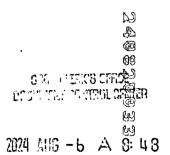
COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 6, 2024



COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

٧.

CASE NO. URS-2022-00257

BENCHMARK VA LLC SUBSURFACE UTILITY SERVICES,
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 January 11,

2022, and July 27, 2022, listed in Attachment A, involving Benchmark VA LLC Subsurface

Utility Services ("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 failing on five (5) 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 \$6,150 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-2022-00257.
- (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 Six Thousand One Hundred Fifty Dollars (\$6,150) 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:

Mike Fox, Regional Manager, Benchmark VA LLC Subsurface Utility Services, 9500 King Air

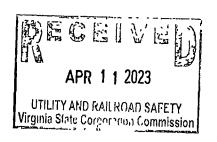
Court, Ashland, Virginia 23005, mfox@benchmarkllc.us; and a copy shall be delivered to the

Commission's Office of General Counsel and Division of Utility and Railroad Safety.

Attachment A

URS-2022-00257

URS Report #	Date	Address	City/County	Code(s)	Civ. Pen.
22-0504	01/11/22	West Broad Street and Bethlehem Road	Henrico County	§ 56-265.19 A	\$1,350.00
22-0377	03/29/22	829 Swan Ridge Road	Albemarle County	§ 56-265.19 A	\$1,250.00
22-0546	07/19/22	2200 Tailor Drive	Harrisonburg (City)	§ 56-265.19 A	\$1,250.00
22-0547	07/19/22	2180 Tailor Drive	Harrisonburg (City)	§ 56-265.19 A	\$1,250.00
22-0563	07/27/22	721 Rainier Drive	Albemarle County	§ 56-265.19 A	\$1,050.00
					\$6,150.00



COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

٧.

CASE NO. URS-2022-00257

BENCHMARK VA LLC SUBSURFACE UTILITY SERVICES, Defendant

ADMISSION AND CONSENT

The Company, Benchmark VA LLC Subsurface Utility Services, 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.

Belichmark VA LLC Substrace Utility Services

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Title: FegioNal NoR

Date: 4/5/2