

Sec. 16-345-3. Responsibilities of public utilities

(a) Each public utility shall:

(1) Register the geographic areas in which it owns or operates underground facilities within the State of Connecticut, including new facilities, by reference to the central clearinghouse's standard mapping system and maintain a current file containing the information listed in subsection (e) of section 16-345-2 of the Regulations of Connecticut State Agencies with the central clearinghouse;

(2) Reimburse the central clearinghouse, in accordance with billing rates set by the Authority as part of the central clearinghouse's budget;

(3) Report to the central clearinghouse, in accordance with the requirements established by the Authority, any excavation or demolition of which it is aware which has occurred at or near any of its facilities in violation of sections 16-345-1 to 16-345-9, inclusive, of the Regulations of Connecticut State Agencies or Chapter 293 of the Connecticut General Statutes;

(4) Report to the central clearinghouse, in accordance with the requirements established by the Authority, any damage to the utility's underground facilities which resulted from, or which the public utility suspects resulted from any excavation or demolition conducted by any excavator;

(5) File with the central clearinghouse such other information which the central clearinghouse or the Authority shall deem necessary to carry out the objectives of Chapter 293 of the Connecticut General Statutes and the public safety;

(6) Report to the Authority, as soon as possible, any excavator whose actions or frequency of damage incidents indicates a situation that may require particular attention;

(7) Upon the exposure of previously unrecorded or inaccurately recorded facilities in the course of excavation or demolition activities and of which it has knowledge of such exposure, verify and modify existing records as necessary, and promptly make all necessary modifications, if needed, within the standard mapping system maintained by the central clearinghouse. The record shall be sufficiently detailed in order to allow the central clearinghouse to identify such previously unrecorded or inaccurately recorded facilities within its standard mapping system;

(8) Maintain records of all existing underground utility facility locations, including without limitation, facilities abandoned in place and interconnections to all utility users;

(9) Receive tickets from the central clearinghouse;

(10) Provide, and promptly update, all information required in subsections (e) and (f) of section 16-345-2 of the Regulations of Connecticut State Agencies to the central clearinghouse; and

(11) Provide, and promptly update a current listing of emergency contact telephone numbers with the central clearinghouse, for the purposes of the central clearinghouse making available the emergency contact phone number to those requesting tickets for emergency excavation or emergency blasting.

(b) Each public utility shall:

(1) By the end of the second full day, (excluding Saturdays, Sundays and holidays) after the day of notification to the central clearinghouse of a proposed excavation or demolition, or by the date on which excavation or demolition is scheduled to commence as reported in

the notification to the central clearinghouse, whichever is later:

(A) Except for an area of continual excavation, in the event that the public utility determines that it has underground facilities in the designated area, mark the approximate location of such facilities using commercially available advanced proven techniques, methods and equipment appropriate to the circumstances, in accordance with section 16-345-5 of the Regulations of Connecticut State Agencies, in such a manner that will enable the excavator to establish the actual location of the underground facilities so marked, or if it is not practical to so mark the location of such facilities, identify the approximate location of such facilities in a manner mutually agreeable to the public utility and the excavator. Any interconnections between facilities of the public utility and others, such as tees connecting mains to customer owned facilities, shall be clearly marked and labeled by the utility providing service to the interconnection in accordance with section 16-345-5 of the Regulations of Connecticut State Agencies, provided, however, that such utility shall not be required to mark the location of customer owned facilities, except at the immediate location of the interconnection or tee. Whenever feasible, the public utility shall also provide information to the excavator as to any special requirements for excavation or demolition at or near its facilities including, without limitation, any special considerations regarding structural or lateral support or the use of heavy equipment over public utility facilities;

(B) Notwithstanding subparagraph (A) of this subdivision, the public utility that has a standard and repeating layout and which is connected by facilities visible on the surface (such as certain storm sewers) need not mark those standard and repeating facilities, provided that maps indicating the approximate location are supplied to the excavator within the specified time limit. Facilities that are attached to a standard and repeating layout but do not conform to the standard and repeating layout shall be marked unless an alternate mutually agreeable location method is used;

(C) In the event that the public utility determines that it has no underground facilities in the designated area, make reasonable effort to so inform the excavator and document such efforts, or mark this information in accordance with subsection (l) of section 16-345-5 of the Regulations of Connecticut State Agencies; and

(D) Upon receipt of a ticket of an area of continual excavation, the public utility shall contact the party requesting the ticket, and provide it information or maps indicating the location of facilities in the area of continual excavation;

(2) Upon receipt of information that the excavator, after reasonable attempt to locate the underground facilities, is unable to locate the actual location of the underground facilities after the approximate location of an underground utility facility has been marked by the public utility, provide such further on-site assistance as may be needed to determine the actual location of the underground facilities. The assistance may be in the form of location detection equipment or technical advice. Such technical advice may include, without limitation, the need for and advice concerning location or locations of test holes by the excavator. An excavator, who has failed to make a reasonable attempt to locate the facilities within the approximate location as marked out by the public utility prior to calling the public utility for on-site assistance, shall reimburse the public utility for all costs incurred in the further location of such facilities. If the actual location of the facility is found to be within the approximate location as marked out by the public utility, it shall constitute a failure by

the excavator to have made a reasonable attempt to locate;

(3) Immediately upon receipt of a ticket of an emergency excavation, dispatch personnel to determine the effect of the excavation or demolition on any facility it may have in the area and to mark the approximate location of facilities in the designated area;

(4) Immediately upon receipt of a ticket of emergency blasting, dispatch personnel to determine the effect of the blasting on any facility it may have in the area and to mark the approximate location of facilities in the designated area; and

(5) Upon receipt of information that contact or damage involving its underground facilities has occurred, dispatch qualified personnel as soon as is reasonably possible to effect temporary or permanent repairs and to protect the public from any potential danger resulting from the contact or damage to its facilities.

(c) A public utility may identify, in accordance with subsection (k) of section 16-345-5 of the Regulations of Connecticut State Agencies, the location of a facility connected to its facilities beyond the point of the interconnection or tee, but not owned or operated by the public utility, as a helpful guide to an excavator. Said identification shall not be deemed to impose any liability upon the public utility for any inaccuracy in said identification.

(d) Each public utility, individually and through appropriate utility organizations, shall maintain a program designed to educate excavators in order to minimize the possibility of damage incidents to underground facilities and to minimize the potential detriment to public safety attendant with damage to underground facilities. Upon request by any excavator planning an excavation or demolition, each public utility shall provide basic instruction concerning the hazards associated with its underground facilities and specific precautions necessary when working at or near those facilities.

(e) Each public utility shall attend all preconstruction meetings of which it has knowledge related to excavation or demolitions which might affect its facilities for the purpose of addressing special or particular issues related to public safety as well as other issues related to the proposed excavation or demolition.

(f) Each public utility shall, where practicable, install a warning tape located above the facility, and keep appropriate records thereof for all new underground facilities. For all repairs, replacements or modifications involving an exposure of existing underground facilities at least one hundred (100) feet in length that does not already have warning tape installed and which the utility has knowledge of such exposure, the utility shall, where practicable, install a warning tape located above the facility, and keep appropriate records thereof. The minimum separation between the facility and the warning tape shall be twelve (12) inches unless the depth, other underground facilities or other engineering considerations make the minimum separation unfeasible. The warning tape shall be durable, designed to withstand extended underground exposure, be of the color assigned to the type of facility for surface markings in subsection (i) of section 16-345-5 of the Regulations of Connecticut State Agencies and durably imprinted with an appropriate warning or message.

(g) Each public utility shall, during the installation of new underground facilities, mark the approximate location of such new facilities in accordance with section 16-345-5 of the Regulations of Connecticut State Agencies for such newly installed facilities as they are backfilled or installed.

(h) For all new non-metallic utility facilities, the utility shall install a means of locating

the facility using electronic locating equipment, such as tracing wire.

(i) Any person who locates and marks the location of underground facilities on behalf of a public utility shall be trained in applicable locating industry standards and practices equal or superior to the National Utility Locating Contractors Association's locator training standards and practices. Each person's training shall be documented, and such documents shall be maintained by the public utility.

(Effective October 25, 1988; Amended March 21, 1997; Amended August 23, 2000; Amended August 2, 2016)