

CONSENT ORDER APPROVAL

CASE: 17-G-0152 - In the Matter of an Enforcement Proceeding Against Yaboo Fence Co., Inc. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Orange and Rockland Utilities, Inc.

Company Name: Yaboo Fence Co., Inc. (Yaboo Fence)

Principal Contact: Mr. Matthew Gedeiko Jr.

Address: 95 West Nyack Way
West Nyack, NY 10994

Alleged Code Violation: 753-3.1(a)(1)

Description of Violation: Failure to provide notice of intent to excavate to the one-call notification system

Date of Violation: March 18, 2016

Damaged Facility: ¾-inch plastic natural gas service

Date of NOPV: August 1, 2016

Response: Email Correspondence on August 19, 2016

Proposed Penalty: \$500

Circumstances

Yaboo Fence acknowledged that it failed to provide notice of intent to excavate to the one-call notification system. Yaboo Fence committed to taking corrective action and training, and was cooperative throughout the investigation.

Mitigating Factors to Support a Reduced Penalty

1. Yaboo Fence Co., Inc. has committed to take remedial actions to prevent re-occurrence and will complete a training session given by Dig Safely New York.
2. Yaboo Fence Co., Inc. was cooperative throughout the investigation and enforcement proceeding.