

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on June 11, 2026

COMMISSIONERS PRESENT:

Rory M. Christian, Chair  
James S. Alesi  
David J. Valesky  
John B. Maggiore  
Uchenna S. Bright  
Denise M. Sheehan  
Radina R. Valova

CASE 26-G-0292 - In the Matter of an Enforcement Proceeding  
Against Siteworx NY Corporation for Alleged  
Violations of 16 NYCRR Part 753 - Protection of  
Underground Facilities, in the Service  
Territory of KeySpan Gas East Corporation d/b/a  
National Grid.

ORDER ADOPTING TERMS OF CONSENT ORDER AGREEMENT

(Issued and Effective June 17, 2026)

BY THE COMMISSION:

INTRODUCTION

On November 20, 2025, Siteworx NY Corporation<sup>1</sup> was excavating to install electrical conduits and caused damage to a 2-inch high-pressure plastic gas main.

On December 1, 2025, the Department of Public Service staff (staff), after an investigation of the facts, issued a Notice of Probable Violation (NOPV) to Siteworx NY Corporation alleging a violation of 16 NYCRR §753-3.1(a)(1), which provides that: "Before commencing or engaging in any nonemergency

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<sup>1</sup> Siteworx NY Corporation, P.O. Box 550, Greenlawn, New York 11740.

excavation or demolition, each excavator shall provide notice of the location and date of the planned excavation or demolition to the one-call notification system serving the vicinity in which the excavation or demolition is to take place."

Siteworx NY Corporation responded to the NOPV and provided additional information. Pursuant to 16 NYCRR §753-6.7 and, in the interest of furthering gas safety, staff offered to reduce its request for a penalty of \$4,375 (as authorized by Article 36 of the General Business Law) to \$1,750 if employees of Siteworx NY Corporation received training with the one-call notification system, which they have completed.

#### DISCUSSION

In reviewing the Consent Order Agreement, the Commission considered the following mitigating factors in support of a reduced penalty. Siteworx NY Corporation has no history of adjudicated prior violations within the preceding twelve months, Siteworx NY Corporation has committed to take remedial training actions to prevent re-occurrence and has fully complied with all the terms of the Consent Order Agreement, and Siteworx NY Corporation was cooperative and forthcoming throughout the investigation and enforcement proceeding.

To quantify the total amount of gas lost due to avoidable pipeline damage, starting in late 2023, staff began collecting and calculating gas emissions estimates from pipeline damage incidents. For this incident, staff estimated 379,476 cubic feet of gas lost to the atmosphere.

Taking these factors into account, along with the gravity of the incident and impact on public health, safety, and welfare, the Commission therefore approves the attached Consent Order Agreement.

The Commission orders:

1. The terms of the Consent Order Agreement with Siteworx NY Corporation, dated April 10, 2026, are adopted.
2. This proceeding is closed.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary

**Consent Order Agreement**

1. This document is a Consent Order Agreement entered into between the New York State Department of Public Service (Department) and Siteworx NY Corporation (Respondent).

2. The Department of Public Service has recommended a penalty of \$1,750 pursuant to §119-b(8) of the Public Service Law and Article 36, §765(1) of the General Business Law, in full satisfaction of the Notice of Probable Violation dated December 1, 2025.

3. The Department and Respondent agree to resolve this matter without determination as to whether there has been a violation of the above statutes or the regulations promulgated there under. The Department and Respondent also agree that signing this Consent Order Agreement does not constitute an admission that Respondent committed a violation of 16 NYCRR Part 753.

4. Respondent hereby agrees, upon signing this Consent Order Agreement, to attach payment of the penalty by certified check or money order payable to the "Department of Public Service". The signed Consent Order Agreement and check shall be addressed to:

Laura Ferraro  
Director of Finance and Budget  
Department of Public Service  
Three Empire State Plaza, 16<sup>th</sup> Floor  
Albany, N.Y. 12223-1350

5. Respondent agrees to contact New York 811, Inc. at (631) 778-8111 to schedule a training session for all of its employees involved in excavation work, whether directly or indirectly, including any clerical staff who call New York 811, Inc. for excavation mark-outs. The training will be completed on or before May 4, 2026. To verify compliance with this clause, Respondent will email a copy of a sign-in sheet to [dps.sm.753citations@dps.ny.gov](mailto:dps.sm.753citations@dps.ny.gov) by May 11, 2026.

6. To the extent that members of Respondent's workforce to be trained in the protection of underground facilities are non-English speaking, the Respondent agrees to provide an interpreter for these employees.

7. If the terms of this Consent Order Agreement are not complied with by May 11, 2026 this Consent Order Agreement shall be deemed invalid and will not be sent to the Commission for approval. Instead the Department will recommend to the Commission the full penalty of \$4,375 be assessed pursuant to §119-b(8) of the Public Service Law and Article 36, §765(1) of the General Business Law.

8. Respondent agrees that any subsequent violation of 16 NYCRR Part 753 which occurs within twelve (12) months of November 20, 2025, shall be treated as a succeeding violation for purpose of General Business Law §765(1)(a).

9. Respondent hereby expressly waives any and all right of appeal or judicial review that might otherwise attach to a Final Order of the Commission.

  
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Signature

Karin Muro  
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Name

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Date

/s/ Michael Pasinella  
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Signature

Michael Pasinella  
\_\_\_\_\_  
Name

4/10/2026  
\_\_\_\_\_  
Date