



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington DC 20590

PIPELINE SAFETY

2011 State Damage Prevention Grant

for

GEORGIA PUBLIC SERVICE COMMISSION

Please follow the directions listed below:

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3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.
4. Mail the entire document, including this cover page to the following:

**ATTN: Maria Munoz
U.S. Department of Transportation
Pipeline & Hazardous Materials Safety Administration
Office of Contracts and Procurement (PHA-30)
1200 New Jersey Avenue, SE Second Floor E22-305
Washington, D.C. 20590**

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Submission Date: 9/8/2010 8:27:23 AM



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DEPARTMENT OF TRANSPORTATION

APPLICATION

2011 GRANT PROGRAM IN SUPPORT OF STATE DAMAGE PREVENTION

The GEORGIA PUBLIC SERVICE COMMISSION hereby applies to the Department of Transportation for Federal funds appropriated for the support of State Damage Prevention Programs established under 49 U.S.C. Section 60134 et seq.

The State agency plans to carry out the State Damage Prevention Program, during calendar year 2011, as described in Attachment 1, "Project Abstract/Statement of Objectives". To accomplish the program, the state agency proposes to expend funds as set forth in Attachment 4, "State Damage Prevention Estimated Budget".

Signature

Title

Date

Project Abstract/Statement of Objectives

Please provide a clear and concise description of the work this grant will fund for calendar year 2011

The awarding of this grant in the past, 2008, 2009 and 2010, has enabled the Georgia Public Service Commission to maintain and equip a full time field investigator to investigate and make recommendations of settlement up to and including the assessment of penalties for violations of the state's damage prevention laws. In addition to the investigative work, this person has also been instrumental in assisting staff in carrying the damage preventions message to groups across the state speaking before many groups both of excavators and facility owner/operators. Funds from the 2011 grant would allow the Commission to continue the employment of this person. As with so many states, Georgia's and the PSC's budgets have been wracked by the economic downturn of the past couple of years. Funds from the 2011 become even more critical to the continued successes of the Georgia damage prevention program. The Georgia Utility Facility Protection Act addresses damages to any and all buried utility facilities by requiring that anyone performing mechanized excavation on any parcel of land in any county in the state request a facility locate 48 hours in advance beginning the next business day before beginning those mechanized excavation activities. In addition, anyone who owns or operates a buried utility in the state must join and support the activities of the one call center in the state. That would include locating its facilities within 48 hours beginning the next business day upon receiving notice that mechanized excavation will take place in conflict with its facilities.

Funds from the 2010 grant were also used to upgrade computer software and hardware. Software developed with the 2010 grants funds allowed the Commission to developed publicly accessible data as to damage prevention efforts in the state.

For the 2011 grant, funds above the cost of maintaining the field investigator would be used to hire someone on a part-time contractual basis to assist in case preparation and presentation of the many hearings held at the Commission addressing those dig law violations where the respondent chooses to ignore the Commission's efforts to bring closure to those violations. Cases have to be docketed, witness questioning must be prepared and final orders have to be developed for action by the full Commission based on the hearing officer's recommendations. An attachment is included showing the growth in those cases referred to a hearing officer for disposition as well as the growth in cases investigated by year as Georgia's program moves forward, becoming both more efficient and sophisticated in carrying out investigations of reported violations of Georgia's dig law.

State Damage Prevention Elements

ELEMENT 1 - EFFECTIVE COMMUNICATIONS

"Participation by operators, excavators, and other stakeholders in the development and implementation of methods for establishing and maintaining effective communications between stakeholders from receipt of an excavation notification until successful completion of the excavation, as appropriate."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The Utilities Protection Center in Georgia is the focal point for communication between those seeking to perform mechanized excavation in the state and those who have buried utilities in the state. Anyone seeking to perform mechanized excavation in the state must first contact the UPC for a facility locate, which is communicated to the appropriate facility owner/operators who then complete the locate and communicate the results back to the UPC. In 2005 the circle of communication was completed in Georgia by further requiring that all ticket holders be aware of the information contained in positive response. The life of a ticket is set at 21 calendar days, insuring that no tickets are left open ended.

The UPC was created by state law, which further specifies that there will be no duplication thereof. The UPC is governed by a board made up of representatives from its utility owner/operator membership. The UPC has a dynamic public education and damage prevention program that is thoroughly documented and provided to the member utility owner operators annually. Audits are performed annually on UPC policies to ensure proper implementation of CGA Best Practices.

Locate requests can be processed 24 hours a day, 7 days a week 365 days of the year. Web based and telephonic methods are also offered for positive response, which can be utilized by member utilities, excavators, and the general public. The information includes facility owner/operator contact information. UPC provides a variety of delivery methods to its member utilities for receiving locate requests. These include Email, XML and other available technologies. Furthermore, UPC has disaster recovery/business continuity policies and procedures in place to ensure that the Center maintains a high accessibility rate. These policies include a secondary "hot" DR site, which houses additional servers in the event of a disaster at its primary location.

ELEMENT 2 - COMPREHENSIVE STAKEHOLDER SUPPORT

"A process for fostering and ensuring the support and partnership of stakeholders, including excavators, operators, locators, designers, and local government in all phases of the program."

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Describe any existing state initiatives that support this element: (Required)

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ELEMENT 3 - OPERATOR INTERNAL PERFORMANCE MEASUREMENT

"A process for reviewing the adequacy of a pipeline operator's internal performance measures regarding persons performing locating services and quality assurance programs."

Does the proposed project address this element? (Required) No

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Pipeline Safety staff perform Operator Qualification Inspections on gas operators to ensure that all gas operator and contract personnel are qualified in their assigned positions. Locate personnel, whether company employees or contract personnel, are required to be retrained in the case of failure to complete properly and accurately all locates assigned to them. In addition, the largest pipeline operator in Georgia, (with over 1.5 million customers) has implemented a quality assurance program taking random samples of their locates performed to check for accuracy.

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"Participation by operators, excavators, and other stakeholders in the development and implementation of effective employee training programs to ensure that operators, the one call center, the enforcing agency, and the excavators have partnered to design and implement training for the employees of operators, excavators, and locators."

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ELEMENT 5 - PUBLIC EDUCATION

"A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The dig law in Georgia mandates membership in the Utilities Protection Center for all who own or operate buried utilities within the state. Part of the Utilities Protection Center mandate is to disseminate damage prevention information and training to all stakeholders in the state, whether it be owner/operators, locators or excavators. The Utilities Protection Center educational program partners with state and local associations to promote CGA Best Practices, education of dig law requirements and various federal requirements for all stakeholders. These education programs are spearheaded by six liaison managers, Utilities Protection Center employees tasked specifically with education, conflict resolution, and support for all stakeholders. In addition, the Utilities Protection Center Digger Dog Program educates 4th grade students on underground and overhead utilities, which reaches over ten thousand students annually.

ELEMENT 6 - DISPUTE RESOLUTION

"A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The Georgia Utility Facility Protection Act (GUFPA) provides in 25-9-13, among other things, that the Public Service Commission will enforce the Act. That section further states that the governor shall appoint an Advisory Committee consisting of 14 members, representing all stakeholders, to assist the Commission in enforcing the Act. The Committee generally hears any and all contested investigations.

ELEMENT 7 - ENFORCEMENT

"Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority."

Does the proposed project address this element? (Required) Yes

Describe any existing state initiatives that support this element: (Required)

Georgia Dig Law Act (GUFPA) provides in 25-9-13, among other things, that the Public Service Commission will enforce the Act. That section further states that the governor shall appoint an Advisory Committee consisting of 14 members, representing all stakeholders, to assist the Commission in enforcing the Act. The Committee generally hears any and all contested investigations.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

Monies from the 2011 grant will allow the Public Service Commission to continue employment of David Lewis as a filed investigator assigned to investigations of third party damages to buried utilities. Mr. Lewis was hired under funds received for the 2008 SDPAP grant and continued with funds from the 2009 and 2010 grants. Mr. Lewis has proven to be a valuable tool with not only the investigation of damages, but also as a person to address different public groups on the requirements of the Georgia Utility Facility Protection Act. Mr. Lewis came to the program after a 32 year career with BellSouth, the last 7 of those years dedicated solely to the damage prevention program administered by the phone company. His knowledge of the industry and contacts that he had developed within the industry during his career with the phone company made him an immediate force in helping the Commission to carry out its enforcement requirements under the GUFPA. During FY 2009, Mr. Lewis initiated 451 investigations of violations of the dig law, recommending \$655,500 in penalties. Of the recommended penalties, \$56,000 have been collected, while \$435,000 were mitigated for respondents to attend training on the requirements of the Georgia Utility Facility Protection Act. The penalties recommended by Mr. Lewis in the provided attachment indicate a reduction for recommended penalties in 2010 over 2009. This reduction is attributed to his dealing with many municipal operators, which are subject to a lesser penalty structure than other violators. The difference between total recommended penalties and penalties collected/mitigated would represent a sum for those cases that have not yet been brought to closure. In addition to the investigative work accomplished, Mr. Lewis has worked to become the public face of enforcement within the state by giving 11 public presentations addressing 375 persons on the requirements of the GUFPA. Mr. Lewis was also appointed to a team for rewriting the excavator handbook distributed free of charge to the excavating community in Georgia covering the dig law as well as Commission Rules for enforcement. In 2009, he also worked at the International Locate Rodeo as an event coordinator.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$48,000.00
b. Fringe Benefits:	\$19,300.00
c. Travel:	\$3,500.00
d. Equipment:	\$500.00
e. Supplies:	\$500.00
f. Contractual:	\$25,000.00
g. Construction:	\$0.00
h. Other:	\$1,000.00
i. Total Direct Charges (sum of a through h):	\$97,800.00
j. Indirect Charges:	\$2,200.00
k. TOTAL (sum of i and j):	\$100,000.00

Budget Narrative for this element: (Required only if proposal addresses this element)

The monies listed would serve to continue Mr. Lewis' salary at its current level for CY 2011. In addition, it would cover all travel and incidental expenses associated with his enforcement activities. Contractual costs would cover the cost of part-time legal assistance to handle contested cases being assigned to heard by a hearing officer appointed by the Public Service Commission. As indicated by the attachments for both Hearing Data and Cases Reported/ Investigated, Georgia has experienced growth in the number of cases brought before the Commission. Part-time legal assistance would afford the Commission the ability to manage the additional workload. The budget estimate for this proposal exceeds the grant limit of \$100,000 as indicated in the application. The actual estimated the budget for this element is as follows:

Personnel	\$ 48,000
Fringe Benefits	\$ 19,300
Travel	\$ 5,500
Equipment	\$ 1,000
Supplies	\$ 1,000
Contractual	\$ 30,000
Construction	\$ 0
Other	\$ 2,000
Total Direct Charges:	\$106,800
Indirect Charges	\$ 8,300
Total Charges:	\$115,100

ELEMENT 8 - TECHNOLOGY

"A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The UPC in Georgia has fostered the International Locate Rodeo, which promotes competition among those within the locating industry. All disciplines (water, sewer, gas, telecom, and electric), are represented as areas of the competition. As a prelude to the actual competition, seminars are held to update the contestants on the latest equipment and technologies as well as locating techniques. This competition has not only benefited safe digging in the state of Georgia, it has also highlighted the damage prevention cause nationally and internationally by bringing in competitors from many other states across the country, as well as Canada. The event has spawned regional competitions in other parts of the country channeling those winners to the international event held in Georgia. Locate Excellence is an incentive based program for locate technicians throughout Georgia, which is sponsored by the UPC, GUCC, utilities, and locate contractors. The purpose is to recognize the achievement of those in the utility locating profession and to promote mutual respect among all stakeholders. UPC is constantly looking for new technologies that will enhance the damage prevention process, in all stages of the process. Current technologies that are used to promote safe digging are user friendly web ticket entry, up to date maps, GPS coordinate search capability for determining the location of a proposed project. Furthermore, UPC maintains disaster recovery/business continuity policies and procedures to ensure that the Center achieves a very high accessibility rate. These policies include a secondary "hot" DR site, which houses additional servers in the event of a disaster at its primary location.

ELEMENT 9 - DAMAGE PREVENTION PROGRAM REVIEW

"A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The dig law requires that damages to buried utilities be reported to UPC, the facility owner, and in the case of serious damages to the Public Service Commission. Ultimately, the reduction of damages is the best measurement for the effectiveness of a program. The PSC has documented a significant decrease in damages over the last several years. UPC, its member utilities, and the PSC are working together on a plan to use UPC as the central repository in Georgia for reporting utility damages. This plan will allow a single report to provide the information needed by both the PSC and the Common Ground Alliance's Damage Information Reporting Tool (DIRT). Once in place this will allow Georgia to more effectively measure its damage prevention efforts over time and in will also allow comparison with other States.

Legislative/Regulatory Actions

Provide a description of any legislature or regulatory actions (including legislative/regulatory studies) taken by the State within the past five (5) years pertaining to damage prevention program improvement, even if those actions were not completely successful.

The Georgia Utility Facility Protection Act was reopened in the 2005 legislative session with many issues addressed in the Act at that time.

Summary of Changes to GUFPA Senate Bill 274

25-9-3 included new definitions for:

Sewer laterals, Excavating, Farming activities, roadway maintenance, Railroads, Horizontal Directional Drilling, Large Project, Local Governing Authority, Locator, Minimally Intrusive, Permanent marker, Traffic control/Traffic Management Systems, Trenchless excavation, Unlocatable Facility and Utility Facility

29-9-5 Cooperation with UPC; permanent markers for water and sewer facilities; point of contact list.

owners or operators of water and sewer facilities that provide service from such facilities are considered facility owners or operators and shall be members of the UPC. All such persons shall install and maintain permanent markers, as defined in Code Section 25-9-3, identifying all water and sewer facilities at the time of the facility installation.

Section 5 25-9-6 Prerequisites to blasting or excavating; marking of sites

Any person performing excavation is responsible for being aware of all information timely entered into the PRIS prior to the commencement of excavation.

Section 6 25-9-7 Determining whether utility facilities are present; information to UPC; noncompliance; future utility facilities; abandoned utility facilities.

By January 1, 2006, the advisory committee shall propose to the Public Service Commission rules and processes specific to the locating of large projects. These rules shall include, but shall not be limited to, the establishment of detailed processes. Such rules may also include changes in the time period allowed for a facility owner or operator to comply with the provisions of this chapter and to the time period for which designations are valid. The commission shall promulgate rules addressing this subsection no later than June 1, 2006.

25-9-8 Treatment of gas pipes and other underground utility facilities by blasters and excavators.

When excavating or blasting is to take place within the tolerance zone, the excavator shall exercise such reasonable care as may be necessary for the protection of the utility facility or sewer lateral, including permanent markers and paint placed to designate utility facilities.

When conducting trench-less excavation the excavator must exercise reasonable care, as described in subsection (b) of this Code section, and shall take additional care to attempt to prevent damage to utility facilities and sewer laterals. The recommendations of the HDD consortium applicable to the performance of trench-less excavation set out in the document "Horizontal Directional Drilling Good Practice Guidelines," Any person engaged in blasting or in excavating with mechanized excavating equipment who strikes, damages, injures, or loosens any utility facility or sewer lateral, regardless of whether the utility facility or sewer lateral is marked, shall immediately cease such blasting or excavating and notify the UPC and the appropriate facility owner or operator, if known.

25-9-13 Penalties for violations of chapter; bonds; enforcement; advisory committee; dispose of settlement recommendations.

Any person who violates the requirements of Code Section 25-9-6 and whose subsequent excavating or blasting damages utility facilities or sewer laterals shall be strictly liable for:

Each local governing authority is authorized to require by ordinance any bonds on utility contractors or on persons performing excavation or blasting within the public right of way or any dedicated utility easement as it may determine to assure compliance. The commission shall enforce the provisions of this chapter. The commission may promulgate any rules and regulations necessary to implement the commission's authority to enforce this chapter. The Governor shall appoint an advisory committee consisting of persons who are employees or officials of or who represent the interests of One member from DOT, One member from water/sewer from local governments, One member from the UPC, One member from water/sewer by counties, One member from water/sewer by municipalities, One member from non-municipal electric industry, Three members to represent excavators, One member to represent locator's, One member from the non-municipal telecommunications industry, One member from non-municipal natural gas industry, One member from municipal gas, electric, or telecommunications providers and The commission chairperson or such chairperson's designee.

All exemptions were removed. Local Governments Penalties begin on Jan 1, 2007 for failure to locate and Begin on Jan 1, 2006 for everything else. Commission must establish tiered penalties for local governing authorities, (this does not include gas operators) \$5,000 max per violation \$50,000 max per year. Commission investigator may require Training over penalties for all violators. In addition to changes to the Act, the Commission adopted new rules dealing with excavation activities. In 2007, the Commission adopted a Marking Standards Rule that further tightened the requirements for white lining proposed excavation as well as adopting standard marking symbols on a state wide basis. As specified in the 2005 changes to the GUFPA, the Commission adopted rules in 2006 for the handling of large projects, large project being defined as any project greater than one linear mile or any project that would take more than 90 days to complete. This rule was further refined in 2009 by simplifying the process for the handling of those projects.

There were no legislative actions during the most recent General Assembly meeting to address damage prevention measures in Georgia.

State Damage Prevention Estimated Budget - Calendar Year 2011

DIRECT COSTS

Personnel	\$48,000.00
Fringe Benefits	\$19,300.00
Travel	\$3,500.00
Equipment	\$500.00
Supplies	\$500.00
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Other	\$1,000.00
Total Direct	\$97,800.00

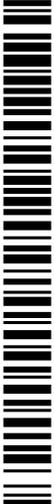
INDIRECT COSTS

Indirect Charges	\$2,200.00
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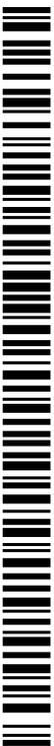
TOTAL ESTIMATED COSTS

\$100,000.00

State Damage Prevention Application Attachments



PHMSA_DTPH56-11-SN-0001GovPerdueLtr08162010.pdf
GUFPA Case Annual Hearing Data.pdf
GUFPA Penalties - David Lewis.pdf
GUFPA Case Annual Reported-Investigated Data.pdf
GUFPA Presentations - David Lewis.pdf





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Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The dig law in Georgia mandates membership in the Utilities Protection Center for all who own or operate buried utilities within the state. Part of the Utilities Protection Center mandate is to disseminate damage prevention information and training to all stakeholders in the state, whether it be owner/operators, locators or excavators. The Utilities Protection Center educational program partners with state and local associations to promote CGA Best Practices, education of dig law requirements and various federal requirements for all stakeholders. These education programs are spearheaded by six liaison managers, Utilities Protection Center employees tasked specifically with education, conflict resolution, and support for all stakeholders. In addition, the Utilities Protection Center Digger Dog Program educates 4th grade students on underground and overhead utilities, which reaches over ten thousand students annually.

ELEMENT 6 - DISPUTE RESOLUTION

"A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The Georgia Utility Facility Protection Act (GUFPA) provides in 25-9-13, among other things, that the Public Service Commission will enforce the Act. That section further states that the governor shall appoint an Advisory Committee consisting of 14 members, representing all stakeholders, to assist the Commission in enforcing the Act. The Committee generally hears any and all contested investigations.

ELEMENT 7 - ENFORCEMENT

"Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority."

Does the proposed project address this element? (Required) Yes

Describe any existing state initiatives that support this element: (Required)

Georgia Dig Law Act (GUFPA) provides in 25-9-13, among other things, that the Public Service Commission will enforce the Act. That section further states that the governor shall appoint an Advisory Committee consisting of 14 members, representing all stakeholders, to assist the Commission in enforcing the Act. The Committee generally hears any and all contested investigations.

Describe how the proposed project will enhance or continue implementation of this element: (Required only if proposal addresses this element)

Monies from the 2011 grant will allow the Public Service Commission to continue employment of David Lewis as a filed investigator assigned to investigations of third party damages to buried utilities. Mr. Lewis was hired under funds received for the 2008 SDPAP grant and continued with funds from the 2009 and 2010 grants. Mr. Lewis has proven to be a valuable tool with not only the investigation of damages, but also as a person to address different public groups on the requirements of the Georgia Utility Facility Protection Act. Mr. Lewis came to the program after a 32 year career with BellSouth, the last 7 of those years dedicated solely to the damage prevention program administered by the phone company. His knowledge of the industry and contacts that he had developed within the industry during his career with the phone company made him an immediate force in helping the Commission to carry out its enforcement requirements under the GUFPA. During FY 2009, Mr. Lewis initiated 451 investigations of violations of the dig law, recommending \$655,500 in penalties. Of the recommended penalties, \$56,000 have been collected, while \$435,000 were mitigated for respondents to attend training on the requirements of the Georgia Utility Facility Protection Act. The penalties recommended by Mr. Lewis in the provided attachment indicate a reduction for recommended penalties in 2010 over 2009. This reduction is attributed to his dealing with many municipal operators, which are subject to a lesser penalty structure than other violators. The difference between total recommended penalties and penalties collected/mitigated would represent a sum for those cases that have not yet been brought to closure. In addition to the investigative work accomplished, Mr. Lewis has worked to become the public face of enforcement within the state by giving 11 public presentations addressing 375 persons on the requirements of the GUFPA. Mr. Lewis was also appointed to a team for rewriting the excavator handbook distributed free of charge to the excavating community in Georgia covering the dig law as well as Commission Rules for enforcement. In 2009, he also worked at the International Locate Rodeo as an event coordinator.

Estimated budget for this element: (Required only if proposal addresses this element)

a. Personnel:	\$48,000.00
b. Fringe Benefits:	\$19,300.00
c. Travel:	\$3,500.00
d. Equipment:	\$500.00
e. Supplies:	\$500.00
f. Contractual:	\$25,000.00
g. Construction:	\$0.00
h. Other:	\$1,000.00
i. Total Direct Charges (sum of a through h):	\$97,800.00
j. Indirect Charges:	\$2,200.00
k. TOTAL (sum of i and j):	\$100,000.00

Budget Narrative for this element: (Required only if proposal addresses this element)

The monies listed would serve to continue Mr. Lewis' salary at its current level for CY 2011. In addition, it would cover all travel and incidental expenses associated with his enforcement activities. Contractual costs would cover the cost of part-time legal assistance to handle contested cases being assigned to heard by a hearing officer appointed by the Public Service Commission. As indicated by the attachments for both Hearing Data and Cases Reported/ Investigated, Georgia has experienced growth in the number of cases brought before the Commission. Part-time legal assistance would afford the Commission the ability to manage the additional workload. The budget estimate for this proposal exceeds the grant limit of \$100,000 as indicated in the application. The actual estimated the budget for this element is as follows:

Personnel	\$ 48,000
Fringe Benefits	\$ 19,300
Travel	\$ 5,500
Equipment	\$ 1,000
Supplies	\$ 1,000
Contractual	\$ 30,000
Construction	\$ 0
Other	\$ 2,000
Total Direct Charges:	\$106,800
Indirect Charges	\$ 8,300
Total Charges:	\$115,100

ELEMENT 8 - TECHNOLOGY

"A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The UPC in Georgia has fostered the International Locate Rodeo, which promotes competition among those within the locating industry. All disciplines (water, sewer, gas, telecom, and electric), are represented as areas of the competition. As a prelude to the actual competition, seminars are held to update the contestants on the latest equipment and technologies as well as locating techniques. This competition has not only benefited safe digging in the state of Georgia, it has also highlighted the damage prevention cause nationally and internationally by bringing in competitors from many other states across the country, as well as Canada. The event has spawned regional competitions in other parts of the country channeling those winners to the international event held in Georgia. Locate Excellence is an incentive based program for locate technicians throughout Georgia, which is sponsored by the UPC, GUCC, utilities, and locate contractors. The purpose is to recognize the achievement of those in the utility locating profession and to promote mutual respect among all stakeholders. UPC is constantly looking for new technologies that will enhance the damage prevention process, in all stages of the process. Current technologies that are used to promote safe digging are user friendly web ticket entry, up to date maps, GPS coordinate search capability for determining the location of a proposed project. Furthermore, UPC maintains disaster recovery/business continuity policies and procedures to ensure that the Center achieves a very high accessibility rate. These policies include a secondary "hot" DR site, which houses additional servers in the event of a disaster at its primary location.

ELEMENT 9 - DAMAGE PREVENTION PROGRAM REVIEW

"A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews."

Does the proposed project address this element? (Required) No

Describe any existing state initiatives that support this element: (Required)

The dig law requires that damages to buried utilities be reported to UPC, the facility owner, and in the case of serious damages to the Public Service Commission. Ultimately, the reduction of damages is the best measurement for the effectiveness of a program. The PSC has documented a significant decrease in damages over the last several years. UPC, its member utilities, and the PSC are working together on a plan to use UPC as the central repository in Georgia for reporting utility damages. This plan will allow a single report to provide the information needed by both the PSC and the Common Ground Alliance's Damage Information Reporting Tool (DIRT). Once in place this will allow Georgia to more effectively measure its damage prevention efforts over time and in will also allow comparison with other States.

Legislative/Regulatory Actions

Provide a description of any legislature or regulatory actions (including legislative/regulatory studies) taken by the State within the past five (5) years pertaining to damage prevention program improvement, even if those actions were not completely successful.

The Georgia Utility Facility Protection Act was reopened in the 2005 legislative session with many issues addressed in the Act at that time.

Summary of Changes to GUFPA Senate Bill 274

25-9-3 included new definitions for:

Sewer laterals, Excavating, Farming activities, roadway maintenance, Railroads, Horizontal Directional Drilling, Large Project, Local Governing Authority, Locator, Minimally Intrusive, Permanent marker, Traffic control/Traffic Management Systems, Trenchless excavation, Unlocatable Facility and Utility Facility

29-9-5 Cooperation with UPC; permanent markers for water and sewer facilities; point of contact list.

owners or operators of water and sewer facilities that provide service from such facilities are considered facility owners or operators and shall be members of the UPC. All such persons shall install and maintain permanent markers, as defined in Code Section 25-9-3, identifying all water and sewer facilities at the time of the facility installation.

Section 5 25-9-6 Prerequisites to blasting or excavating; marking of sites

Any person performing excavation is responsible for being aware of all information timely entered into the PRIS prior to the commencement of excavation.

Section 6 25-9-7 Determining whether utility facilities are present; information to UPC; noncompliance; future utility facilities; abandoned utility facilities.

By January 1, 2006, the advisory committee shall propose to the Public Service Commission rules and processes specific to the locating of large projects. These rules shall include, but shall not be limited to, the establishment of detailed processes. Such rules may also include changes in the time period allowed for a facility owner or operator to comply with the provisions of this chapter and to the time period for which designations are valid. The commission shall promulgate rules addressing this subsection no later than June 1, 2006.

25-9-8 Treatment of gas pipes and other underground utility facilities by blasters and excavators.

When excavating or blasting is to take place within the tolerance zone, the excavator shall exercise such reasonable care as may be necessary for the protection of the utility facility or sewer lateral, including permanent markers and paint placed to designate utility facilities.

When conducting trench-less excavation the excavator must exercise reasonable care, as described in subsection (b) of this Code section, and shall take additional care to attempt to prevent damage to utility facilities and sewer laterals. The recommendations of the HDD consortium applicable to the performance of trench-less excavation set out in the document "Horizontal Directional Drilling Good Practice Guidelines," Any person engaged in blasting or in excavating with mechanized excavating equipment who strikes, damages, injures, or loosens any utility facility or sewer lateral, regardless of whether the utility facility or sewer lateral is marked, shall immediately cease such blasting or excavating and notify the UPC and the appropriate facility owner or operator, if known.

25-9-13 Penalties for violations of chapter; bonds; enforcement; advisory committee; dispose of settlement recommendations.

Any person who violates the requirements of Code Section 25-9-6 and whose subsequent excavating or blasting damages utility facilities or sewer laterals shall be strictly liable for:

Each local governing authority is authorized to require by ordinance any bonds on utility contractors or on persons performing excavation or blasting within the public right of way or any dedicated utility easement as it may determine to assure compliance. The commission shall enforce the provisions of this chapter. The commission may promulgate any rules and regulations necessary to implement the commission's authority to enforce this chapter. The Governor shall appoint an advisory committee consisting of persons who are employees or officials of or who represent the interests of One member from DOT, One member from water/sewer from local governments, One member from the UPC, One member from water/sewer by counties, One member from water/sewer by municipalities, One member from non-municipal electric industry, Three members to represent excavators, One member to represent locator's, One member from the non-municipal telecommunications industry, One member from non-municipal natural gas industry, One member from municipal gas, electric, or telecommunications providers and The commission chairperson or such chairperson's designee.

All exemptions were removed. Local Governments Penalties begin on Jan 1, 2007 for failure to locate and Begin on Jan 1, 2006 for everything else. Commission must establish tiered penalties for local governing authorities, (this does not include gas operators) \$5,000 max per violation \$50,000 max per year. Commission investigator may require Training over penalties for all violators. In addition to changes to the Act, the Commission adopted new rules dealing with excavation activities. In 2007, the Commission adopted a Marking Standards Rule that further tightened the requirements for white lining proposed excavation as well as adopting standard marking symbols on a state wide basis. As specified in the 2005 changes to the GUFPA, the Commission adopted rules in 2006 for the handling of large projects, large project being defined as any project greater than one linear mile or any project that would take more than 90 days to complete. This rule was further refined in 2009 by simplifying the process for the handling of those projects.

There were no legislative actions during the most recent General Assembly meeting to address damage prevention measures in Georgia.

State Damage Prevention Estimated Budget - Calendar Year 2011

DIRECT COSTS

Personnel	\$48,000.00
Fringe Benefits	\$19,300.00
Travel	\$3,500.00
Equipment	\$500.00
Supplies	\$500.00
Contractual	\$25,000.00
Construction	
Other	\$1,000.00
Total Direct	\$97,800.00

INDIRECT COSTS

Indirect Charges	\$2,200.00
------------------------	------------

TOTAL ESTIMATED COSTS

\$100,000.00

State Damage Prevention Application Attachments

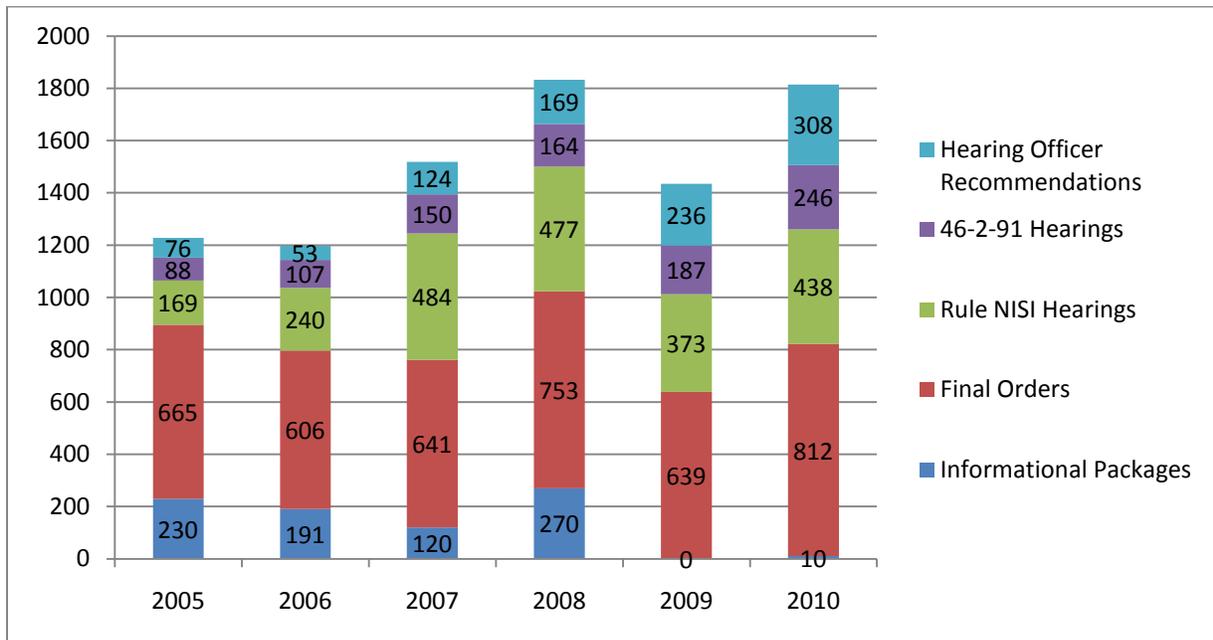


PHMSA_DTPH56-11-SN-0001GovPerdueLtr08162010.pdf
GUFPA Case Annual Hearing Data.pdf
GUFPA Penalties - David Lewis.pdf
GUFPA Case Annual Reported-Investigated Data.pdf
GUFPA Presentations - David Lewis.pdf

GUFPA Case Annual Hearing Data

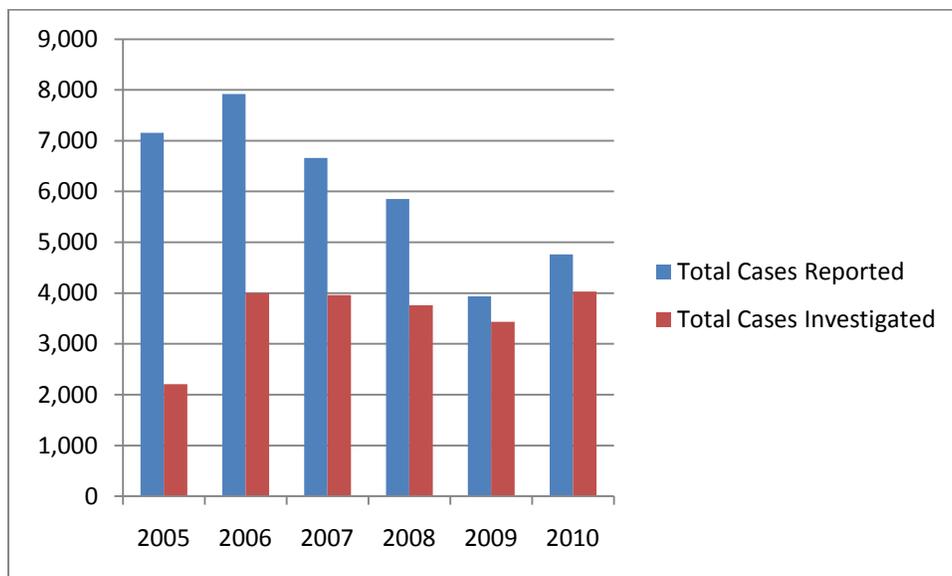
Year	Begin	End	Informational Packages	Final Orders	Rule NISI Hearings	46-2-91 Hearings	Hearing Officer Recommendations	Yearly Totals
2005	1/1/2005	12/31/2005	230	665	169	88	76	1228
2006	1/1/2006	12/31/2006	191	606	240	107	53	1197
2007	1/1/2007	12/31/2007	120	641	484	150	124	1519
2008	1/1/2008	12/31/2008	270	753	477	164	169	1833
2009	1/1/2009	10/27/2009	0	639	373	187	236	1435
2010	1/1/2010	8/30/2010	10	812	438	246	308	1814
Cumulative Totals:			821	4,116	2,181	942	966	9,026

NOTE: 2010 data is valid only for the period of 1/1/10 through 8/30/2010



GUFPA Case Annual Hearing Data Graph

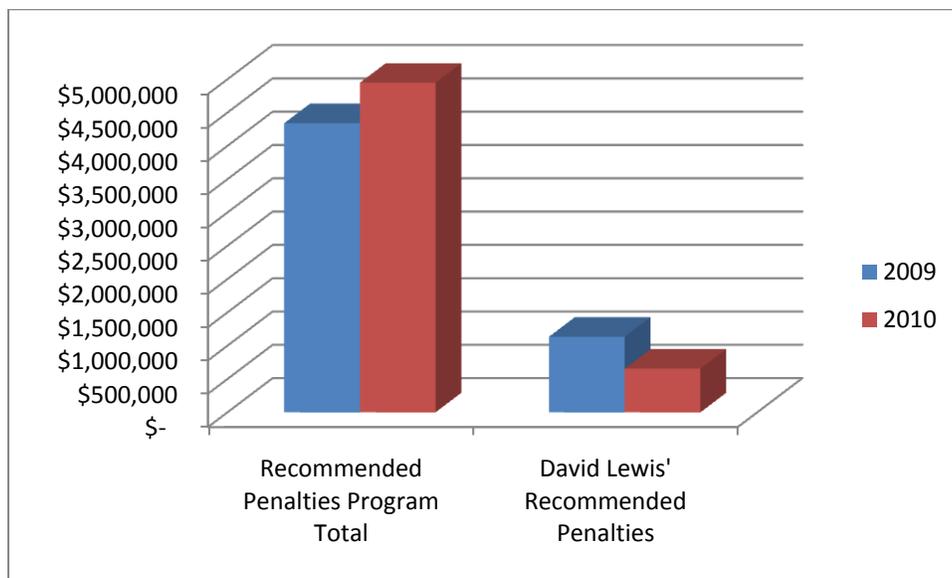
GUFPA Case Annual Data				
Year	Begin	End	Total Cases Reported	Total Cases Investigated
2005	1/1/2005	12/31/2005	7,155	2,210
2006	1/1/2006	12/31/2006	7,919	3,999
2007	1/1/2007	12/31/2007	6,661	3,959
2008	1/1/2008	12/31/2008	5,855	3,761
2009	1/1/2009	10/27/2009	3,936	3,434
2010	1/1/2010	8/30/2010	4,763	4,031
Cumulative Totals:			36,289	21,394
<i>NOTE: 2010 data is valid only for the period of 1/1/10 through 8/30/2010</i>				



GUFPA Case Annual Reported/Investigated Data Graph

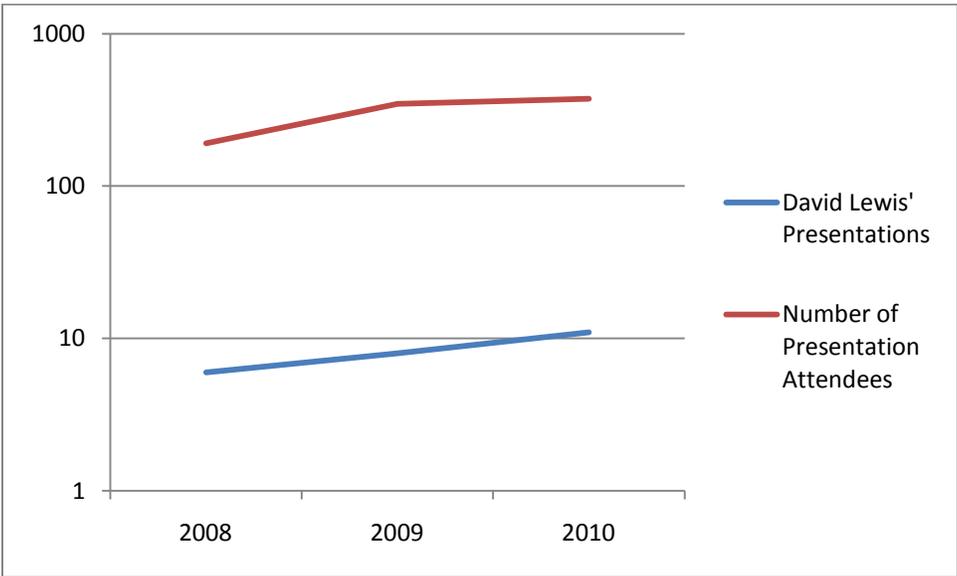
GUFPA Penalties – David Lewis					
Year	Begin	End	Recommended Penalties Program Total	David Lewis' Recommended Penalties	David Lewis Percentage of Recommended Penalties
2009	7/1/2008	6/30/2009	\$ 4,340,600	\$ 1,136,000	26.2%
2010	7/1/2009	6/30/2010	\$ 4,947,500	\$ 655,500	13.2%
Cumulative Totals:			\$ 9,288,100	\$ 1,791,500	19.3%

NOTE:
1) David Lewis started June 2008.



GUFPA Penalties – David Lewis

GUFPA Presentations - David Lewis					
Year	Begin	End	David Lewis' Presentations	Number of Presentation Attendees	Average Number of Attendees Per Meeting
2008	July	December	6	191	32
2009	July	December	8	346	43
2010	July	December	11	375	34
Cumulative Totals:			25	912	36
<p><i>NOTE:</i></p> <p>1) David Lewis started June 2008.</p> <p>2) 2010 data is valid only for the period of 1/1/09 through 8/30/2010.</p>					



GUFPA Presentations – David Lewis Graph



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Sonny Perdue
GOVERNOR

August 16, 2010

U. S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Contracts and Procurement (PHA-30)
1200 New Jersey Avenue, SE, E22-103
Washington, D.C. 20590

Attn: Mr. Warren D. Osterberg

RE: DTPH56-11-SN-0001

Dear Mr. Osterberg:

Through certification by Office of Pipeline Safety (OPS), the State of Georgia regulates, inspects, and enforces intrastate Natural Gas Pipeline Safety requirements. This work is performed by the Pipeline Safety Office of the Georgia Public Service Commission.

Georgia Code 25-9, Georgia Utility Facility Protection Act ("Act"), addresses damages to the buried utility infrastructure in the State of Georgia and provides for penalties for violations of the Act. The Act further provides in O.C.G.A. 25-9-13 that the Georgia Public Service Commission shall enforce the Act. Therefore, the Georgia Public Service Commission is the agency in the state eligible to receive and manage the federal grant to enhance our State Damage Prevention Program.

Sincerely,

A handwritten signature in blue ink that reads "Sonny Perdue".

Sonny Perdue
Governor
State of Georgia

Application for Federal Assistance SF-424

Version 02

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify) <input type="text"/>
--	--	---

* 3. Date Received: <input type="text" value="09/08/2010"/>	4. Applicant Identifier: <input type="text"/>
--	--

5a. Federal Entity Identifier: <input type="text"/>	* 5b. Federal Award Identifier: <input type="text"/>
--	---

State Use Only:

6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>
---	---

8. APPLICANT INFORMATION:

* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="58-6002022"/>	* c. Organizational DUNS: <input type="text" value="110305872"/>
--	---

d. Address:

* Street1:	<input type="text" value="244 Washington Street SW"/>
Street2:	<input type="text"/>
* City:	<input type="text" value="Atlanta"/>
County:	<input type="text"/>
* State:	<input type="text" value="GA: Georgia"/>
Province:	<input type="text"/>
* Country:	<input type="text" value="USA: UNITED STATES"/>
* Zip / Postal Code:	<input type="text" value="30334-0000"/>

e. Organizational Unit:

Department Name: <input type="text"/>	Division Name: <input type="text"/>
--	--

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: <input type="text" value="Mr ."/>	* First Name: <input type="text" value="Danny"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="McGriff"/>	
Suffix: <input type="text"/>	

Title:

Organizational Affiliation:

* Telephone Number: <input type="text" value="404-463-6526"/>	Fax Number: <input type="text"/>
---	----------------------------------

* Email:

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Pipeline & Hazardous Material Safety Administration

11. Catalog of Federal Domestic Assistance Number:

20.720

CFDA Title:

State Damage Prevention Program Grants

*** 12. Funding Opportunity Number:**

DTPH56-11-SN-0001

* Title:

State Damage Prevention Grants

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

*** 15. Descriptive Title of Applicant's Project:**

GEORGIA PUBLIC SERVICE COMMISSION State Damage Prevention

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="100,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="100,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

Application for Federal Assistance SF-424

Version 02

*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 4040-0006
Expiration Date 07/30/2010

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. State Damage Prevention Program		\$	\$	100,000.00	0.00	100,000.00
2.						
3.						
4.						
5. Totals		\$	\$	100,000.00		100,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	SDP				
a. Personnel	\$ 48,000.00	\$	\$	\$	\$ 48,000.00
b. Fringe Benefits	19,300.00				19,300.00
c. Travel	3,500.00				3,500.00
d. Equipment	500.00				500.00
e. Supplies	500.00				500.00
f. Contractual	25,000.00				25,000.00
g. Construction	0.00				
h. Other	1,000.00				1,000.00
i. Total Direct Charges (sum of 6a-6h)	97,800.00				\$ 97,800.00
j. Indirect Charges	2,200.00				\$ 2,200.00
k. TOTALS (sum of 6i and 6j)	\$ 100,000.00	\$	\$	\$	\$ 100,000.00
7. Program Income	\$	\$	\$	\$	\$

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Prescribed by OMB (Circular A -102) Page 1A

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8. <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
10. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
11. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
12. TOTAL (sum of lines 8-11)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input type="text"/>				
14. Non-Federal	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input type="text"/>				

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b)First	(c) Second	(d) Third	(e) Fourth
16. <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
17. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
18. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
19. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
20. TOTAL (sum of lines 16 - 19)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: <input type="text"/>	22. Indirect Charges: <input type="text"/>
23. Remarks: <input type="text"/>	

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION	
<input style="width: 100%;" type="text" value="GEORGIA PUBLIC SERVICE COMMISSION"/>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input style="width: 100px;" type="text" value="Mr."/>	* First Name: <input style="width: 200px;" type="text" value="Danny"/> Middle Name: <input style="width: 150px;" type="text"/>
* Last Name: <input style="width: 300px;" type="text" value="McGriff"/>	Suffix: <input style="width: 100px;" type="text"/>
* Title: <input style="width: 250px;" type="text" value="Director"/>	
* SIGNATURE: <input style="width: 300px;" type="text" value="Danny McGriff"/>	* DATE: <input style="width: 150px;" type="text" value="09/08/2010"/>