



July 22, 2022

The Honorable Asa Hutchinson
State Capitol
500 Woodlane Street, Suite 250
Little Rock, AR 72201

Dear Governor Hutchinson,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Arkansas' 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

Therefore, DCA appreciates your support of "fuel choice" legislation into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Arkansas dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

- 1. Mandatory Damage Reporting:** Refine the dig law to require reporting of all damages (not necessarily investigation into all damages) to support more effective damage adjudication and enforcement.
- 2. Balanced Enforcement:** Cause enforcement authority to weigh the involvement of all primary participants in the damage and hold the asset owner, excavator, and locator responsible in the damage adjudication process in a fair and balanced fashion.
- 3. Third-Party Enforcement Board:** Develop or enhance 3rd party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.
- 4. Standardize Minimum Notification Time:** Standardize the ticket notification time to a minimum of two full business days after the day/date of a call.

5. Effective Metrics: Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance. Mandatory reporting is necessary to accomplish this effort. Develop and track metrics that support behavioral change in addition to metrics designed to track violations of the law.

6. Annual Reporting to CGA and DIRT: Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

7. Standardize Ticket Size - Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

As previously noted, the 2019 Arkansas estimated total damage cost is approximately \$92 million in annual and out-of-pocket cost to the system with an additional largely invisible \$1.5 billion in waste, inefficiency, and excess cost embedded in the system. The seven recommendations proposed above will eliminate \$1 billion of these damage and waste costs over a 3-5-year timeline and these benefits will far exceed the implementation cost of \$13 million.

Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised. Unfortunately, the Arkansas Underground Facilities Damage Prevention Act of 2021, which called for the establishment of a Facilities Damage Prevention Enforcement Board, failed to pass in the state legislature. We hope to see similar provisions in future damage prevention legislation.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Arkansas Public Service Commission



July 22, 2022

The Honorable Ron DeSantis
The Capitol
400 South Monroe Street
Tallahassee, FL 32399

Dear Governor DeSantis,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Florida's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

Therefore, DCA appreciates your support of "fuel choice" legislation being enacted into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Florida dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

- 1. No Exemptions:** Require all asset owners and operators, including municipalities and the Department of Transportation (DOT), to join and participate in the 811 system.
- 2. Third-Party Enforcement Board:** Develop or enhance 3rd party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.
- 3. Effective Metrics:** Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance. Mandatory reporting is necessary to accomplish this effort. Develop and track metrics that support behavioral change in addition to metrics designed to track violations of the law.
- 4. Annual Reporting to CGA and DIRT:** Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

5. Excavation Site Accurate Description:

a. Premark / White-line Requirement: Require pre-mark or white-lining of any proposed excavation area that includes traditional reference to intersecting streets/roadways paired with one or more of the following options: GPS coordinates, electronic white-line using aerial image(s), or physical white-lining.

b. GIS System Adoption by Asset Owners: By 2030, cause all asset owners to adopt a GIS system for asset mapping and require notification through 811 using GPS coordinates.

6. Standardize Ticket Size - Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

Florida's 2019 estimated total damage cost is approximately \$1.9 billion in annual and out-of-pocket cost to the system with an additional largely invisible \$5 billion in waste, inefficiency, and excess cost imbedded in the system. The 6 recommendations proposed, will eliminate \$2.3 billion of these damage and waste costs over a 3-5-year timeline and these benefits exceed the implementation cost of \$107 million by a factor of 20x over the 3-5-year implementation timeline (Exhibit 4 – State Utility Locate System Cost Impacts).

As previously noted, the 2019 Florida estimated total damage cost is approximately \$92 million in annual and out-of-pocket cost to the system with an additional largely invisible \$1.5 billion in waste, inefficiency, and excess cost embedded in the system. The six recommendations proposed can be implemented for an approximate \$100 million cost and will eliminate \$2.3 billion in damage and waste over a 3-5-year timeline.

Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Florida Public Service Commission



July 22, 2022

The Honorable Brian Kemp
203 State Capitol
Atlanta GA 30334

Dear Governor Kemp,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Georgia's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

Therefore, DCA appreciates your support of "fuel choice" legislation being enacted into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Georgia dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

- 1. Mandatory Damage Reporting:** Refine the dig law to require reporting of all damages (not necessarily investigation into all damages) to all underground utility types to support more effective data collection, process improvement, damage adjudication, and enforcement.
- 2. Third-Party Enforcement Board:** Develop or enhance 3rd party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process
- 3. Effective Metrics:** Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance. Mandatory reporting is necessary to accomplish this effort. Develop and track metrics that support behavioral change in addition to metrics designed to track violations of the law.
- 4. Annual Reporting to CGA and DIRT:** Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

5. Excavation Site Accurate Description:

a. Premark / White-line Requirement: Require pre-mark or white-lining of any proposed excavation area that includes traditional reference to intersecting streets/roadways paired with one or more of the following options: GPS coordinates, electronic white-line using aerial image(s), or physical white-lining.

b. GIS System Adoption by Asset Owners: By 2030, cause all asset owners to adopt a GIS system for asset mapping and require notification through 811 using GPS coordinates.

6. Standardize Ticket Size - Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

Georgia's 2019 estimated total damage cost is approximately \$1.9 billion in annual and out-of-pocket cost to the system with an additional largely invisible \$5 billion in waste, inefficiency, and excess cost imbedded in the system. The six recommendations proposed, will eliminate \$2.3 billion of these damage and waste costs over a 3-5-year timeline.

Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Georgia Public Service Commission



July 22, 2022

The Honorable John Bel Edwards
Governor, State of Louisiana
Baton Rouge, LA 70804

Dear Governor Edwards,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Louisiana's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources

Therefore, DCA appreciates your support of "fuel choice" legislation being enacted into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Louisiana dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

- 1. Mandatory Damage Reporting:** Refine the dig law to require reporting of all damages (not necessarily investigation into all damages) to all underground utility types.
- 2. Balanced Enforcement:** Cause enforcement authority to weigh the involvement of all primary participants in the damage and hold the asset owner, excavator, and locator responsible in the damage adjudication process in a fair and balanced fashion.
- 3. Third-Party Enforcement Board:** Develop or enhance 3rd party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.
- 4. Effective Metrics:** Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance. Annual Reporting to CGA and DIRT: Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket

volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

5. Positive Response Requirement: A web-based electronic positive response requirement by all asset owners/locators through the 811 system.

6. Excavation Site Accurate Description:

- a. Premark / White-line Requirement: Require pre-mark or white-lining of any proposed excavation area that includes both traditional and electronic response options.

- b. GIS System Adoption by Asset Owners: By 2030, cause all asset owners to adopt a GIS system for asset mapping and require notification through 811 using GPS coordinates.

7. Standardize Ticket Size - Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

8. Educational Resources: Develop and publish electronically an excavator's manual that is updated and republished every 5 years or when an update to the law takes place, whichever is more frequent.

Louisiana's 2019 estimated total damage cost is approximately \$400 million in annual and out-of-pocket cost to the system with an additional largely invisible \$500 million in waste, inefficiency, and excess cost embedded in the system.

The study indicates that the eight recommendations proposed, will eliminate \$600 million of these damage and waste costs over a 3-5-year timeline. Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Louisiana Dept. of Natural Resources



July 22, 2022

The Honorable Gretchen Whitmer
Governor, State of Michigan
Lansing MI 48909

Dear Governor Whitmer,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Michigan's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

DCA supports "fuel choice" legislation under consideration in your state, which would effectively prohibit enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is under consideration in Michigan at a critical time, and we encourage you to support this important legislation when it is considered in the future.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Michigan dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

1. Mandatory Damage Reporting: Refine the dig law to require reporting of all damages (not necessarily investigation into all damages) to all underground utility types to support more effective data collection, process improvement, damage adjudication, and enforcement.

2. Effective Metrics: Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance.

3. Annual Reporting to CGA and DIRT: Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

4. Excavation Site Accurate Description:

a. Premark / White-line Requirement: Required pre-mark or white-lining of any proposed excavation area that includes traditional reference to intersecting streets/roadways paired with one or more of the following options: GPS coordinates, electronic white-line using aerial image(s), or physical white-lining.

b. GIS System Adoption by Asset Owners: By 2030, cause all asset owners to adopt a GIS system for asset mapping and require notification through 811 using GPS coordinates.

5. Standardize Ticket Size - Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

Michigan's 2019 estimated total damage cost is approximately \$700 million in annual and out-of-pocket cost to the system with an additional largely invisible \$1.4 billion in waste, inefficiency, and excess cost embedded in the system. The five recommendations proposed will eliminate \$900 million of these damage and waste costs over a 3-5-year timeline. Recognizing the window to introduce state legislation in 2022 has closed, please consider these recommendations the next time your state 811 law is revised.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Michigan Public Service Commission



July 22, 2022

The Honorable Mike Parson
Capitol Building
Jefferson City, MO 65102

Dear Governor Parson,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Missouri's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

Therefore, DCA appreciates your support of "fuel choice" legislation being enacted into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Missouri dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

- 1. Mandatory Damage Reporting:** Refine the dig law to require reporting of all damages (not necessarily investigation into all damages) to all underground utility types to support more effective data collection, process improvement, damage adjudication and enforcement.
- 2. Balanced Enforcement:** Cause enforcement authority to weigh involvement of all primary participants in a damage and in a fair and balanced fashion hold the asset owner, excavator and locator responsible in the damage adjudication process. a. Bring balance to the penalty structure so that asset owners, excavators, and locators all face similar risks and responsibility.
- 3. Third Party Enforcement Board:** Develop or enhance third-party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.
- 4. Ineffective Penalty Structure:** Bring balance to the penalty structure or amount so that asset owners, excavators, and locators all face similar risks and responsibility.

5. Effective Metrics: Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance.

6. Annual Reporting to CGA and DIRT: Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) in support of the annual DIRT report.

7. Positive Response Requirement: A web based electronic positive response requirement by all asset owners / locators through the 811 system. Ticket holders can choose how to receive positive response from this electronic system.

8. Standardize Ticket Size, Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

The eight recommendations proposed would eliminate \$1.2 billion of these damage and waste costs over a 3–5 year timeline. Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Missouri Public Service Commission



July 22, 2022

The Honorable Mike Parson
Capitol Building
Jefferson City, MO 65102

Dear Governor Parson,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Missouri's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

Therefore, DCA appreciates your support of "fuel choice" legislation being enacted into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Missouri dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

- 1. Mandatory Damage Reporting:** Refine the dig law to require reporting of all damages (not necessarily investigation into all damages) to all underground utility types to support more effective data collection, process improvement, damage adjudication and enforcement.
- 2. Balanced Enforcement:** Cause enforcement authority to weigh involvement of all primary participants in a damage and in a fair and balanced fashion hold the asset owner, excavator and locator responsible in the damage adjudication process. a. Bring balance to the penalty structure so that asset owners, excavators, and locators all face similar risks and responsibility.
- 3. Third Party Enforcement Board:** Develop or enhance third-party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.
- 4. Ineffective Penalty Structure:** Bring balance to the penalty structure or amount so that asset owners, excavators, and locators all face similar risks and responsibility.

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7. Positive Response Requirement: A web based electronic positive response requirement by all asset owners / locators through the 811 system. Ticket holders can choose how to receive positive response from this electronic system.

8. Standardize Ticket Size, Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

The eight recommendations proposed would eliminate \$1.2 billion of these damage and waste costs over a 3–5 year timeline. Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised.

DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program, at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Oklahoma Corporation Commission



July 22, 2022

The Honorable Spencer Cox
State Capitol
Salt Lake City, UT 84114

Dear Governor Cox,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Utah's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

Therefore, DCA appreciates your support of "fuel choice" legislation being enacted into law, which effectively prohibits enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is gaining considerable support across the nation at a critical time, and your leadership on this issue was imperative.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Utah dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

1. Mandatory Damage Reporting: Refine the dig law to require reporting of all damages to all underground utility types to support effective data collection, process improvement, damage adjudication & enforcement.

2. Balanced Enforcement: Cause enforcement authority to weigh involvement of all primary participants in the damage and hold the asset owner, excavator, and locator appropriately responsible in the damage adjudication process in a fair and balanced fashion.

a. Bring balance to the penalty structure so that asset owners, excavators, and locators all face similar risks and responsibilities.

3. Third-Party Enforcement Board: Develop or enhance third-party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.

4. Ineffective Penalty Structure: Bring balance to the penalty structure or amount so that asset owners, excavators, and locators each face similar risks and responsibilities.

5. Effective Metrics: Identify, develop, collect, and track metrics that effectively support trending and continuous improvement of the state damage prevention performance. Mandatory reporting is necessary to accomplish this effort.

a. Develop and track metrics that support behavioral change in addition to metrics designed to track violations of the law.

6. Annual Reporting to CGA and DIRT: Require state entity(s) responsible for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

7. Standardize Ticket Size, Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics. As previously noted, the 2019 Utah estimated total damage cost is approximately \$150 million in annual and out-of-pocket cost to the system with an additional largely invisible \$300 million in waste, inefficiency, and excess cost embedded in the system.

The seven recommendations proposed would eliminate \$300 million of these damage and waste costs over a 3-5-year timeline.

Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised. DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Utah Department of Commerce



July 22, 2022

The Honorable Tony Evers
115 East State Capitol
Madison, WI 53707

Dear Governor Evers,

The Distribution Contractors Association (DCA) represents contractors, suppliers and manufacturers who provide construction services including installation, replacement and rehabilitation of gas distribution and transmission pipelines as well as fiber optic, cable and duct systems in communities across the country. Our national association appreciates the opportunity to share our perspective on your efforts to preserve the role of natural gas in your state and across the country, as well as issues related to Wisconsin's 811 damage prevention program.

Preserving the Important Role of Natural Gas

Despite the enduring attacks on natural gas and the pipelines that transport it, this precious and abundant domestic resource will be needed if the U.S. wants to achieve its lofty clean energy goals. In fact, natural gas *enables* use of renewable energy sources.

DCA supports "fuel choice" legislation under consideration in your state, which would effectively prohibit enactment of harmful measures that would phase out or restrict access to natural gas. Natural gas is delivered to customers across the country through a 2.5-million-mile underground pipeline system, including 2.2 million miles of gas distribution pipelines and 300,000 miles of transmission pipelines.

Fuel choice legislation is under consideration in Wisconsin at a critical time, and we encourage you to support this important legislation when considered in the future.

Improving Our State Damage Prevention Programs

As a member of the Infrastructure Protection Coalition, a coalition of industry groups representing regular users and stakeholders in the 811 system, DCA supports all the findings in IPC's [811 Emergency Report](#). DCA believes that any weaknesses or gaps in the Wisconsin dig law as well as related processes and practices could be addressed by implementing policy adjustments based on national recommendations provided in the 811 Emergency Report.

1. Mandatory Damage Reporting: Refine the dig law to require reporting of all damages to all underground utility types to support effective data collection, process improvement, damage adjudication & enforcement.

2. Balanced Enforcement: Cause enforcement authority to weigh the involvement of all primary participants in the damage and hold the asset owner, excavator, and locator appropriately responsible in the damage adjudication process in a fair and balanced fashion.

3. Third-Party Enforcement Board: Develop or enhance third-party investigation and enforcement board, with a balanced number of representatives from each stakeholder group, imbued with both responsibility and authority to manage the entire damage adjudication process.

4. Ineffective Penalty Structure: Bring balance to the penalty structure or amount so that asset owners, excavators, and locators all face similar risks and responsibilities.

5. Effective Metrics: Identify, develop, collect, and track metrics that identify violations of the law, support trending and continuous improvement of the state damage prevention performance and support behavioral change. Mandatory reporting is necessary to accomplish this effort.

6. Annual Reporting to CGA and DIRT: Require state entity(s) responsibility for the oversight of the 811 system and collection and adjudication of compliance or damage reports, ticket volumes, etc. to submit data to the Common Ground Alliance (CGA) to support the preparation of the annual DIRT report.

7. Positive Response Requirement: A web-based electronic positive response requirement by all asset owners/locators through the 811 system.

8. Excavation Site Accurate Description:

a. Premark / White-line Requirement: Require pre-mark or white-lining of any proposed excavation area that includes traditional reference to intersecting streets/roadways paired with one or more of the following options: GPS coordinates, electronic white-line using aerial image(s), or physical white-lining.

b. GIS System Adoption by Asset Owners: By 2030, cause all asset owners to adopt a GIS system for asset mapping and require notification through 811 using GPS coordinates.

9. Standardize Ticket Size, Distance, Duration, and Life: Standardize the ticket size, distance, duration, and life to the described characteristics.

Wisconsin's 1029 estimated total damage cost is approximately \$255 million in annual and out of pocket cost to the system with an additional largely invisible \$1.2 billion in waste, inefficiency, and excess cost embedded in the system.

The nine recommendations proposed, will eliminate \$1.1 billion of these damage and waste costs over a 3-5-year timeline and these benefits exceed the implementation cost of \$27 million by a factor of 40x over the 3-5-year implementation timeline.

Recognizing the window to introduce state legislation in 2022 has closed, please consider including these recommendations the next time your state 811 law is revised. DCA appreciates your consideration of these issues, and please contact Eben Wyman of DCA's government relations program at eben@wymanassociates.net, or at 703-740-6126 with any questions.

Best Regards,



Rob Darden
Executive Vice President

CC: Wisconsin Public Service Commission