

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

CEO - CLERK'S OFFICE
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COMMONWEALTH OF VIRGINIA, *ex rel.*
STATE CORPORATION COMMISSION

v.

CASE NO. URS-2023-00414

RNC CABLE CORP,
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 that:

(1) On or about May 23, 2023, RNC Cable Corp ("Company") damaged a three-quarter-inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 148 Jubilee, Williamsburg, Virginia, while excavating.

(2) On or about May 25, 2023, the Company excavated at or near 148 Jubilee, Williamsburg, Virginia.

(3) On the occasions set out in paragraphs (1) and (2) above, the Company, in four instances, failed to take all reasonable steps to protect the underground utility lines, in violation of Code § 56-265.24 A.

(4) On the occasion set out in paragraph (2) above, the Company, in two instances, utilized mechanized equipment within two feet of the extremities of all exposed utility lines, in violation of 20 VAC 5-309-140 (3) of the Commission's Rules for Enforcement of the Underground Utility Damage Prevention Act, 20 VAC 5-309-10 *et seq.* ("Rule").

(5) On the occasion set out in paragraph (1) above, the Company failed 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 Rule 20 VAC 5-309-150 (A)(6).

(6) On the occasion set out in paragraph (2) above, the Company failed to visually check the drill head as it passed through potholes, entrances, and exit pits, in violation of Rule 20 VAC 5-309-150 (A)(8).

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 \$2,100 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. As evidenced in the attached Training Verification, the Company has undertaken a training session for its employees on the subject of underground utility damage prevention conducted by the Division.

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-2023-00414.
- (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 Two Thousand One Hundred Dollars (\$2,100) 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: Wendy Poleth Rosas Gonzalez, Registered Agent, RNC Cable Corp, 614 Howard Tant Road, Zebulon, North Carolina 27597, rncablecorp@gmail.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-2023-00414

RNC CABLE CORP,

Defendant

ADMISSION AND CONSENT

The Company, RNC Cable Corp, 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.

RNC Cable Corp

By: Whly Rnc

Title: President

Email: rncablecorp@gmail.com

Date: 8/23/24

COMMONWEALTH OF VIRGINIA

Lauren Govoni
Director
(804) 371-9980
FAX (804) 371-9734

PO Box 1197
Richmond, Virginia 23218-1197

STATE CORPORATION COMMISSION
DIVISION OF UTILITY AND RAILROAD SAFETY

Company Training Consent and Point of Contact Form

If applicable, complete and return this form to the Commission's Division of Utility and Railroad Safety ("Division") along with the other requested documents.

Company Name (Print): BNC Cable Corp

Case or Report Number: URS-2023-00414

The following person is the designated representative to be contacted by the Division Staff to discuss the training requirements of the Case or Report, and schedule training:

Name (Print): Wendy Rosas

Telephone number and extension: No. 919-827-2743 Ext. _____

Email address: snccablecorp@gmail.com

Consenting Authority:

By: [Signature]

Title: President

Date: 6/26/24

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Memo

To: Camelot Mayorga

From: Rita Muñiz

Date: August 23, 2024

RNC Cable Corp. Case #URS-2023-00414

RNC Cable Corp. successfully completed the training requirements of Case No. URS-2023-00414. The company had 89.1% percent of the employees required to complete the training attend. Attached is a copy of the Company's training attendance roster.

Attendance Roster

Topic: Underground Utility Damage Prevention
 Date: August 23, 2024
 Commission Trainer: Rita M. Murray
 Company Name: RNC Cable Corp.
 Company Representative: Marvin Peralta
 Company Telephone Number: 919-827-2743
 Case No: URS-2023-00414

Initial RM

Initial MP

Print Your Name:

Initial Here:

ALAN EZEQUIEL Hernandez

A E H

Juan Aruabe

J. A. T

santos Reyes vasquez

S R

Guillermo Escobar Hernandez

~~_____~~

Jose Guadalupe

Reyes

Jose edin Lopez R.

SE L R

maximo P

✓

olvin anael vasque. H

~~_____~~

Marvin Peralta

MP

Benito morales Ramirez

~~_____~~

The Company had 99.1 % of employees attend the training.
 Verified by RM with Commission Staff and MP from the said Company.