

CONSENT ORDER APPROVAL

CASE: 17-G-0394 - In the Matter of an Enforcement Proceeding Against AFSCO Fence Supply Company, Inc. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Niagara Mohawk Power Corporation, d/b/a National Grid.

Company Name: AFSCO Fence Supply Company, Inc.
(AFSCO)

Principal Contact: Mr. Bruce Schroeder

Address: 185 Troy-Schenectady Road
Latham, NY 12110

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: July 23, 2016

Damaged Facility: 2-inch plastic low-pressure natural gas service

Date of NOPV: January 5, 2017

Response: Letter dated January 23, 2017

Proposed Penalty: \$1,000

Circumstances

AFSCO stated that it observed facility markings already present on site, assumed that those markings would be sufficient, and admitted that it failed to provide notice of intent to excavate to the one-call notification system. AFSCO is committed to taking corrective action and training, and was cooperative throughout the investigation.

Mitigating Factors to Support a Reduced Penalty

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