.00
24-0614	11/2/2023	13909 Lee Jackson Memorial Highway	Fairfax	§ 56-265.19 A	\$1,000.00
24-0365	4/5/2024	6002 Northfall Creek Parkway	Hanover County	§ 56-265.19 A	\$750.00
24-0446	4/12/2024	2300 Meiggs Road	Chesapeake	§ 56-265.19 A	\$1,000.00
24-0458	4/18/2024	254 Fallawater Way	Suffolk	§ 56-265.19 A	\$850.00
				<b>Total: 36</b>	<b>\$36,300.00</b>

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STATE CORPORATION COMMISSION

v.

CASE NO. URS-2024-00134

UTILIQUEST, LLC,

Defendant

ADMISSION AND CONSENT

The Company, Utiliquest, 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.

Utiliquest, LLC

By: Juan Vogel

Title: Vice President

Email: juan.vogel@utiliquest.com

Date: 8/21/24