



Ohio Sunset Review Committee

Agency Questionnaire

Agency Name Underground Technical Committee

Point of Contact Rob Fadley, PUCO

Agency's primary purpose and its various goals and objectives:

Ohio law requires that a person contact the OHIO811 at least 48 hours in advance of a digging project. Once OHIO811 has been notified, underground facilities will be marked for free.

The Public Utilities Commission of Ohio (PUCO) has been assigned, by the General Assembly, the duties of enforcing Ohio's damage prevention laws. Aggrieved persons submit incidents and documentation to the PUCO who gathers information from all involved persons and forwards that information to the Underground Technical Committee (UTC). The UTC is a committee made up of individuals with knowledge and expertise in safe excavation, who ultimately decide if a compliance failure occurred and determine an appropriate consequence.

Agency's past and anticipated workload, number of staff required to complete workload, and total number of staff:

The UTC is a 17-member panel of experts in the subjects of excavation and utility protection. The law requires the UTC to meet as often as necessary, but not less than once every three months. In 2023, the UTC met seven times and rendered a decision on 124 incidents.

PUCO staff assists the UTC by receiving written statements and documentation concerning an incident and compiling the results into a report of inquiry for the UTC's review. In 2023, the PUCO received a total of 140 inquiries.

The UTC also submits an annual report to the General Assembly detailing the UTC's work throughout the year.

Dedicated staff: 2

Agency's past and anticipated budgets and its sources of funding:

The UTC's source of funding is through user registration fees. R.C. 4913.03 requires each utility, excavator, developer, and designer who participates in the Ohio Utilities Protection Service (OHIO811) to register with the PUCO and pay a safety registration fee of no more than \$50. Through conservative fiscal management, the PUCO only required a fee of \$35 for 2023. The registration process and associated collection of fees is still ongoing. To date the PUCO has collected \$133,665. A similar registration is planned for 2024.

Fines issued by the UTC are used for the grant programs required by R.C. 4913.27.

Fines Issued:
CY23: \$38,600

Fines Collected:

CY23: \$11,350

Appropriations
FY23: \$636,368

Number of members of its governing board or other governing entity and their compensation, if any:

UTC members are unpaid. The Committee consists of 17 members, which are appointed in accordance with R.C. 3781.34:

“(B) The committee shall consist of four members from the stakeholder group of the commercial excavator industry, in accordance with division (C) of this section, and one member from each of the following stakeholder groups:

- (1) The natural gas transmission pipeline industry, appointed by the president of the senate;
- (2) The natural gas distribution industry, appointed by the speaker of the house of representatives;
- (3) Electric utilities, appointed by the governor;
- (4) Electric cooperatives, appointed by the speaker of the house of representatives;
- (5) A statewide organization representing independent oil and gas producers, appointed by the president of the senate;
- (6) The telephone industry, appointed by the governor;
- (7) Cable service providers, appointed by the president of the senate;
- (8) Locators of underground utility facilities, appointed by the speaker of the house of representatives;
- (9) Municipal corporations, appointed by the governor;
- (10) The department of transportation, appointed by the governor;
- (11) The general public, appointed by the governor;
- (12) The hazardous liquids pipeline industry, appointed by the governor;
- (13) Designers, developers, or surveyors, appointed by the governor.

(C) The president of the senate, the speaker of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives shall each appoint one of the members from the stakeholder group of the commercial excavator industry.”



Additional notes:

