WSDLSC/ UTC Stakeholder Process

Proposed Dig Law Update Language

Subject: Positive Response

Issue: The current dig law as written does not have a required provision for positive response by a facility operator to notify an excavator that they have completed their fulfillment of a locate request in accordance with the dig law. This complicates an excavator’s ability to meet the requirement in RCW 19.122.030(5) requiring that an excavator not begin their excavation until all know facility operators have marked. An excavator cannot know if a facility operator has not yet marked or if that facility operator does not have facilities in the proposed area of excavation without some form of notice.

During the development of the last set of dig law changes, the subject of positive response was discussed quite extensively by the committee established by the State to review the dig law. Primary concerns raised at the time by some facility operators were in regards to how facility operators would be able to meet such a requirement in a simple and timely manner. From the time of those discussions in 2010/2011, the availability of commercial programs for locators to use that include a simple and useful positive response tool is far greater. In fact, Washington State’s contractor for the processing of One Call Tickets, One Call Concepts, has now made available to all facility operators a ticket management software called National Ticket Management Systems (NTMS) which includes a positive response element, at no cost to the facility operator.

Proposed Solution: Make recommendation that RCW 19.122 include requirement for positive response and develop draft revised code language to include this requirement.

Proposed Dig Law Update Language:

19.122.020(Between 22 and 23) Definitions – “Positive Response” means that a facility operator provides electronic notification to the Call Center on the “notice” upon completion of their required locate that the locate is complete.

19.122.030(3)(d) – Positive response, the facility operator shall provide notification to the Call Center identified on a locate notice upon completion of the locate as identified in this section by electronic notice.

19.122.030(5) New Sentence – Each excavator shall verify through positive response through the Call Center that each facility operator listed on the ticket has identified completion of their locate.

A lot of discussion took place in regards to what an excavator is to do if a facility operator does not provide positive response, with a suggestion of a process identified in the RCW to allow an excavator to proceed without liability if a facility operator fails to locate within a time period. After looking into this with facility operators, especially gas and electric, there was great concern over placing such language within the Dig law. It was felt, and ready for more discussion for the group, that the excavator will have to utilize existing language regarding downtime, and documentation when no communication occurs and they have to proceed.
Miss Utility of Delmarva

Ticket No: 171610004
STANDARD
Original Call Date: 06/10/17 06:48 am
Response Due By: 06/14/17 11:59 pm
Release Time: 06/10/17 06:50 am
Expiration Date: 06/28/17 23:59 pm

TICKET ACTIONS
CALLER INFORMATION
Company Name: CHESAPEAKE TRENCHING
Fax Phone: 410-228-2039
Contact Name: BRANDON BURTON
Phone: 443-205-2086
Caller Address: 104 GOODWILL ROAD CAMBRIDGE, MD 21613
Email Address: chesapenketrench@aol.com
Job Site Contact: BRANDON BURTON
Phone: 443-205-2768

DIG SITE INFORMATION
Type of Work: INST CATV HSE DROPS
MDOT Permit: 
Job Number:

DIG SITE LOCATION
State: MD
County: TALBOT
Place: EASTON
Subdivision: 
Address: 10
Street: CREAMERY LANE
Intersecting Street: N WASHINGTON ST

LOCATE/MARK: FROM CATV VAULT BEHIND QUEENSTOWN BANK TO ELECTRIC METER AT 10 CREAMERY LANE

Remarks:
Map Coord NW Lat: 38.783333
Lon: -76.076667
SE Lat: 38.776667
Lon: -76.073333

MEMBERS NOTIFIED

<table>
<thead>
<tr>
<th>District</th>
<th>Company Name</th>
<th>Marking Concerns</th>
<th>Damage</th>
<th>Customer Service</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>EAST01</td>
<td>EASTON UTILITIES</td>
<td>410-763-9471</td>
<td>410-822-6110</td>
<td>410-822-6110</td>
<td>Marked up to privately owned utility</td>
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<td>COMMISSION</td>
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<td>EAST02</td>
<td>EASTON UTILS-HIGH</td>
<td>410-714-1742</td>
<td>410-714-3316</td>
<td>410-822-6110</td>
<td>Marked up to privately owned utility (No on site mfg req'd)</td>
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<td>CONSEQUENCE</td>
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<tr>
<td>MBC01</td>
<td>MARYLAND BROADBAND</td>
<td>443-535-3588</td>
<td>410-683-9440</td>
<td>443-921-0388</td>
<td>Clear/No conflict (tr2)</td>
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<td>COOP</td>
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<td>VTB</td>
<td>VERIZON</td>
<td>609-758-4700</td>
<td>888-496-1588</td>
<td>888-233-5740</td>
<td>Clear/No conflict (Response by Utiliques)</td>
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**POSITIVE RESPONSE SAMPLES**

Ticket Number: 17007785  
Location: 95-748 PAIKAUHALE ST MILILANI TOWN, HI

As of 6/29/17 17:55 HST, participating facility owners have responded to Ticket Check as follows:

<table>
<thead>
<tr>
<th>District Code</th>
<th>Status</th>
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<tbody>
<tr>
<td>HONOLULU BOARD OF WATER SUPPLY</td>
<td>Marked</td>
</tr>
<tr>
<td>HAWAIIAN ELECTRIC CO</td>
<td>Marked</td>
</tr>
<tr>
<td>HAWAIIAN TELCOM, INC</td>
<td>Marked</td>
</tr>
<tr>
<td>HONOLULU FACILITY MAINTENANCE</td>
<td>Caller made aware of available records</td>
</tr>
<tr>
<td>OCEANIC TIME WARNER CABLE</td>
<td>Marked</td>
</tr>
</tbody>
</table>

To review this ticket in its entirety, visit Search and Status on [www.managetickets.com](http://www.managetickets.com).

Example 2 - This is an example of what the ticket check email to excavators would look like in html format.

Ticket Number: **17007785**  
Location: 95-748 PAIKAUHALE ST MILILANI TOWN, HI

As of **6/29/17 17:57 HST**, participating facility owners have responded to Ticket Check as follows:

<table>
<thead>
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<th>District Code</th>
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