

October 23, 2026

Maria Inacio
Vista Contractors Corp.
106 Crescent Court
Wading River, NY 11792

Notice of Probable Violation
Citation 26-0232-01: 69 Meadow Ct., wading river

Dear Maria Inacio:

This Notice offers you an opportunity to present facts to dispute an allegation that Vista Contractors Corp. violated the Commission's regulations implementing §119-b of the Public Service Law and Article 36 of the General Business Law (16 NYCRR Part 753, Protection of Underground Facilities). The Commission's authority to enforce the regulations is derived from GBL Article 36, §765(1) and PSL §119-b(8). The applicable provisions can be found on pages 28 to 31 in the enclosed copy of 16 NYCRR Part 753.

A copy of a citation for a violation which occurred on September 19, 2026 at 69 Meadow Ct., wading river is enclosed.

The Citation references:

§753-3.1(a)(1), which states Before commencing or engaging in any nonemergency 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.

The maximum penalty for which Vista Contractors Corp. may be liable under the statutes is \$4,375. Be advised that, based on the evidence available to Department of Public Service staff at this time, staff would recommend that the Public Service Commission determine a penalty of \$4,375. No penalty has been determined by the Public Service Commission at this time.

As indicated on the enclosed citation, evidence in support of the citation is available, upon request, for your review. If you wish to review the evidence prior to responding to this NOPV, your

request must be received by November 23, 2026 and a one-time 30-day extension will be granted from the date the evidence was sent.

If you wish to dispute the allegations in this notice or wish to provide any additional information for the Commission to consider in this matter, your options are as follows:

1. Respond in writing with a complete statement of all relevant facts, including any back-up documentation indicating compliance with the regulations. If you believe proper notice was provided to the one-call center, please provide the ticket number, if available, or other information that would allow us to verify notification, such as the date of the call, work location and start date, name of caller, etcetera. Please be advised that any written response to the Notice will become part of the public record of this case.
2. Request an informal conference with Department of Public Service Staff. At such a conference, you would have an opportunity to be represented by an attorney, if you so desire, and present evidence to dispute the alleged violation. Please call (518) 474-5453 to schedule the conference.

Written responses and requests for evidence may be emailed to dps.sm.753citations@dps.ny.gov or mailed to:

Benjamin Pochobradsky
Utility Engineering Specialist 1
Office of Energy System Planning and Performance
Three Empire State Plaza, 12th Floor
Albany, NY 12223-1350

If you choose not to dispute the allegations in this notice, you should remit, by certified check, the sum of \$4,375 payable to the "Department of Public Service" along with the enclosed Consent Order Agreement signed by a company official. The check should be addressed to:

Laura Ferraro
Director of Finance and Budget
Department of Public Service
Three Empire State Plaza, 16th Floor
Albany, NY 12223-1350

Please respond by November 23, 2026 and refer to citation 26-

0232-01, in all correspondence related to this matter. Failure to respond by November 23, 2026 will be deemed to be acceptance of the facts as alleged, in which case we will recommend determination of the penalty as described above.

Very truly yours,

Benjamin Pochobradsky

Benjamin Pochobradsky
Utility Engineering Specialist 1
Office of Energy System Planning
and Performance

Enclosures

Consent Order Agreement

1. This document is a Consent Order Agreement entered into between the New York State Department of Public Service (Department) and Vista Contractors Corp. (Respondent).
2. The Department of Public Service has recommended a penalty of \$4,375 pursuant to §119-b(8) of the Public Service Law and Article 36, §765(1) of the General Business Law.
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 certified check shall be addressed to:

Laura Ferraro
Director of Finance and Budget
Department of Public Service
Three Empire State Plaza, 16th Floor
Albany, NY 12223-1350
5. The Department and Respondent agree that this Consent Order Agreement shall constitute a Final Order of the Commission. Respondent hereby expressly waives any and all rights of appeal or judicial review that might otherwise attach to a Final Order of the Commission.
6. Respondent agrees that any subsequent violation of 16 NYCRR Part 753 which occurs within twelve (12) months of September 19, 2026, shall be treated as a succeeding violation for purpose of General Business Law §765(1) (a).

Signature

Name

Date

Signature

Name

Date