

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 27, 2020

CPUCID: E20171202-01

██████████
Principal Manager, T&D Compliance Integration
Southern California Edison (SCE)
1 Innovation Way
Pomona, CA 91768

SUBJECT: Notice of Violation

██████████
On behalf of the Electric Safety and Reliability Branch (ESRB) of the California Public Utilities Commission, James Miller of my staff investigated an incident that occurred on December 2, 2017, involving SCE's facilities and a third-party contractor at 750 Clyde River Place in Oxnard, California. An employee of Light and Power Inc., sustained ██████ injuries when he cut into an SCE 16 kV underground conductor.

General Order (GO) 128, Rule 17.1 Design, Construction and Maintenance, states:

Electrical supply and communication systems shall be designed, constructed, and maintained for their intended use, regard being given to the conditions under which they are to be operated, to enable the furnishing of safe, proper, and adequate service.

For all particulars not specified in these rules, design, construction, and maintenance should be done in accordance with accepted good practice for the given local conditions known at the time by those responsible for the design, construction, or maintenance of [the] communication or supply lines and equipment.

All work performed on public streets and highways shall be done in such a manner that the operations of other utilities and the convenience of the public will be interfered with as little as possible and no conditions unusually dangerous to workmen, pedestrians or others shall be established at any time.

On November 8, 2017, Baja Construction obtained a DigAlert ticket from Underground Service Alert (USA) that was valid through December 6, 2017. On November 10, 2017, SCE's locator contractor, UtiliQuest, responded to USA's notification and determined that SCE did not have any underground facilities in the area of excavation. On November 28, 2017, and prior to Baja Construction commencing its excavation, SCE installed and energized an underground 16 kV conductor at 750 Clyde River Place, without informing UtiliQuest or Baja Construction of the new underground installation. On December 2, 2017, Baja Construction commenced excavation and exposed the newly installed 16 kV underground conductor. An employee of Light & Power, Inc., (a subcontractor working on the same project) examined the exposed conductor and concluded that the conductor had been abandoned since it was not marked. The employee proceeded to cut into the exposed conductor, which created an electrical flash injuring the employee.

Our investigation revealed that SCE delegates its responsibility of locating its underground installations upon request to UtiliQuest, but only provides UtiliQuest with updated underground facility maps on a

monthly basis. SCE does not inform UtiliQuest of newly-installed underground conductors at the time of installation.

SCE's practice of sharing its updated underground facility maps with its contractor UtiliQuest on a monthly basis can create a dangerous situation for workers in active excavation areas. UtiliQuest is likely to fail to locate and mark the location of conductors that have been installed after UtiliQuest has initially visited the area of excavation and already identified and marked, when appropriate, the location of existing underground conductors.

SCE is in violation of GO 128, Rule 17.1, for implementing a policy that can create dangerous conditions and prevents the furnishing of a safe environment for workers.

California Code, Government Code - GOV § 4216.3(a)(1)(B) states:

An operator shall mark newly installed subsurface installations in areas with continuing excavation activity.

California Code, Government Code - GOV § 4216.3(a)(1)(B) requires operators, such as utility companies, to mark newly installed subsurface installations, such as underground conductors, if they are installed in areas with continuing excavation activity. SCE installed the new 16 kV underground conductor at 750 Clyde River Place while a DigAlert ticket was active and excavation activities were ongoing in the area, however, SCE did not mark the location of that subsurface conductor after installing it. By not complying with California Code, SCE did not conduct work in accordance with accepted good practice, thus, violating GO 128, Rule 17.1.

General Order 128, Rule 17.7, Location Information, states:

Each party operating or owning facilities shall, upon request, provide information as to location of its underground facilities to any other party contemplating underground construction, or work, in the vicinity thereof. Provision of such information by a party will not relieve such other party of his responsibility to locate accurately such underground facilities and to exercise reasonable care during construction or work. If at any time damage or interruption to existing facilities should occur, said other party is enjoined immediately to report such damage to the party owning such damaged or interrupted facilities.

GO 128, Rule 17.7, requires each party operating or owning facilities to, upon request, provide information as to the location of its underground facilities to any other party contemplating underground construction, or work, in the vicinity thereof. Although Baja Construction had a valid DigAlert ticket prior to commencing work, thus requiring SCE to provide information about its underground facilities, SCE failed to mark the newly installed conductor and did not provide that information to UtiliQuest nor directly to Baja Construction. SCE failed to ensure that its underground facilities were marked properly prior to excavation. Therefore, SCE is in violation of go 128, Rule 17.7.


California Public Utilities Code (PU Code) § 451, states in part:

Every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities, as defined in Section 54.1 of the Civil Code, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

SCE installed a new 16 kV underground conductor in an active excavation area without marking the conductor, without informing the excavator Baja Construction who had a valid DigAlert ticket, and without informing SCE's locator UtiliQuest, who is responsible to locate and mark SCE's underground facilities. Therefore, SCE is in violation of PU Code § 451 for failing to furnish its services as necessary to promote the safety and health of the public and employees.

Please advise me by August 27, 2020, of corrective measures taken by your company to remedy and prevent the recurrence of such violations in the future. If you have any questions, you can contact James Miller at (213) 266-4715 or email at James.Miller@CPUC.CA.gov.

Sincerely,



Fadi Daye, P.E.
Program and Project Supervisor
Electric Safety and Reliability Branch
Safety and Enforcement Division
California Public Utilities Commission

Cc: Lee Palmer, Director, Safety and Enforcement Division, CPUC
Nika Kjensli, Program Manager, ESRB, SED, CPUC
James Miller, Utilities Engineer, ESRB, SED, CPUC