

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 22-0362-DSN

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Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC alleged violation of 08/18/21, as reported by Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC	
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Order entered: 03/14/2022

**ORDER RE: NOTICE OF PROBABLE VIOLATION**

**Background**

1. Pursuant to 30 V.S.A. § 7001 et. seq., and Vermont Public Utility Commission Rule 3.800, the Vermont Department of Public Service (“Department”) issued a Notice of Probable Violation of Underground Utility Damage Prevention System (“NOPV”) to Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC (“Respondent”).
2. Incident Date: 08/18/2021
3. Incident Location: 11 Regency Manor, Rutland, VT
4. Name and Address of Company that Reported the Incident to the Department:  
Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North  
Carolina/Virginia/Vermont, LLC  
229 North Main Street  
Rutland, VT 05701
5. Incident Report Date: 09/16/2021
6. Date NOPV Issued by Department: 02/03/2022 (Department Case #2021-UFDR-27687)

7. Department's Statement of Evidence Supporting the Alleged Violation:

"The VTPSD Investigator spoke with the Contractor involved with the damage. The Contractor indicated a line was hit, but it was not marked and provided photographs of the damaged area. Based on the photographs the lines appear to be incorrectly marked." NOPV at 2.

The Department of Public Service issued 16 NOPVs to Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC during the 12 months preceding this incident.

8. Statute, Rule, Regulation or Order Allegedly Violated:

§7006 - Utility did not properly mark all facilities within proposed excavation area

9. The Department's Recommended Remedial Action(s) (Including Civil Penalties):

Civil penalty in the amount of \$5,000.00.

10. The Respondent has agreed to take the remedial action(s) recommended by the Department.<sup>1</sup>

**Conclusion and Order**

Because the Respondent has not contested the NOPV, or the allegations in it, we conclude that the remedial action proposed in the NOPV is appropriate and should be imposed.<sup>2</sup>

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Utility Commission of the State of Vermont that:

Within thirty days of the date of this Order, Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC shall pay a civil penalty in the amount of \$5,000.00 by submitting to the Public Utility Commission a check in that amount made payable to the State of


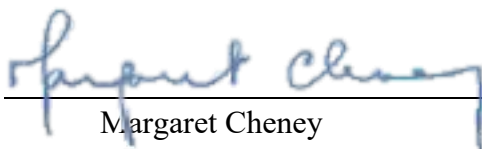
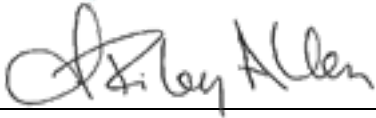
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<sup>1</sup> See Respondent's filing of February 28, 2022.

<sup>2</sup> See Public Utility Commission Rule 3.807(G).

Vermont and sent to the Public Utility Commission at 112 State Street, Montpelier, VT 05620-2701.

Dated at Montpelier, Vermont, this 14th day of March, 2022.

	)	
_____	)	
Anthony Z. Roisman	)	PUBLIC UTILITY
	)	
	)	
	)	
_____	)	
Margaret Cheney	)	COMMISSION
	)	
	)	
	)	
_____	)	
J. Riley Allen	)	OF VERMONT

OFFICE OF THE CLERK

March 14, 2022

Filed:

Attest:

  
 \_\_\_\_\_  
 Clerk of the Commission

*Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov))*

*Appeals of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and order.*

112 State Street  
4<sup>th</sup> Floor  
Montpelier, VT 05620-2701  
TEL: 802-828-2358



**State of Vermont  
Public Utility Commission**

TTY/TDD (VT: 800-253-0191)  
FAX: 802-828-3351  
E-mail: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov)  
Internet: [www.puc.vermont.gov](http://www.puc.vermont.gov)

## Invoice

**Bill To**  
Comcast of Connecticut/Georgia/Massachusetts/New  
Hampshire/New York/North Carolina/Virginia/Vermont,  
LLC  
P.O. Box 6505  
5 Omni Way  
Chelmsford, MA 01824

**PUC Invoice #** 22-0362-DSN  
**Invoice Date** 03/14/2022  
**Due Date** 04/13/2022

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**Amount Due**

**\$5,000.00**

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This invoice is being issued pursuant to the Vermont Public Utility Commission's 03/14/2022 order in Case No. 22-0362-DSN.

### Terms & Conditions

Payment is due within 30 days.

Failure to pay this invoice by the due date subjects you to possible penalties under 30 V.S.A. § 30.

Please send check payable to "Public Utility Commission" or "State of Vermont" to the above address, attention business manager.

Please contact the Commission's business manager at 802-828-1168 with any questions about this invoice.

PUC Case No. 22-0362-DSN - SERVICE LIST

Parties:

Corey Bouchard  
P.O. Box 6505  
5 Omni Way  
Chelmsford, MA 01824

(for Comcast of  
Connecticut/Georgia/Massachusetts/New  
Hampshire/New York/North  
Carolina/Virginia/Vermont, LLC)

\*Underground Damage Prevention  
Coordinator  
Vermont Department of Public Service  
psd.digsafe@vermont.gov

(for Vermont Department of Public Service)

Michelle Jezak  
5 Omni Way  
Chelmsford, MA 01824

(for Comcast of  
Connecticut/Georgia/Massachusetts/New  
Hampshire/New York/North  
Carolina/Virginia/Vermont, LLC)