

**Iowa Utilities Board**  
**2018 State Damage Prevention Program Final Report**  
**CFDA Number: 20.720**

**Award Number:** 693JK31840007PSDP

**Project Title:** State Damage Prevention (SDP) Program Grants - 2018

**Date Submitted:** 12.26.2019

**Submitted by:** Magid Yousif, Safety and Engineering Section Manager

**Specific Objective(s) of the Agreement**

Under this grant agreement, the recipient will:

Improve the damage prevention program by facilitating compliance and assisting the Iowa Attorney General with enforcement of the damage prevention laws. (Elements 1-9).

**Workscope**

Under the terms of this grant agreement, the recipient will address the following applicable elements listed in the approved application, pursuant to 49 U.S.C. §60134 (a), (b).

- Element 1 (Effective Communications): Participation by operators, excavators, and other stakeholders in developing and implementing methods for establishing and maintaining effective communications between stakeholders — from receipt of an excavation notification to successful completion of the excavation, as appropriate. (Applicable)
- 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. (Applicable)
- 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. (Applicable)
- Element 4 (Effective Employee Training): Participation by operators, excavators, and other stakeholders in developing and implementing 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. (Applicable)
- Element 5 (Public Education): A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities. (Applicable)
- Element 6 (Dispute Resolution): A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues. (Applicable)
- 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. (Applicable)

- 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. (Applicable)
- 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. (Applicable)

**Accomplishments for this period (Item 1 under Article IX, Section 9.02 Final Report: “A comparison of actual accomplishments to the objectives established for the period.”)**

Overall, the Iowa Utilities Board (IUB) staff made good progress on facilitating compliance and assisting the Iowa Attorney General with enforcement of the damage prevention laws. This includes adding One Call complaints to our internal customer service database and implementing an improved process for all the investigative complaint procedures and protocols. The IUB has customer service staff who conduct initial investigations and prepare draft resolutions, while regulatory law staff assigned to review resolution reports and make recommendations on referrals to the Iowa Attorney General.

In addition, the IUB hired an engineer to work on the damage prevention program, One Call program, and to provide technical assistance to the customer service staff. Also, the engineer assists in analyzing the damage data collected from the operator annual reports. The engineer will lead the program effort in engaging with stakeholders and providing them with support.

**Element 1 (Effective Communications)**

The IUB opened a formal inquiry on December 7, 2017, in Docket No. INU-2017-0001 to receive and evaluate information from utilities and stakeholders regarding compliance with Iowa One Call and ways to improve effectiveness of the program. The IUB issued an order on November 29, 2018, that addressed the findings and require filing of One Call and underground facilities’ damage prevention procedure from the largest investor-owned utilities (IOU) in Iowa. Because the vast majority of incidents (approximately 95 percent of damages reported) involve IOU’s, the IUB will be focusing on analyzing the statistics provided by these utilities in their annual reports to PHMSA as well as the information provided to (Damage Information Reporting Tool) DIRT on a voluntary basis and any other information provided by the IOU’s.

IUB staff met with excavators, locators and Iowa One Call (IOC) officials at the Common Ground Iowa annual meeting on December 7, 2018. The former Safety and Engineering manager (Principal Investigator) and the attorney involved in investigating One Call complaints met with excavators and IOC officials after the meeting. IUB shared its role in damage prevention with the attendees.

The former Safety and Engineering manager also attended the Iowa One Call 2019 Excavator Safety Awareness Program on January 10, 2019, in Ames, Iowa, along with excavators, utilities, locators, and others.

In addition, the IUB Chair and staff met with local contractors and Iowa Department of Transportation (IDOT) staff to discuss issues faced by contractors on both state and local projects. The contractors were informed about the IUB’s complaint process and role in the investigations in conjunction with the Attorney General’s office.

The former Safety and Engineering manager met with Iowa One Call personnel, locators and excavators at a National Utility Contractors Association (NUCA) contractor event on March 7, 2019. She also shared the role of the IUB in damage prevention and damage investigations.

On August 6 and 7, 2019, the IUB Communications Director and IUB Safety and Engineering staff attended the Iowa State Fair to interact with the public, distribute Call 811 educational items, explain the IUB's role, and remind the public and stakeholders about the importance of calling 811 before digging.

#### **Element 2 (Comprehensive Stakeholder Support)**

IUB staff developed a pilot survey list to collect information from all stakeholders, allowing them to express their concerns and interests and also to improve communications and relations with these groups. IUB staff plans to revise its survey list then solicit feedback from stakeholders and track their responses and comments to ensure comprehensive stakeholder support and alleviate any issues or concerns that they may have.

#### **Element 3 (Operator Internal Performance Measurement)**

Graphs of the damage prevention information contained in the PHMSA annual reports have been created to illustrate the trends for each utility. The graphs were presented to several municipal utilities during their Distribution Integrity Management Program (DIMP) inspections that were scheduled after the first quarter of 2019.

The PHMSA data identifies that 67 percent of the pipeline hits occur on the distribution pipeline for the largest utility operating in Iowa. In 2018, 95 percent of the pipeline hits occurred on the three IOU's pipelines. For the largest utility, the leading cause of excavation damage was attributed to small contractors, at 84 percent. A total of 44 percent of these small contractor hits occurred within the Des Moines metro area. The DIRT local and national data also supports contractor/excavator damage as the largest cause of underground hits. In 2018, the largest utility reported there were no pipeline excavation damages due to farming activity.

#### **Element 4 (Effective Employee Training)**

IUB staff categorized and ranked 337 locating practices to identify best practices and developed a list of Frequently Asked Questions (FAQ's) to be shared with all stakeholders. The FAQ list is currently being finalized and will be available to the stakeholders before the beginning of the next construction season.

#### **Element 5 (Public Education)**

Educational supplies, including USB car chargers and USB keychain chargers with the Call 811 logo, were purchased and distributed in conjunction with various meetings with Iowa One Call, industry, contractors, and locators to encourage damage prevention discussions.

#### **Element 6 (Dispute Resolution)**

IUB staff has finalized a One-Call Process and Procedure for resolving disputes under the State authority's role as a partner and facilitator to resolve issues. The process has been established and outlined and currently is being evaluated to ensure it meets the desired outcomes and goals. Under the IUB and Attorney General's memorandum of understanding regarding One Call investigations, the IUB performs initial investigations while the Attorney General's office has been able to focus on litigation. This combined effort continues and the IUB updates its process as necessary to include additional concerns of its customers.

**Element 7 (Enforcement)**

The IUB staff has worked on a total of 82 damage-related complaints during the performance period. Under the IUB and Attorney General’s memorandum of understanding regarding One Call investigations, the IUB performs the initial investigation while the Attorney General’s office has been able to focus on litigation. Five One Call lawsuits were filed on May 9, 2019, during the performance period, and 42 warning letters were issued by the Attorney General’s office in 2019.<sup>1</sup>

**Element 8 (Technology)**

The IUB has completed a review of underground technologies that can be used to enhance the accuracy and effectiveness of locating programs. IUB staff analyzed four devices that are used for locating underground facilities. The report that summarizes the cost, benefits, and drawbacks for each device will be available for all stakeholders.

**Element 9 (Damage Prevention Program Review)**

The IUB staff will continue working to improve and enhance the effectiveness of each element of the program.

**Quantifiable Metrics/Measures of Effectiveness (Item 2 under Article IX, Section 9.01 Progress Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)**

1. Element 1 (Effective Communications Meeting)

Date	Description	Hours	Attendees
7-Dec-18	Common Ground Iowa Annual Meeting	2.5	unknown
10-Jan-19	One Call Damage Prevention Seminar	3	200
01-Mar-19	Association of General Contractors of Iowa and Iowa Department of Transportation	5.25	25
07-Mar-19	NUCA Contractor Damage Prevention Roundtable Discussion	4	50

2. Element 2 (Comprehensive Stakeholder Support)

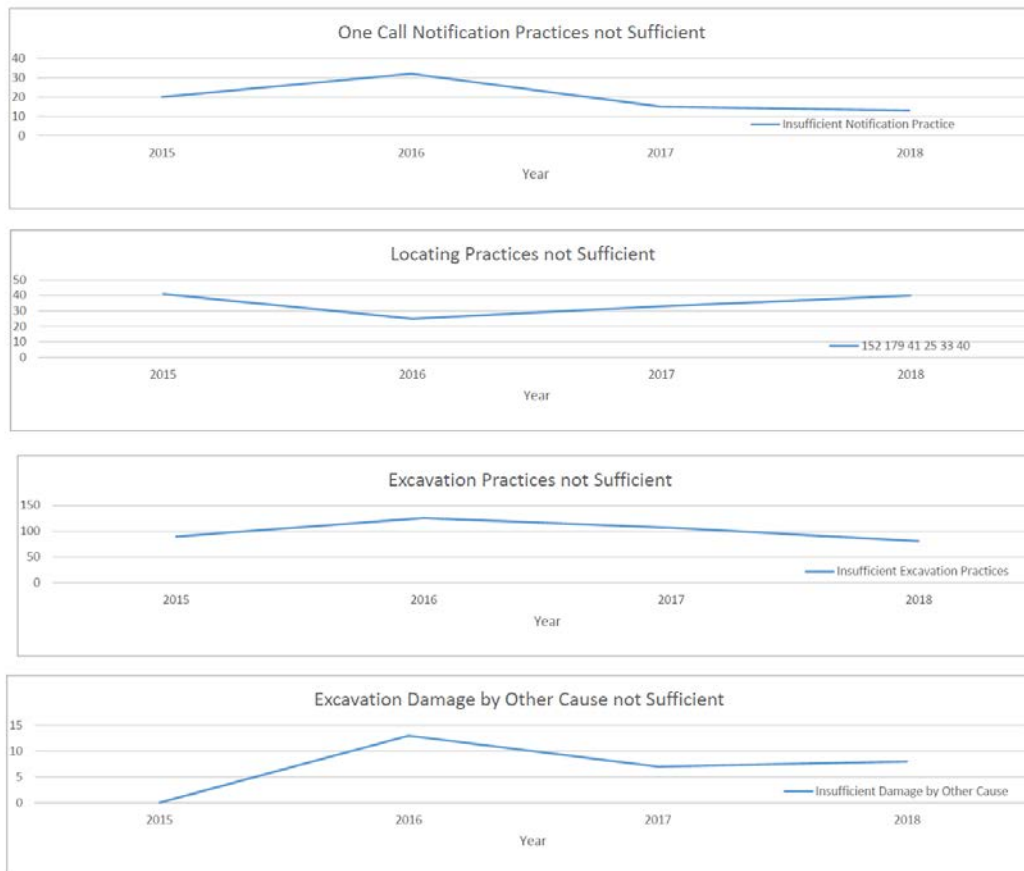
See Attachment 1.

3. Element 3 (Operator Internal Performance Measurement)

Damage prevention graphs for 64 utilities were created using PHMSA annual report data. An example of the utility damage prevention graphs created for one utility is included below.

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<sup>1</sup> Some of the warning letters were for complaints that predate the start of the performance year.



#### 4. Element 7 (Enforcement)

Table 1: Count of One Call Complaints Received by Month

2018-Oct Total	13
2018-Nov Total	6
2018-Dec Total	6
2019-Jan Total	4
2019-Feb Total	1
2019-Apr Total	14
2019-May Total	6
2019-Jun Total	4
2019-Jul Total	3
2019-Aug Total	10
2019-Sep Total	5

Table 2: Count of Type of Facility Affected by One Call Complaint

Count Per Type of Complaint	
Type of Facility (Complaint)	COUNT of Type of Facility (Complaint)
Excavation	26
Electric	12
State	10
Homeowner	7
Gas	6
Broadband, Telecommunication	4
Telecommunication	2
Broadband, Locate, Telecommunication	1
Broadband, Excavation, Telecommunication	1
Broadband, Electric, Gas, Sewer, Water	1
<b>Grand Total</b>	<b>70</b>

Chart 1: Percentage and Type of One Call Complaints Received

COUNT of Type of Facility (Complaint)

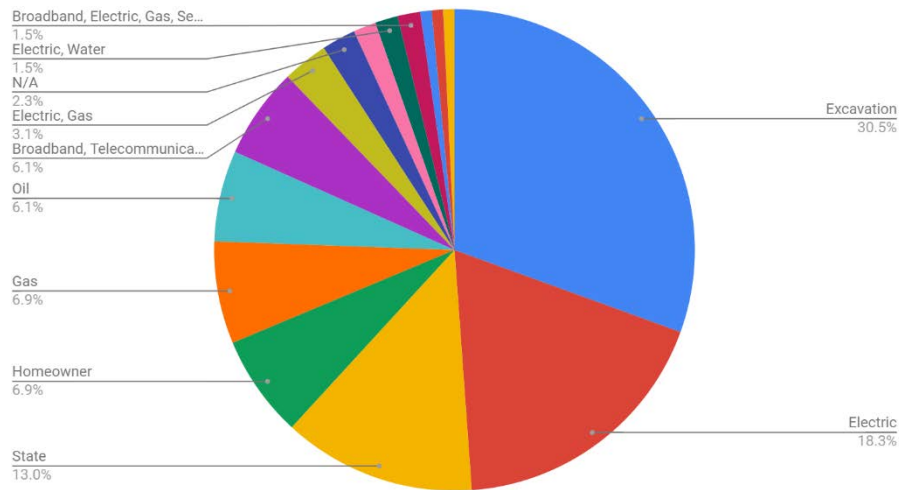


Table 3: Enforcement Information

Number of One Call Customer Complaint Investigations	56
Filed One Call Lawsuits	5
Warning Letters Issued by the Attorney General's office	42

5. Element 8 (Enforcement)  
See the Attachment 2.

**Issues, Problems or Challenges (Item 3 under Article IX, Section 9.01 Progress Report:**

**“The reasons for slippage if established objectives were not met. “)**

None

**Final Financial Status Report**

The final financial report will be sent as a separate attachment to the AA and AOTR (Form SF-425).

Included will be a breakdown of costs for each object class category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, Other, and Indirect Charges).

**Requests of the AOR and/or PHMSA**

No actions requested at this time.