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V.

PLUMBRIGHT PLUMBING, INC.,
Defendant

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 that:

(2) On the occasion set out in paragraph (1) above, the Company failed to expose the underground utility line to its extremities by hand digging, in violation of Code § 56-265.24 A.

(3) On the occasion set out in paragraph (1) above, the Company failed to maintain a reasonable clearance between the marked location of an underground utility line and the cutting edge or point of any mechanized equipment, in violation of 20 VAC 5-309-140 (4) 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 has offered, and agreed to comply with, the following terms and undertakings:

(1) That it will pay a civil penalty to the Commonwealth of Virginia in the amount of \$1,450 to be paid contemporaneously with the entry of this Order.

(2) The Company will undertake a training session for its employees on the subject of underground utility damage prevention conducted by the Division and submit documentation evidencing the training session to the Commission contemporaneously with the entry of this Order.

The Company has now complied fully with the terms and undertakings of the settlement as outlined herein. Documentation evidencing the training session on the subject of underground utility damage prevention has been submitted on a timely basis in accordance with the undertakings set forth above.

NOW THE COMMISSION, being advised by the Division and finding sufficient basis herein for acceptance of the Company's offer of settlement and evidence of training, accepts this offer of settlement and evidence of training.

Accordingly, IT IS ORDERED THAT:

(1) The captioned case is docketed and assigned Case No. URS-2024-00079.

(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 Four Hundred Fifty Dollars (\$1,450) 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: Stephen W. Myers, Jr., President, Plumbright Plumbing, Inc., 1642 East Oaklake Boulevard, Midlothian, Virginia 23112, ktplumbright@aol.com; and a copy shall be delivered to the Commission's Office of General Counsel and Division of Utility and Railroad Safety.

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. URS-2024-00079

PLUMBRIGHT PLUMBING, INC.,
Defendant

ADMISSION AND CONSENT

The Company, Plumbright Plumbing, Inc., 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.

Plumbright Plumbing, Inc.

By: Kathleen [Signature]

Title: Controller

Email: Kplumbright@ccol.com

Date: 6-7-24