

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, JULY 31, 2024

2024 JUL 31 P 4: 36

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. URS-2023-00258

C.J. CONSTRUCTION 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.J. Construction LLC ("Company"):

- (1) On or about February 9, 2023, the Company excavated at or near 205-303 Homestead Drive, Lynchburg, Virginia.
- (2) On the occasion set out in paragraph (1) above, the Company failed, in two instances, to expose the underground utility lines to their 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, in two instances, to expose all utility lines which were in the bore path by hand digging to establish the underground utility line's location prior to commencing bore, in violation of 20 VAC 5-309-150 (A)(6) of the Commission's Rules for Enforcement of the Underground Utility Damage Prevention Act, 20 VAC 5-309-10 *et seq.*

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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 \$2,400 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, hereby accepts this settlement.

Accordingly, IT IS ORDERED THAT:

- (1) The captioned case hereby is docketed and assigned Case No. URS-2023-00258.
- (2) Pursuant to the authority granted to the Commission by Code § 12.1-15, the offer of settlement made by the Company hereby is accepted.
- (3) The sum of Two Thousand Four Hundred Dollars (\$2,400) tendered contemporaneously with the entry of this Order is accepted.
- (4) This case hereby is dismissed.

A COPY hereof shall be sent electronically by the Clerk of the Commission to: Carlos Marcelino Joya, Registered Agent, C.J. Construction LLC, 14975 Alaska Road, Woodbridge, Virginia 22191, [cjconstructionllc02@gmail.com](mailto:cjconstructionllc02@gmail.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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STATE CORPORATION COMMISSION

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Defendant

ADMISSION AND CONSENT

The Company, C.J. Construction 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.J. Construction LLC

By: CARLOS . JOYA

Title: OWNER

Email: CJCONSTRUCTIONLLC02@GMAIL.COM

Date: 7/16/2024