

## CONSENT ORDER APPROVAL

CASE: 21-G-0284 - In the Matter of an Enforcement Proceeding Against Philip Ross Industries Inc. 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.

Company Name: Philip Ross Industries Inc.  
(PRI)

Principal Contact: Ms. Stephanie Kellerman

Address: 88 Duryea Road, Suite 204  
Melville, NY 11747

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: September 1, 2020

Damaged Facility: 1-inch natural gas service

Date of NOPV: October 29, 2020

Response: Letter dated November 23, 2020

Proposed Penalty: \$1,000

### Circumstances

In a letter dated November 23, 2020, PRI stated that it notified the one-call center, and that powered excavation started ten days after the date of the notification.

Department of Public Service Staff performed a one-call notification system ticket search and did not find a ticket called in by PRI for 13 Tobie Lane, Jericho, New York for September 1, 2020.

PRI has no prior violations, has committed to taking corrective action and training and was cooperative through-out the investigation.

Mitigating Factors to Support a Reduced Penalty

1. Philip Ross Industries Inc. has no history of prior violations.
2. Philip Ross Industries Inc. has committed to take remedial actions to prevent re-occurrence and has fully complied with the terms of the Consent Order.
3. Philip Ross Industries Inc. was cooperative throughout the investigation and enforcement proceeding.