COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION



CONTRO CONTROL APPA REMISSION DE LOS COMPOSES

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COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

v.
DSA VENTURES LLC
D/B/A SUPERIOR FENCE & RAIL OF RICHMOND,
Defendant

CASE NO. URS-2024-00163

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 DSA Ventures LLC d/b/a Superior Fence & Rail of Richmond

("Company"):

- (1) On or about August 23, 2023, the Company damaged a one-inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near 119 Dumont Avenue, Norfolk, Virginia, while excavating.
- (2) On the occasion set out in paragraph (1) above, the Company failed to take all reasonable steps necessary to properly protect, support and backfill the underground utility line, in violation of Code § 56-265.24 A.
- (3) On or about September 25, 2023, the Company damaged a one-half-inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near
 31 Blossom Wood Court, Stafford County, Virginia, while excavating.



- (4) On the occasion set out in paragraph (3) above, the Company failed to exercise due care at all times to protect the underground utility line when exposing these lines by hand digging, in violation of Code § 56-265.24 A.
- (5) On the occasion set out in paragraph (3) 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 \$1,450 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-2024-00163.
- (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:

Cole Smith, Registered Agent, DSA Ventures LLC d/b/a Superior Fence & Rail of Richmond,

9080 Buttonwood Lane, Amelia Court House, Virginia 23002, cole@richmondfences.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

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CASE NO. URS-2024-00163

DSA VENTURES LLC
D/B/A SUPERIOR FENCE & RAIL OF RICHMOND,
Defendant

ADMISSION AND CONSENT

The Company, DSA Ventures LLC d/b/a Superior Fence & Rail of Richmond, 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.

DSA Ventures LLC
d/b/a Superior Fence & Rail of Richmond

Title: Manager

Email: Cole @ Lichmondfences. com

Date: 7.22.24