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DCA President Nelson Sees Progress Ahead as Covid Concerns Ease



Ben G. Nelson

President
Michels Pacific Energy Inc.
Santa Clara, California

Ben Nelson's term as president of the Distribution Contractors Association (DCA) began in late February 2020, about a month before the world went on lockdown with the COVID-19 pandemic. With vaccinations underway and restrictions finally easing, Nelson is focusing on his 2021 agenda while helping to shepherd the association through a gradual return to normalcy.

Underground Construction (UC): You got an early start in the contracting business. What led you to follow in your father's footsteps?

Nelson: My dad ran a gas distribution contracting company, and just growing up in the family I observed what he did, and it looked like a job that was rewarding to him and an industry that treated him well, so it seemed like a good career option. I always had an aptitude for math and sciences, and it seemed like a good fit, so I went to him and said, 'if you're interested in bringing in family, I'd like to do that.'

UC: What are some of the biggest changes you've seen in the industry since your early days on the job?

Nelson: The single biggest change has been the growth of safety as a focus of both the contractors and our clients. That's been huge. Back then, they didn't have the emphasis on safety that we do now. Obviously, they wanted to work safely and do the job right, but it's just become so much more of a priority.

Then the growth of HDD and its impact on the gas distribution market – that changed our market quite a bit. Also, the focus on replacement and rehabilitation and that kind of maintenance-type work, which has become the lion's share of what we do now – where that aging infrastructure needs to be upgraded.

UC: Back to DCA, one of the biggest changes you've made this year is to combine your major spring and summer events into a single convention in July. How will that work?

Nelson: It will have all the business coverage that our conventions would have. But since we're also making it our summer meeting, school will be out and a lot of people will want to bring their kids, so we're trying to make it very family friendly. We're making it a day shorter and we're putting it in Orlando, so you could come one or two days early or stay late, bring your kids, attend an amusement park or whatever you want to do in the area.

UC: Now that your virtual term has ended and your "real" term has begun, do you have any specific priorities for your year as DCA president?

Nelson: I did come in with a goal that's important to me, and I talked about this when I first became president last year. As somebody who's been with the DCA for a long time and who had the opportunity to start participating at an early age, I want to help encourage our active DCA members to think more about the people at their businesses who are next in line to represent them at DCA and start getting them exposed to the association.

UC: How do you view the outlook for DCA as we work our way out of the pandemic period and look for a return to normalcy?

Nelson: I will say that the DCA right now has a good energy to it. It's got great participation; it's grown and evolved. Our government advocacy work, for example, is 100-times better now than it was just 10 years ago, and we're really stepping up our game to get positive messages about oil and gas in front of government leaders.

Our industry is under a lot of pressure from the current administration, and we are working hard on behalf of our membership to keep all the family-wage jobs we provide in our communities. We have challenges ahead, but I'm very optimistic. It's just an exciting and dynamic organization to be a part of.



DCA History: The 80s - Riding the Roller Coaster

As the calendar turned another page at the end of the 70s, most Americans were happy to wave goodbye to the old decade. A lost war, presidential corruption, economic malaise, and eye-watering fashion choices were easy to leave behind, even if the music was epic. While oil had languished for years under the Carter administration, however, the gas industry was flying high. Oil-to-gas conversions were occurring at a record pace in both residential and commercial markets as demand for gas rose during the oil crunch. The DCA had grown steadily throughout the decade and eagerly looked forward to more of the same.

Their optimism was understandable as Ronald Reagan waltzed into the Oval Office with a twinkle in his eye, but the new decade would not be without its challenges. What goes up must come down, and dark clouds would

soon be gathering as DCA approached drinking age and new problems arose to fill the void left by the old ones. For now though, disco was dead, big hair was in, and the party was on.

Topping the Hill

As DCA members prepared to attend the 1980 convention, the bitter end of the 70s was still playing out. Jimmy Carter was still in office as election season kicked into high gear, six U.S. diplomats escaped from Iran after their colleagues were taken hostage, the Soviets invaded Afghanistan, and America decided to boycott the Moscow Olympics in protest. Over 350 DCA members and family made their way to the Doral Beach Resort in Miami, where outgoing president Gene Spencer observed that

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available work was at a high not seen in years, but that interest rates, fuel and labor costs due to shortages of both, and equipment prices were all driving up operating costs. Keynote speaker Charlie Ingram, chairman of the American Gas Association (AGA), predicted that the gas utility industry's construction budget for transmission and distribution would double in the next several years to over \$5 billion annually. Roundtable discussions centered on controlling fuel costs, recruiting new supervisory personnel, and preventing equipment theft. Tom Poole of Hallen Construction took over as the 19th DCA president and almost immediately began planning for the 20th annual convention. Later in the year, DCA would be invited to join the World Confederation of Pipe Line Contractors Associations.

By the time of the 20th convention in February 1981, Ronald Reagan had taken office, the Iranian hostages had been released, and the world still mourned the murder of John Lennon. At the Mountain Shadows Resort in Scottsdale, Arizona, 17 of the past 19 DCA presidents were in attendance for the big anniversary, which saw Dale Miller take the office in front of the second-largest

crowd at any DCA convention to date at 411. Nick Humy from Caterpillar gave an enlightening presentation on how to motivate workers, alleviate their fears, and improve communication. Gas construction spending still looked strong at the start of the year; Seagull Pipeline in Houston raised its capital budget from \$11 million in 1980 to \$40 million in 1981, with more than \$25 million budgeted for new gas and petrochemical lines and \$12 million for construction of gas processing plants.

Facing the Plunge

Although the country had technically been in recession since January 1980, the construction industry had largely dodged the first bullet. In the third quarter of 1981, however, rising interest rates to combat inflation caught up with them. The housing market slowed severely as the recession slid into a "double-dip," causing demand for new pipelines to supply those unbuilt houses to dry up. The 1982 DCA convention returned to Doral Beach Resort in Miami, and Dale Miller could sense that members were feeling the pain. Though he praised the association for its success in negotiating labor agreements, he also pointed



They Are: Back row, left to right -

Bill, Barrett, DCA C. P. A.) Not a Director

Tom Poole / Larry D. Smith / Bill Snelson /

Jack Johnson and Jim Upton.

Front row: left to right -

Jim Bost / Jim Miller/ Jerry Stubbs / Jack Hayes/

Dale Miller/ Bob Cooley/ Bob Seneff/ Jim Donaldson

Convention News

PUBLISHED FOR THE MEMBERS OF THE DISTRIBUTION CONTRACTORS ASSOCIA

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Convention Materials from the 1980s

out areas where there was room for improvement, such as wage rates tied to agreements unrelated to distribution work. "We must keep our costs at the very minimum or gas will lose its place as the most economical fuel," he warned. He remained confident that the economic pain would be brief, however, and that the next 20 years would be a time of growth for the industry. The convention concluded with Bill Snelson as the new DCA president. Although the economy remained weak throughout 1982, the association still managed to add five new members that year in a hopeful sign that they had weathered the worst.

Unfortunately, 1983 would not be any better. DCA gathered at the Hotel del Coronado in San Diego just as Michael Jackson's "Thriller" album was rocketing to #1 and the nation awaited the final episode of "M*A*S*H" with bated breath. Attendance was down a bit to 330 as Snelson handed the reins to Jim Miller. Some members reported being forced to diversify into other types of construction in order to stay afloat. John Abrams, chairman and CEO of Southern California Gas,

the largest distribution company in the U.S. at that time, offered some hope in his address to the convention by announcing the company's intention to expand its use of contractors and increase its budget for replacing existing service lines. Abrams went on to examine how the Natural Gas Policy Act of 1978 had largely resolved the gas supply shortages of the 70s, but still managed to result in higher gas prices. Not all the news that year was grim, however, as DCA successfully renegotiated its agreements with all three craft associations, generally lowering wage rates and helping to protect members from non-union competition.

As the 1984 Winter Olympics drew to a close in Sarajevo, the DCA "survivors" of 1983, as Jim Miller called them, arrived in Scottsdale, Arizona for the 23rd annual convention. For a change, the housing market was on the upswing, natural gas prices had stabilized, and an unusually cold winter meant that the utilities were making money again, so hopes for a rebound year were high. As Jim Donaldson took over the presidency, the DCA

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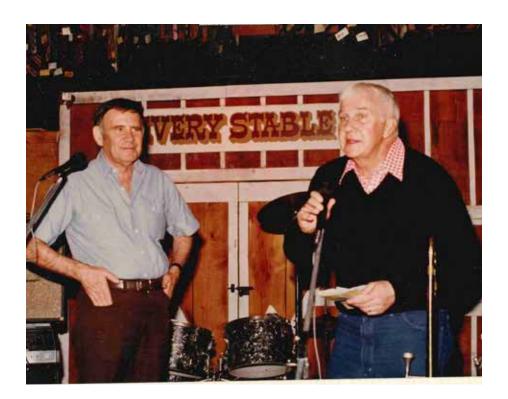
presented the first ever Arthur T. Everham Safety Award to the Snelson Companies for the best all-around safety record in 1983. Despite the reduced attendance of 280, the association still announced the addition of seven new members over the previous, largely "dismal," year.

Climbing Out of the Hole

Things were really starting to look up in 1985, with the country seeming to be in a good mood. Reagan won reelection in a landslide, Joe Montana was the Super Bowl champ over Dan Marino, and Madonna was queen of the charts with "Like a Virgin." The starstudded iconic mega-hit "We Are the World," recorded at the Grammys, was just weeks away from release. Distribution contractors gathering in San Antonio that February reported a mixed year, with some regions faring better than others, but it still beat "dismal." Contractors who expanded their geographic market areas came into competition with others who had done the same, depressing prices. Widely fluctuating interest and inflation rates continued to cause trouble, and blanket contracts that assumed all construction jobs are the same regardless of around conditions were a sore spot at this convention. Jerry Stubbs of Mid-Mountain Contractors in Bellevue, Washington, became the 24th president of the DCA.

DCA marked its first quarter century in 1986 under beautiful weather in Palm Springs, and delegates had no shortage of conversation material. Halley's Comet still lit up the night sky while "Da Bears" celebrated with the Super Bowl Shuffle, the nation mourned the loss of the space shuttle Challenger, and dictators "Baby Doc" Duvalier in Haiti and Ferdinand Marcos in the Philippines were deposed and fled their countries within weeks of each other. Most contractors reported a good year in 1986, relieving five long years of struggle and uncertainty for the industry. Convention attendance swung back up to 300, with more regular (contractor) members attending than any previous convention and outstanding turnout for business functions. Darold Falldorf of Aconite Corp. was elected DCA president.

Palm Springs was such a hit that DCA came back in 1987 for the 26th annual convention and equaled the previous year's attendance. Bob Cooley of Distribution Construction Co. took his turn in the top job at DCA amid a crowd who felt like a weight had been lifted off their backs. Executive Director Jim Upton attributed success in the distribution business to a combination of "luck, energy, raw intelligence, honesty and integrity, and a gambling spirit." Jurisdictional disputes among unions over the laying of plastic pipe clouded the horizon but didn't





Convention Materials from the 1980s

dampen the mood. Meanwhile, the Iran-Contra hearings and the Unabomber dominated the news, Liberace died of AIDS, and everybody was walking like an Egyptian.

Back in the Saddle Again

The Cold War looked like it was starting to thaw after Ronald Reagan and Mikhail Gorbachev exchanged Christmas greetings in 1987, and by mid-February 1988 the Soviets admitted defeat in Afghanistan, withdrawing completely. Manuel Noriega was indicted in Florida, Jimmy Swaggart cried on TV, and the Chicago Cubs finally decided to play under the lights at Wrigley Field. Back at Mountain Shadows in Scottsdale again, keynote speaker James Dolan, AGA chairman and CEO of New Jersey Resources Corporation (NJR), told the assembled crowd that the gas bubble was over and gas prices would start tracking inflation. NJR used contractors for all of its construction and maintenance; it had added 16,000 customers during the previous year and expected 80,000 more over the next five. As Larry Smith of Carl E. Smith, Inc. took over the presidency, the DCA and the nation seemed to be riding high once again.

In 1989 the DCA finally made it to Disney World for the national convention, and attendance climbed back up to 390. Larry Smith was feeling optimistic as he told the

members, "Natural Gas is rapidly becoming the energy medium to solve the problems of air pollution, acid rain, the greenhouse effect, security risks, nuclear power and the need to a rapid increase in electrical generation." Natural gas had become the fuel of choice in the U.S. and future legislation seemed likely to limit the use of competing fuels. He cautioned that continuing low prices would have to rise in order to encourage new drilling, but expressed hope that current demand would last well into the future. Joe Van Gundy, Jr. of Waterman Construction Co. took over to close out the decade as DCA president while Ronald Reagan was bidding his farewell to the nation and handing over the Cold War for George H. W. Bush to finally put to bed for good.

In all, it can't be said that the 80s was DCA's best decade, but progress continued to be made on the labor front, and those who survived the wild economic ride came out in a stronger position than the industry had ever seen before with public opinion strongly in favor of natural gas. As they rolled into the 90s, you could say the DCA was doin' alright, makin' good grades, with a future so bright, they had to wear shades.

Government News



Organize. Mobilize. Muster.



Grassroots Tools To Drive Action

Muster's advocacy tools not only make it easy for you to build powerful campaigns, but simple for your advocates to click and take action via email, patch-through phone calls, social media, and more.



Unparalleled District Matching

All of your contacts are geocoded, meaning we go beyond just zip-to-district matching to ensure your advocates are matched with their correct elected official by creating a coordinate for each address.



Advocacy At Every Level

Whether you have a local, state, or national issue to conquer, Muster's advocacy software gives you the power to target policy-makers at every level of government along with committees and custom targets.



Data For Better Advocacy Campaigns

With real-time engagement analytics and the ability to export campaign and contact data — your organization can measure ROI, discover new supporters, and benchmark member engagement.

At the DCA Virtual March Government Relations
Committee Meeting, committee members agreed to join
Muster, a grassroots campaign platform. The platform
will allow DCA to mobilize its membership for grassroots
messaging campaigns, conduct geotargeted member
surveys, and easily communicate with DCA members on
state and national issues. Muster gives members a direct
line to their Members of Congress and the Administration
and makes it easy to join other DCA members in making
their voices heard about the issues that matter to them
and their business.

Muster messages will consist of email broadcasts and targeted online messaging campaigns which allow members to send letters to their state and federal lawmakers with only a few clicks, helping them to contact their representatives on issues that matter. At a time when much of Washington is still virtual, DCA member participation in the grassroots campaigns will be more effective than ever in pushing for positive change on DCA issues.

An initial database of DCA members has been started. Those on the list have been notified with the option to opt-out if requested. If you have not received a notification email on Muster, please contact tkorson@dcaweb. org to be added to the list.

If you have questions regarding Muster, please contact zack@wyamnassociates.net.

OSHA Now Says Contractors, Other Employers Should Not Record Vaccine Reactions

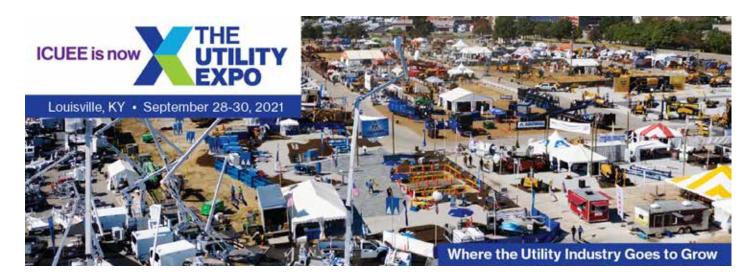


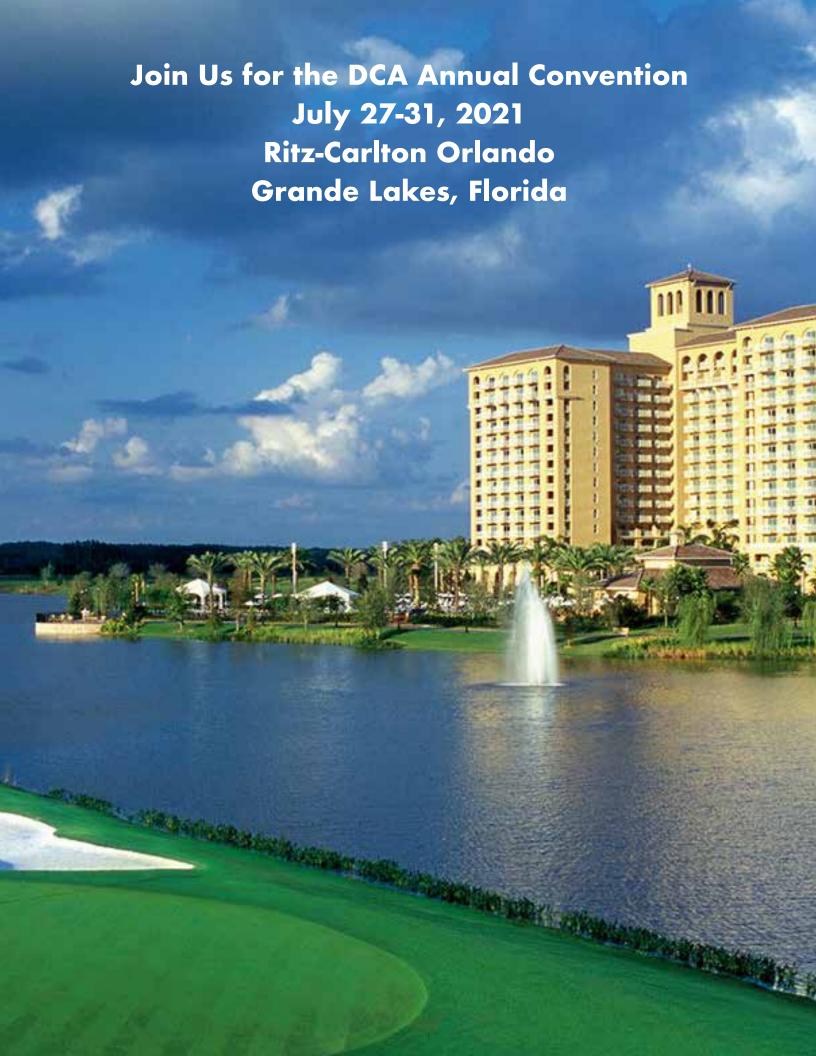
The U.S. Occupational Safety and Health Administration (OSHA) reversed course on employer-mandated COVID-19 vaccinations on May 21. OSHA also changed guidance that previously said employers should record all adverse reactions to required vaccinations.

The new guidance gives employers a roughly one-year period during which COVID-19 vaccination reactions will not be required to be reported by the agency. The agency's new online frequently asked questions page now reads:

"The Department of Labor and OSHA, as well as other

federal agencies, are working diligently to encourage COVID-19 vaccinations. OSHA does not wish to have any appearance of discouraging workers from receiving COVID-19 vaccination, and also does not wish to disincentivize employers' vaccination efforts. As a result, OSHA will not enforce 29 CFR 1904's recording requirements to require any employers to record worker side effects from COVID-19 vaccination through May 2022. We will reevaluate the agency's position at that time to determine the best course of action moving forward."





Convention Preliminary Schedule of Events*

Tuesday, July 27	
8:30 am - 9:00 am	Executive Committee (Closed)
9:00 am - 10:15 am	Board of Directors (Closed)
10:00 am - 11:15 am	Board & Leadership Council Spouse Activity (By Invitation)
10:15 am - 10:45 am	Leadership Council Joins Board (Closed)
11:30 am - 1:00 pm	Board & Leadership Council Lunch (By Invitation)
12:30 pm - 1:00 pm	Membership Committee
1:00 pm – 4:00 pm	Registration Party
4:00 pm - 5:00 pm	Past Presidents' Meeting (Closed)
7:00 pm - 10:00 pm	Welcome Reception & Dinner
Wednesday, July 28	
7:00 am - 8:30 am	Walk/Run
9:00 am - 10:00 am	Safety/Risk Management Committee
10:15 am - 11:15 am	Workforce Development Committee
11:30 am - 1:45 pm	Opening Group Lunch & Keynote
2:00 pm - 3:00 pm	HDD Committee
3:15 pm - 4:15 pm	Government Relations Committee
6:00 pm - 7:00 pm	Pre-Auction Buffet
7:30 pm - 10:00 pm	Annual Auction
Thursday, July 29	
8:00 am - 9:30 am	Group Breakfast & Program
9:30 am - 11:30 am	Build-A-Bike Event
Afternoon	At Leisure
5:00 pm – 8:00 pm	Nine – Dine - & Wine (Optional Activity)
7:00 pm – 10:00 pm	Past Presidents' Reception & Dinner (By Invitation)
Evening	FREE NIGHT
Friday, July 30	
8:00 am - 10:00 am	Group Breakfast & Closing Keynote
10:30 am	DCA Golf Tournament
Afternoon	At Leisure
7:00 pm – 11:00 pm	Diamonds & Stars Closing Reception & Dinner
Saturday, July 31	
8:00 am – 10:30 am	Farewell Breakfast

^{*}As of 07/07/2021 - Subject to change

Supreme Court Rules New Jersey Can't Block Natural-Gas Pipeline



The Supreme Court on Tuesday, June 29 removed a hurdle to the construction of a natural-gas pipeline through Pennsylvania and New Jersey, ruling the pipeline developer could invoke the power of the federal government to take state property needed for the project.

The court's 5-4 opinion, by Chief Justice John Roberts, handed a considerable victory to the natural-gas industry by rejecting New Jersey's challenge to the actions of the PennEast Pipeline Co., a joint venture of several energy companies that aims to build a 116-mile interstate pipeline.

The Federal Energy Regulatory Commission authorized the project and, under the Natural Gas Act, that approval allowed the company to use federal eminent domain power to take possession of the land, if necessary.

PennEast said it was able to negotiate rights of way with most property owners, but went to court in its bid to take dozens of parcels of land — with compensation — in which the state of New Jersey holds a property interest.

New Jersey objected on sovereign-immunity grounds, arguing that a private party like PennEast, a Delaware company, can't drag a sovereign state into federal court

against that state's wishes.

The Supreme Court rejected that argument.

"Although nonconsenting States are generally immune from suit, they surrendered their immunity from the exercise of the federal eminent domain power when they ratified the Constitution," Chief Justice Roberts wrote for the majority.

The federal government, he said, could delegate that power to private parties who "can initiate condemnation proceedings, including against state-owned property." The court said such delegations have been present — and lawful — throughout the nation's history.

The decision reversed an appeals court ruling in New Jersey's favor, restoring the status quo and giving the energy industry, under FERC oversight, broad power to use eminent domain to help build pipelines that cross state lines. PennEast said the ruling would preserve the industry's ability to deliver low-cost natural gas at affordable prices.

What the ruling may not do, however, is save PennEast itself, said Christi Tezak, managing director at Clearview Energy Partners LLC. It faces further challenges from environmental groups out of New Jersey over its greenhouse-gas emissions and its necessity for consumers,



likely leading to extensive further delays that could kill the project.

"It was a very important case to the industry," Ms. Tezak said. But "it's not going to release PennEast for clear sailing."

New Jersey Attorney General Gurbir Grewal said the state was disappointed in the ruling but would continue fighting the pipeline's construction, "which is unnecessary and would be destructive to New Jersey lands," through other ongoing legal challenges.

An ideological mix of justices formed both the majority and the dissent.

Joining the chief justice were two fellow conservatives, Justices Samuel Alito and Brett Kavanaugh, and two liberals, Justices Stephen Breyer and Sonia Sotomayor.

Justice Amy Coney Barrett wrote the lead dissenting opinion, joined by two other conservatives, Justices Clarence Thomas and Neil Gorsuch, as well as Justice Elena Kagan, a member of the court's liberal wing. The court, Justice Barrett said, used the wrong analytical framework and misread the historical record.

Congress, she said, enacted the Natural Gas Act under its constitutional power to regulate interstate commerce, but that power doesn't allow lawmakers to strip states of their sovereign immunity, which "limits how Congress can obtain state property for pipelines."

PennEast is one of several pipelines in recent years to get wrapped up in major court fights because of growing environmental opposition and a push from governments to move to cleaner fuels. A year ago, Duke Energy Corp. and Dominion Energy Inc. abandoned the Atlantic Coast Pipeline project just weeks after a favorable Supreme

Court ruling over whether the project could cut under the historic Appalachian Trail.

Environmental activists have put pressure on states to block these projects, saying pipelines enable a dependence on fossil fuels and spread the environmental damage they can cause. While natural gas burns cleaner than other types of fossil fuel, leaks from the country's pipeline, processing and storage network may make gas consumption just as big of a contributor to climate change.

State governments have only in recent years started to fight against the industry's eminent domain power, among many efforts to respond to activists' pressure and show they are taking action on climate change.

For a decade, the shale drilling and hydraulic fracturing boom has produced a glut of low-cost supply from places like Pennsylvania, Ohio and Texas. With prices at times hitting historic lows, the industry has pushed the country to consume more natural gas, proposing several major interstate pipelines to carry gas from the landlocked areas where it is produced to population centers and export terminals on the coasts.

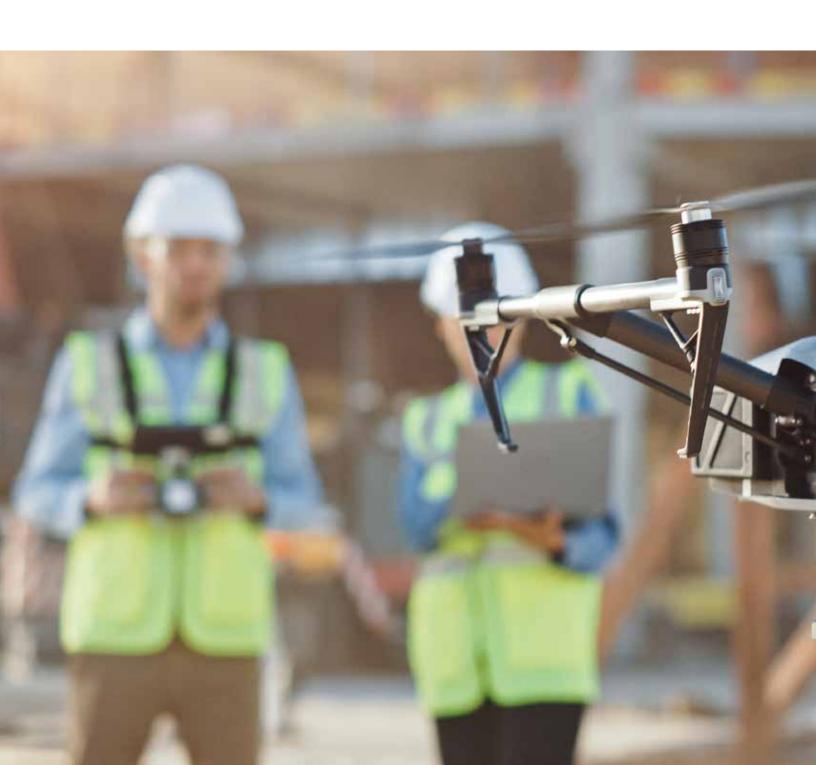
Several of the largest trade groups representing natural-gas producers and transmission and distribution companies had intervened in the PennEast case, asking for the court's help to preserve the eminent domain power. The Interstate Natural Gas Association of America, the American Petroleum Institute and the American Gas Association had said losing the case would be a serious threat to their ability to build out and operate the country's gas pipeline network.





Industry News

How Drones Assist with Pipeline Inspections



Drone operators have quantified the difference the technology can make to the bottom line in sectors ranging from agriculture to construction. The same benefits are especially apparent in large-scale infrastructure projects with high regulatory burdens and high consequences if something goes wrong, including highway and pipeline inspections.

Currently, the energy sector is experiencing gains from drone technology due to the sheer scale and scope of their operations. Often their assets are in remote locations, and while the professionals managing these assets might never set eyes on the assets, they still have to make decisions about upkeep and repair.



Any information that helps decision makers assess and mitigate pipeline risk is advantageous, and new technologies like drones put previously inaccessible information at their fingertips.

Hype vs. Reality

Talk of the billions of dollars that drone technology represents has been going on for years. In some cases, that hype helped to compel adoption, but just as often it proved to be a double-edged sword. Robert Blank, director of strategy for Denver, Colorado-based software company SolSpec, mentioned that he's had several clients who battled unrealistic expectations because of that hype, largely perpetuated by vendors making lofty claims about the future of this technology.

For the most part, drones are no longer being positioned as a "silver-bullet" solution, but there's still a great deal of hype associated with applications of the technology that are not commercially viable options today. It's an issue that boils down to hype versus reality, which is why professionals like Blank are focused on delivering value to their customers using the technology available today.

"A lot of what we're doing is really just about augmenting the inspection process and automating workflows," Blank said. "What I mean by that is the same number of people are doing what they've always done, but they're able to get a lot more work done with dramatically higher consistency."

As an example, SolSpec analytics has developed a model for infrastructure corrosion control that shows how water would flow over that surface within hours. That analysis allows the company to confirm whether that system is installed correctly, which makes a world of difference to the operators and contractors who ensure these systems are installed to spec to avoid spurious warranty claims. However, the technology also goes far beyond augmented inspections.

"Instead of one person going out and saying they inspected a site or asset visually, that same person is able to quantify their assessment with turnkey data and analytics through automated workflows," Blank said. "They're able to turn what was a very inexact process into one that results in simplified, decision-ready information, backed by data, in a matter of weeks."

Traditionally, pipeline inspections trend toward a very reactive process. If an operator can get ahead of an issue like soil erosion, they can avoid a hillside blowout that could cost hundreds of thousands of dollars to address. Unfortunately, many energy companies cannot afford to send crews out to monitor everything

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at all times, which inhibits a proactive approach to the problem.

Drones have allowed energy companies to prioritize more effectively their resources and assess what needs to be done from a system-wide standpoint. This translates directly to cost-savings because their crews operate more efficiently.

"Problem-solving in any context, not exclusive to drones, comes down to a relentless pursuit of understanding, tied to an appropriate action," Blank told industry publication Commercial UAV News. "You've got to have an intimate understanding of why the problem is occurring to begin with, and whether the solution you propose truly solves that problem. Drones are tools capable of providing information that has completely changed how our clients understand and address their goal of reducing risk while maximizing efficiency."

In terms of what that means for companies in midstream and other energy sectors, these tools are beginning to replace the use of Google Earth, which is simply not granular or current enough to be useful. Users understand the value of a tool that provides more than just current, high-resolution imagery, but there are challenges associated with how this adoption process plays out as companies move from the exploration phase to the scaling phase of drone operations.

Challenges of Scale

One of the biggest challenges associated with the adoption of drone technology often comes down

to a question of "build or outsource?" That is to say, should an organization build their own drone program or outsource drone services and data processing and analytics as necessary? While many organizations adopt a hybrid model, this challenge has proven to be secondary to a much bigger one that impacts companies both large and small.

"The biggest challenge I've seen companies run into is associated with scale," Blank continued. "What I mean by scale is that flying and analyzing five miles of pipeline is not the same as for 500 miles in a single week. There's a substantial amount of computing resources required to chew through the data quickly for the latter case... it's an addressable challenge and one that should be kept front-of-mind for any company navigating the drone landscape."

Given the dichotomy between the adoption of drone technology for a small team vs. adoption across an entire organization, the idea of a hybrid adoption model to work through the challenges of scale makes more sense than ever.

By using a vendor and also keeping certain elements under internal control, companies can get their feet wet while learning how they should use the technology in the short term and long term.

"There's a preconceived notion that you have to be able to stand up this huge drone program right out of the gate, but that's not necessarily a requirement," Blank said. "The thing is, there's a lot that goes into standing up a drone program, and the nuances are not always apparent at first. So, it's usually better to focus on the



short-term wins while also realizing that you don't have to reinvent the wheel for continued long-term gains. We've got you covered however you want to approach it."

Bottom Line

When it comes to quantifying the value of drone technology, the calculation is usually related to how drones are making a given process faster, cheaper, or safer. But what does it mean to utilize the technology to avoid a problem that could be costly to repair and require a major commitment of resources and a potential public relations nightmare or stock price drop?

Given the variables in oil and gas that require the involvement of many different contractors and subcontractors, the reality for a pipeline owner/operator is rarely the one directly engaged in construction. Using drones to avoid disputes about the work being done in the field has translated to immediate cost savings and lowered risk.

"More often than not, operators hire contractors and subcontractors who hire their own subcontractors," Blank said. "So the layers start stacking up really fast. If you have a couple hundred miles of construction, you might have several dozen crews working out there at one time. At the end of the day, the owner/operator is still going to assume liability for all of those moving pieces, and that's a big responsibility."

If the operator and contractor both have a baseline of data to refer to, it is usually clear where the burden of liability or warranty falls at any point throughout the project lifecycle. Contractors committed to quality

pipeline construction want defensible records and will provide reports to the owner/operator after a job is completed.

Data do not lie, which is why drone data have been critical for midstream companies and contractors when it comes to litigation. For most energy companies, litigation is not about "if," but rather "when." With data from a drone that provides stakeholders with timeline and historical project snapshots, companies have been able to avoid finger-pointing games that are costly in terms of time and money.

The value of using drone technology to avoid a contractor or landowner dispute is fairly well understood within the industry, but the more nuanced monetary value around what it means to capture better data or allow a more efficient workflow isn't as easy to convey. That's part of the reason the adoption of drone technology can vary widely, even when the value is positioned in terms that stakeholders can easily grasp.

"When it comes to ways this technology impacts the end deliverable, we'll often integrate aerial data as a supplement to data they are already capturing in the field or customizing reports based on preference," Blank said. "That way they can see everything in the exact format that's most helpful and familiar to them."

Drones have become essential elements in efforts to map, measure, and mitigate issues for pipeline inspections of all types, but their ultimate value is about how they can do so in ways that are both measurable and immeasurable.

Insights



Shutdown of Colonial Pipeline puts Cybersecurity Measures under the Microscope

On May 7, Colonial Pipeline shut down its 5,550-mile gasoline pipeline following a devastating cyberattack on the operator's computer systems. The pipeline, which runs from the Gulf Coast to New Jersey, is the largest conduit for gasoline in the country, transporting nearly half of the gasoline used on the East Coast. The attack has been attributed to "DarkSide", a criminal organization of hackers based in Eastern Europe. Colonial pipeline was shut down for several days, causing gas "panic-buying" and shortages, as well as price spikes in certain states.

The Colonial hack has put the issue of cybersecurity in the spotlight, especially with regard to the nation's pipeline network. The Biden administration has already begun briefing pipeline operators about new cybersecurity mandates it plans to impose in response to the "ransomware" attack. Specifically, the Department of Homeland Security (DHS) has indicated it plans to enact regulations that will require pipeline operators to report cybersecurity incidents to Homeland Security, as well as designate an official available around the clock as the point of contact for DHS. The federal directive would also require operators to compare their practices with Transportation Security Administration guidelines and identify and report risks.

Prior to the Colonial hack, these regulatory proposals

were met with stiff opposition from the pipeline industry. Unlike power plants, pipelines in the U.S. are not currently required to follow federal cybersecurity mandates, despite the fact that DHS was authorized to impose them when it was created in the wake of the terror attacks on September 11, 2001. These measures are widely considered a precursor to broader rules as the Biden administration considers extended protections.

According to a DHS statement, the agency "is coordinating with companies in the pipeline sector to ensure they are taking all necessary steps to increase their resilience to cyber threats and secure their systems." Industry representatives have expressed concern that the proposed regulations will be overly broad and even harmful. According to the American Petroleum Institute, any new regulations "should enhance reciprocal information sharing and liability protections, as well as build upon our robust existing public-private coordination to streamline and elevate our efforts to protect the nation's critical infrastructure."

At a time when fossil fuels and the pipelines that carry them are under attack by the environmental community, the Colonial hack happened at a particularly unfortunate time. DCA continues to work with industry partners to educate on the tremendous value of American pipeline systems, especially those transporting clean-burning natural gas.

Threats to America's Pipeline Network on the Rise

The cyberattack on the Colonial Pipeline has shined a light not only on cyber protections on our pipeline infrastructure, but on the need for fundamental protection of existing and developing infrastructure to remain a priority. In addition to cyber threats, the need for keen awareness of physical threats to pipeline infrastructure has never been greater, and safeguards against physical threats are equally as important as cyber threats, if not more important.

Individuals and groups with the intent to harm pipeline infrastructure come in several shapes and sizes, with varying approaches and technology to help them achieve their malevolent goals. While a pipeline project is under development or in construction, disrupters may include environmental extremists, climate activists or other protestors. Because of the magnitude and expense of damage, these groups are often labeled eco-terrorists.

For operating pipelines, threats can be presented by disgruntled employees or even senseless thrill seekers. Regardless of the source of the threat, public safety and security of our energy supply must remain safeguarded through vigilance against both cyber and physical attacks American pipeline infrastructure.

At a time when cybersecurity of our pipeline network is taking center stage, ensuring physical pipeline security cannot be an afterthought. Prioritizing cyber threats over physical threats is risky for several reasons, including:

- Physical attacks may be preferred over cyberattacks by groups or individuals focused on disrupting energy transportation because there may be more opportunities to physically attack a pipeline that require less sophistication than a cyberattack.
- Physical attacks are more visible, are often easier to conduct, and gain quick attention by the media.
- Cyberattacks leave evidence of code that is available for analysis by forensics, while physical attacks frequently incinerate the evidence, making it more potentially difficult to discern between intentional and accidental incidents.

While potential cyberattacks are evolving at an unprecedented rate, preparation against physical attacks remains the bedrock on which a security program should be laid and maintained.

The threat of physical attacks is amplified both by the lack of technical sophistication required to execute them and enhanced by location technology that provides recent photographs of pipelines exposed in remote areas that are now public information. Physical attacks are growing in occurrence primarily because of the benefits and simplicity over cyberattacks. Many exposed facilities lack adequate protection and are not monitored for physical security.

In addition, existing field staff are constrained by increased responsibilities and training that keeps them out of the field where they traditionally have provided physical surveillance of pipeline infrastructure. In essence, employees not in the field equates to less monitoring and therefore increased risk.

Physical disruption to pipeline infrastructure aligns with strategic goals by disrupting the reliance on fossil fuels. Disruption of energy transportation during peak usage compares with extreme weather and densely populated regions, and the consequences can be severe. Physical attacks can also impact the ability to export, which certainly threatens the domestic upstream market.

It comes down to this: if the intent is to disrupt or harm multiple forms of critical infrastructure at the same time, a physical pipeline attack has the potential to devastate national economy. Many pipeline companies are working quietly to build relationships with private and government organizations to address this growing concern, and difficult lessons have been learned about project security and operational security. In addition, drone operations are becoming a popular way to increase surveillance and enhance the security of their infrastructure.

As previously reported, several states are pursuing lofty goals to end the use of fossil fuels in a matter of only a few years, and DCA is doing its part to fight these short-sighted policy proposals. The nation's natural gas infrastructure evolved over many years alongside the development of a robust safety and environmental regulatory framework. Supplanting fossil fuels with alternative and sustainable energy without impacting low-cost electricity and fuel or compromising reliability is possible, but will be challenging. The potential increase of disenfranchised individuals and governments create physical and cybersecurity risk for existing energy infrastructure.

During the national debate over last year's pipeline safety reauthorization, DCA pushed hard for increased criminal penalties for criminal activities during pipeline protests. This fight will continue. A responsible transition to renewable energy will take time, and it is important that this transition is proactive and not reactive. Ensuring protections against physical and cyber threats to our pipeline infrastructure must be a fundamental part of that.

PHMSA Takes First Step in Meeting Mandate to Address Methane Releases

Reauthorization of the nation's pipeline safety program was a top DCA priority in the 116th Congress, and the association enjoyed several 'wins,' including the elimination of many provisions that would have been harmful if enacted. Passage of a final pipeline safety bill was delayed for over a year in large part because of an impasse over if and how the Pipeline and Hazardous Materials Safety Administration (PHMSA) should be involved in the prevention and mitigation of methane releases attributed to pipeline infrastructure.

As part of the final "PIPES" Act of 2020, PHMSA is mandated to require operators of certain regulated gathering lines and new and existing gas transmission and gas distribution pipelines to implement leak detection and repair programs, require that leak detection and repair programs have the ability to identify and locate hazardous leaks, and require that advanced leak detection technologies include continuous pipeline monitoring.

In response to this mandate, PHMSA issued an advisory to oil and gas pipeline operators in early June directing them to update their inspection and maintenance plans to include details for curbing the release of methane. "Minimizing methane emissions from pipelines will help improve safety and combat climate change, while creating jobs for pipeline workers," according to a PHMSA

spokesperson. "Pipeline operators have an obligation to protect the public and the environment by identifying and addressing methane leaks."

The requirements included in the PIPES Act are new and will not be enforced until the end of the year, so the bulletin takes the first step of delineating what is expected of pipeline operators. The advisory bulletin informed operators that they must have inspection and maintenance plans in place by the Dec. 27, 2021 to minimize methane emission releases and repair or replace outdated leaking pipes. The bulletin also makes it clear that PHMSA will enforce the new requirements in January 2022.

The Environmental Protection Agency is expected to unveil new regulations by this September that will require gas and oil companies to cut methane by at least 45% below 2012 levels by 2025. The new mandate is clearly part of the Biden administration's broader effort to combat climate change.

Industry Lining up to Protect GPS from Significant Interference

In January, the Federal Communications Commission (FCC) issued an Order that authorizes a satellite tele-communications provider to deploy a satellite network that has the potential to interfere with Global Positioning Systems (GPS). Because contractors as well as many other construction stakeholders rely heavily on GPS data in their everyday work, there is an increasing push to prevent Ligado Networks LLC (Ligado) from launching its elaborate satellite technology.

At the time this article was written, DCA was considering possible support for the "Recognizing and Ensuring Taxpayer Access to Infrastructure Necessary for GPS and Satellite Communications Act" (RETAIN GPS Act), which would ensure that costs incurred by businesses and consumers following interference to GPS from Ligado operations would be covered by Ligado.

In January, FCC denied a request by the National Telecommunications and Information Administration (NTIA) to stay its decision through a petition filed last year. Opponents believe the threat of blockages on GPS and other signals used in and around construction sites stemming from Ligado technology is real. GPS is necessary for a range of critical services relating to not only gas distribution and other construction projects but also necessary to our national security. GPS enables communication among first responders, contributes to military readiness, and facilitates interstate commerce.

Although the FCC Order recognizes the potential for interference to GPS receivers and requires that Ligado repair or replace any federal GPS devise as needed, it fails to provide an adequate description of the potential costs to federal agencies and therefore the American taxpayer. In addition, the Order fails to require that

Ligado bear the costs of interference to other government and private owners of GPS devices that may be disrupted by Ligado operations.

New and innovative construction equipment requires signals that are critical to safety and efficiency on today's construction sites. Technology is increasingly used to survey construction sites, including the location of buried and overhead utilities, and to prevent theft of construction equipment through real-time monitoring. Because data has shown that significant interference from Ligado's proposed network to GPS receivers is very possible, DCA will likely engage in advocacy to prevent any GPS disruption.

Introduced by Sen. Jim Inhofe (R-Okla.), the RETAIN GPS Act acknowledges the harm to end users of GPS caused by FCC's Ligado order and ensures that the burden of cost sits squarely where it belongs — on Ligado. The legislation would also address the expense and burden the Ligado order places on not only the construction industry, but on federal agencies, businesses, consumers, and the American taxpayer.

DCA Launches Elaborate Grassroots Advocacy Platform

As participants in DCA's advocacy activities are told early and often, the true influence of an industry association lies within the membership. Nothing is more important or effective in association advocacy than members communicating directly with their lawmakers in the House and Senate and lobbying on legislation and regulation that would impact our industry priorities. To that end, DCA is launching a new online grassroots program to facilitate this critical part of its government relations program.

In mid-June, the DCA membership was provided with a description of DCA's partnership with Muster, which provides the ability for DCA to mobilize its membership for grassroots messaging campaigns, targeted surveys, and an easy way to distribute information on both state and federal issues. The Muster platform provides a direct line to Members of Congress and regulatory agencies, making it easy to include multiple people in DCA member companies in the grassroots network.

Muster campaigns consist of email broadcasts and targeted online messaging that allows DCA members to send letters to their state and federal lawmakers with only a few "clicks" on issues that matter. At a time when much of Washington is still virtual, participation by DCA members in these grassroots campaigns will be more effective than ever.

If you haven't already provided your contact information (name, email address, mailing address and phone number) and are interested in being included in DCA's Muster network, please email that information to Zack Perconti of Wyman Associates (zack@wymanassociates. net).



Calendar

DCA & Industry Events

2021

JULY 27-31

DCA 60th Annual Convention Ritz-Carlton Orlando Grande Lakes, Florida www.dcaweb.org

AUGUST 11-15

Pipe Line Contractors Association (PLCA) Annual Convention The Greenbrier White Sulphur Springs, West Virginia www.plca.org

SEPTEMBER 28-30

The Utility Expo Kentucky Exposition Center Louisville, Kentucky www.icuee.com

OCTOBER 27-29

DCA Fall Meeting Four Seasons Hotel Denver Denver, Colorado www.dcaweb.org

2022

FEBRUARY 14-18

Pipe Line Contractors Association (PLCA) Annual Convention Sheraton Wild Horse Pass Phoenix, Arizona www.plca.org

FEBRUARY 28 - MARCH 5

DCA 61st Annual Convention J.W. Marriott Cancun Resort & Spa Cancun, Quintana Roo Mexico www.dcaweb.org

MARCH 1-3

Global Excavation Safety Conference Phoenix, Arizona www.globalexcavationsafetyconference.com

MARCH 28-30

DCA Safety Congress Hyatt Regency Austin Austin, Texas www.dcaweb.org

ATTENTION ALL DCA MEMBERS!

So you do not miss out on future meeting and event notices, please have your company's IT representative whitelist all emails from dcaweb.org. If you have any questions, please contact Teri Korson at tkorson@dcaweb.org.

Member News



GROEBNER

45 Years of Growth and Leadership Transition to Third Generation

GROEBNER is proud to announce that their leadership moves to the 3rd generation of the family. Joe Groebner is now CEO. His daughter, Carissa Skorczewski, is president and his son, Curt Groebner, is the vice president of finance.

This year marks a great milestone for GROEBNER - 45 years in the natural gas industry. Their founder, Chuck Groebner, started the company to provide reliable access to the best products and services for natural gas utilities. He grounded the company from the very beginning in the values of integrity, quality, and service. Chuck's son, Joe, has continued to grow the company with these standards. Integrity in their relationships, quality in their products, and excellence in service are ongoing benchmarks for the GROEBNER family business.

Part of this growth has been the addition of Joe's children to the GROEBNER organization. The third generation of family in the business, Carissa Skorczewski and Curt Groebner, are deeply committed to expanding the GROEBNER family of customers and suppliers, using these values as their standards. They have been expanding their knowledge of the industry and are committed to strengthening relationships with our business partners.

Growth for the company, team, business partners, and customers means leveraging the individual talents of each.

With that growth in mind, GROEBNER's leadership will now officially transition to this third generation of family.

"I learned from my dad's leadership for many years," says Joe. "I feel fortunate to be able to pass those lessons and the business I've worked to expand, on to the next generation of the Groebner family." In his role as CEO, Joe will continue to work with GROEBNER's leadership in developing strategic plans and future vision. His 40+ years of experience will continue to inform the company direction and relationships, driving success for all our business family.

"It's very rewarding to carry on the strong legacy of my grandfather and father," Carissa says of her new role as President. "Working with the GROEBNER team to continue their values of integrity, quality, and service allows me to keep the success alive for GROEBNER and all our working partners."

Curt has been excited to work with his dad and sister and to continue those efforts. "Our strengths allow us to unite and bring unique synergy to our work family," Curt says. "These new roles give us more opportunities to improve."

The GROEBNER team has grown significantly following the GROEBNER family values. "Transitioning to this next generation ensures our company and whole network will continue to hold these values to be of highest importance," says Steve D'Amato, Executive Vice President.

This has been Joe's sincere hope - to continue GROEBNER's growth well into the future, while honoring these past values and past successes. "The future looks bright," says Joe, "for our company, our customers and supplier network, and the natural gas industry. This leadership transition means we'll be a valuable part of it for many years to come."



Caterpillar engine donation supports West Virginia University research to reduce greenhouse gas emissions

Caterpillar Inc. has donated an industrial natural gas engine to West Virginia University to bolster research by engineers at the Benjamin M. Statler College of Engineering and Mineral Resources.

The research is aimed at developing new technology that reduces greenhouse gas emissions and improves fuel consumption at natural gas production sites.

The in-kind donation supports a \$1.5 million research project led by WVU in partnership with the United States Department of Energy. Caterpillar, the world's leading manufacturer of diesel and natural gas engines, is a collaborator on the project.

Caterpillar's contribution is the largest natural gas research engine in WVU's arsenal. Principal investigator Derek Johnson, associate professor of mechanical and aerospace engineering, said it sets WVU apart from other institutions, as only a handful of academic laboratories nationwide have similar engines available for research.

"Our faculty has a long history of collaborating with Caterpillar, and we are excited for this new opportunity to continue our collaboration with them on a federally funded research project," Johnson said in a media release. "Our research team is excited to have this engine. We are grateful for the donation and look forward to continuing our relationship with Caterpillar."

The engine will primarily be used by a small group of researchers — three faculty members and at least four graduate students — for the DOE project, which runs through 2023. Their goal is to develop and demonstrate an economical methane mitigator system that simultaneously boosts efficiency, reduces environmental impact, and offers economic benefits for natural gas production operations.

Johnson hopes the engine will have a lasting impact on WVU and its students beyond the immediate research work. "We hope that it will serve as new research platform that will serve us for years to come — so hopefully many more future students," Johnson said in the release. "We are working with our department, college, and facilities to develop a dedicated research space for this engine on the engineering campus so that it can be used for promoting our research program to current and future students."



Artera Services

Artera to Acquire K.R. Swerdfeger Construction; Expanding Gas Distribution Services into Colorado and New Mexico

Artera Services has entered into an agreement to acquire K.R. Swerdfeger Construction Inc. (KRSC).

Headquartered in Atlanta, Georgia, Artera is one of the nation's industry-leading providers of essential infrastructure services to the natural gas and electric industries. The acquisition of KRSC provides a strong strategic fit for Artera, allowing the company to expand its core gas distribution services into Colorado and New Mexico while strengthening its existing water and wastewater service offerings.

Located in Pueblo West, Colorado, K.R. Swerdfeger is a well-respected, second generation family owned company founded in 1968 by Keith and Sharon Swerdfeger. KRSC is a leading provider of natural gas distribution and water infrastructure services, with a focus on the repair and renewal of existing underground infrastructure. The company employs over 350 team members with exceptional leadership and core values that are well aligned with those of Artera. KRSC will operate as a new Mountain region within Miller Pipeline, an Artera gas distribution business unit, with President Raymond Swerdfeger continuing in his leadership role

(continued on pg. 28)

and Keith Swerdfeger serving as a senior advisor to the business.

"KRSC aligns well with our core business strategy and expands our geographic coverage of the western U.S.," said Brian Palmer, CEO of Artera. "The Miller and KRSC teams will complement one another nicely as they continue to provide world-class services to our existing and new customers."

Miller Pipeline is headquartered in Indianapolis, Indiana, and was established in 1953. The company has become a premier natural gas distribution contractor in the United States and was acquired by Artera 2020.

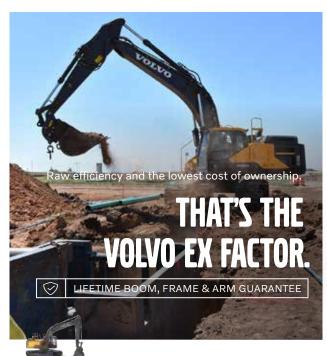
"This combination with KRSC will expand our geographic coverage and further enhance our leadership in gas distribution and water infrastructure services," said Dale Anderson, president of Miller Pipeline. "KRSC's shared commitment toward safety, and providing high-quality and reliable services to its customer

base, make them a natural and complementary fit with Miller. We look forward to welcoming Raymond and the KRSC team, and collectively, we look forward to the opportunities this presents for our people, our business, and our customers."

K.R. Swerdfeger has a long history of excellence and has consistently been committed to safely providing the best service and value to customers.

"We look forward to this next step for our company and our employees, and I look forward to leading the continuous growth of KRSC," said Raymond Swerdfeger, President of KRSC. "This is a great opportunity to join Dale and the Miller Pipeline team. We will continue providing the same high level of quality service and commitment that our customers have come to expect from KRSC, backed now with the additional resources and industry-leading experience needed to take KRSC to the next level."

(continued on pg. 30)



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Joe Smith, General Manager; jsmith@ditchwitchga.com

Finn Corporation, a DHG Company

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School/The Refrigeration School

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Mary Kelly, Chief Executive Officer mary.kelly@stratatech.com

Matt Tidwell, Vice President Corporate Development; matt.tidwell@stratatech.com





Harry P. Fabick

Remembering Harry Fabick, a Pillar of the Fabick Cat Family

Harry P. Fabick, who passed away peacefully on Saturday, June 19, 2021, played a vital role at the John Fabick Tractor Company. Better known as Fabick Cat, this local heavy equipment dealership was founded by his grandfather,

John Fabick, in 1917. After a lifetime of involvement in the family business, philanthropy, and our local community Mr. Fabick will be missed by his family, friends, and colleagues alike.

Mr. Fabick began working at Fabick Cat in 1967, at the age of 22, and gained his initial familiarity with operations by serving successively in parts, service, and administrative positions as well as product support representative. He then moved to general lines salesman and in 1971 was given the responsibility of vice president, marketing. In 1974, Mr. Fabick was named manager of the company's Jefferson City operation: Fabick and Company. In 1979, he was promoted to vice president, domestic sales and held that position until he was made executive vice president in 1985. He became a director of John Fabick Tractor Company in 1985 then president of the Fabick Companies in June of 1986. In 1998, he was named chairman of the board.

Mr. Fabick has belonged to many organizations during his years with the company. He was a director of the

Associated Equipment Distributors (A.E.D.) Foundation and was committee chairman for the A.E.D. Young Executives Foundation. He was also active in national and regional chapters of the Associated General Contractors (AGC). Mr. Fabick was a past director of U.S. Bank, Mercantile Bank, Boatmen's Bank, Mark Twain Bank, and Colonial Bank. He was also a past director of Ranken Technical and has been involved in non-partisan political activities.

Mr. Fabick had been active in the St. Louis community for many years and had volunteered his time and energy to many great organizations. He was a member of the Board of Governors of Cardinal Glennon Children's Hospital and president and director of the MASTERS organization, which provides financial aid for a state trooper's immediate family if killed in the line of duty. He was an avid supporter of his church, including Legatus, an organization of Catholic executives, and was a director of the Archdiocesan Development Appeal Council. He was a former member of the Hawthorn Foundation and the DuBourg Society. Mr. Fabick was also a member of the Knights of the Cauliflower Ear and the Missouri Athletic Club.

Mr. Fabick is survived by his wife; Judy Fabick, their two sons; David (Cristina) and Douglas (Mala) Fabick, and grandchildren; Nicla, Rebecca, John IV, Jack, Ben, Christian, and Hunter. Mr. Fabick is preceded in death by his parents, John Fabick II and Jane Fabick, and granddaughter Helen.

In lieu of flowers, contributions to Cardinal Glennon Hospital or St. Jude Hospital are appreciated.



DCA MEMBERS - SEND US YOUR NEWS!

DCA would like to publish your company news in upcoming issues of the DCA newsletter and on the DCA website.

Please send news items, press releases, images or videos to cgreen@dcaweb.org.

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DCA NEWS is a bi-monthly publication of Distribution Contractors Association 101 West Renner Road, Suite 460 Richardson, Texas 75082 972-680-0261





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