

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
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Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

RELIABILITY & SECURITY

IN THE MATTER OF PUBLIC SERVICE ELECTRIC AND)
GAS COMPANY ALLEGED VIOLATIONS OF THE)
UNDERGROUND FACILITY PROTECTION ACT,)
N.J.S.A. 48:2-73 ET SEQ. GOC2025-0085)
ORDER ACCEPTING)
SETTLEMENTS)
DOCKET NO. GS26040141K et)
al. (see attached Appendix)

Parties of Record:

- Helayne De Queiroz**, Brasusa Construction
- Michael Gardner**, Cape May Fence
- Molly Meixner**, Essex County Country Club
- Tammy Klose**, Fred Schiavone Construction
- Michael Elward**, J F Kiely Construction
- Alison Sbriscia**, New Jersey Natural Gas Company
- Wes Covely**, Pioneer Pipe Contractor, Inc.
- Chelsey Gaworecki**, Public Service Electric and Gas Company
- George Mesiha**, Rencor Inc.
- Teofilo Rojas Rojas**, RMC Mason & Concrete
- Craig Wacker**, Salomone Bros Inc.
- Glenn Slater**, Slater Accurate Well
- Mike Widmer**, South Jersey Gas Company
- Thomas Moran**, TGM Masonry
- Nicholas Furfari**, Think Pavers Hardscaping
- Yosef Avrahami**, Yosef Avrahami Inc.

BY THE BOARD:

I. BACKGROUND

The New Jersey Board of Public Utilities (“Board”) has jurisdiction to oversee and enforce the provisions of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq. (“Act”). The Act establishes the One-Call Damage Prevention System (“One-Call System”) for the protection of underground facilities that are used for the conveyance of water, forced sewage, telecommunications, cable television, electricity, oil, petroleum products, gas, optical signals, traffic control, and/or hazardous liquids. In declaring its findings and the purpose of the Act, the Legislature stated, in pertinent part:

That damage to underground facilities caused by excavation and the discharge of explosives poses a significant risk to the public safety; that such damage to underground natural gas facilities poses a substantial risk to the public safety; and that the implementation of a comprehensive One-Call Damage Prevention System can substantially reduce the frequency of damage caused by these activities.

The Legislature therefore determines that it is in the public interest for the State to require all operators of underground facilities to participate in a One-Call Damage Prevention System and to require all excavators to notify the One-Call Damage Prevention System prior to excavation or demolition.

[N.J.S.A. 48:2-74.]

The Act defines “excavator” as “any person performing excavation or demolition” and “operator” as “a person owning or operating, or controlling the operation of, an underground facility.” N.J.S.A. 48:2-75.

Pursuant to the Act, violators of its provisions shall be subject to civil penalties of no less than \$1,000.00 and no more than \$2,500.00 per violation per day, not to exceed \$25,000.00 for any related series of violations. N.J.S.A. 48:2-88(a). Violations relating to natural gas or hazardous liquid underground pipelines, or distribution facilities, shall be subject to civil penalties not to exceed \$200,000.00 per violation per day, and not to exceed \$2,000,000.00 for any related series of violations. N.J.S.A. 48:2-86(c). In addition, costs may be assessed related to any Board investigation, inspection, or monitoring survey, which leads to the establishment of a violation, and/or the reasonable costs of preparing and litigating the matter. N.J.S.A. 48:2-86(b) (2).

Following reports of various alleged violations under the Act including, but not limited to, failing to call the One-Call System prior to commencing excavation, failing to use reasonable care, failing to hand-dig and locate, and failing to mark out or properly mark out underground facilities, Board Staff issued Notices of Probable Violations and Offers of Settlement to the alleged violators and informed them of the date and location of the alleged violations. A complete list of accepted said Offers of Settlement is provided in Appendix A attached hereto and made a part hereof.¹

DISCUSSION AND FINDINGS

After consideration of the matters provided in Appendix A, including the alleged violations and the Offers of Settlement, the Board **HEREBY FINDS** the Offers of Settlement to be reasonable and in public interest, and **HEREBY ACCEPTS** the Offers of Settlement in full satisfaction of the alleged violations of the Act as provided in Appendix A attached hereto and made part hereof.

By acceptance of the Offers of Settlement and the timely payment thereof, the excavator or operator has waived any rights to a hearing, and the Board has waived any rights to bring an action for civil penalties as permitted by the Act in connection with the above-referenced alleged violations. It must also be noted that the acceptance of the Offers of Settlement is for settlement

¹ The fifty (50) Offers of Settlement were accepted by the alleged violators, and each made full payment on the dates provided in Appendix A.

purposes only and applies strictly to the specific incidents described in Appendix A. This acceptance is without prejudice as to the position of the State of New Jersey or any agency or subdivision thereof if other violations are present, now or in the future.

NO FURTHER ACTION BY THE RESPONDENTS IS REQUIRED.

This Order shall be effective on June 17, 2026.

DATED: June 10, 2026

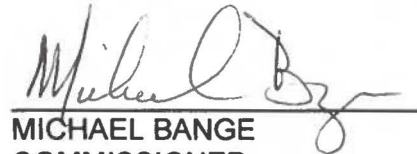
BOARD OF PUBLIC UTILITIES
BY:



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PRESIDENT



DR. ZENON CHRISTODOULOU
COMMISSIONER



MICHAEL BANGE
COMMISSIONER



EMMA REBHORN
COMMISSIONER



JOSEPH COVIELLO
COMMISSIONER

ATTEST:



SHERRI L. LEWIS
BOARD SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities.

IN THE MATTER OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY ALLEGED VIOLATIONS OF THE
UNDERGROUND FACILITY PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ. GOC2025-0085

DOCKET NOS. GS26040141K et al. (see attached Appendix)

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APPENDIX A

In the Matter of Public Service Electric and Gas Company Alleged Violations of the Underground Facility Protection Act,
 N.J.S.A. 48:2-73 et seq. GOC2025-0085
 Docket Nos. GS26040141K et al.

Facility Damaged	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Gas	GOC2025-0085	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/10/2025	46 Stiles Ave, Morris Plains	6/24/2025
Gas	GOC2025-0087	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/10/2025	321 S. Livingston Ave, Livingston	8/11/2025
Gas	GOC2025-0090	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/10/2025	Norton Rd, South Brunswick	6/17/2025
Gas	GOC2025-0091	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/13/2025	52 Park Dr, Cherry Hill	5/14/2025
Gas	GOC2025-0092	Failure to Hand Dig	\$5,000	Pioneer Pipe Contracting Inc.	2/19/2025	121 Jefferson Ave, Stratford	6/9/2026
Gas	GOC2025-0098	Failure to Use Reasonable Care	\$5,000	Think Pavers Hardscaping	2/19/2025	202 Princeton Ave, Stratford	2/6/2026
Gas	GOC2025-0104	Did Not Properly Mark	\$5,000	South Jersey Gas	2/24/2025	1301 Simpson Ave, Ocean City	5/22/2025
Gas	GOC2025-0107	Failure To Hand Dig	\$5,000	Pioneer Pipe Contractor Inc.	2/27/2025	231 Frankford Ave, Gloucester	6/9/2025
Gas	GOC2025-0110	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/15/2025	18-22 N Haddon Ave, Haddonfield	5/14/2025
Gas	GOC2025-0111	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/15/2025	38 Harrison St, Belleville	5/28/2025
Gas	GOC2025-0112	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/15/2025	250 Lincoln Ave, Middlesex	12/19/2025
Gas	GOC2025-0114	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/16/2025	1200 Harrison Ave, Kearny	5/28/2025
Gas	GOC2025-0116	Did Not Have A Valid Markout	\$5,000	Slater Accurate Well	1/16/2025	1483 Macopin Rd, West Milford	9/10/2025
Gas	GOC2025-0119	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/21/2025	309 Columbia Blvd, Wood-Ridge	8/15/2025
Gas	GOC2025-0120	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/22/2025	Alcott Rd, Mahwah	6/9/2025
Gas	GOC2025-0125	Did Not Have A Valid Markout	\$5,000	Yosef Avrahami Inc	1/24/2025	222 Van Houten Ave, Passaic	8/28/2025
Gas	GOC2025-0126	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/24/2025	1614 Willever St, Plainfield	6/9/2025
Gas	GOC2025-0127	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/24/2025	Lake St, Fair Lawn	6/17/2025
Gas	GOC2025-0130	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/28/2025	109 Howard St, Dumont	10/3/2025
Gas	GOC2025-0132	Did Not Have A Valid Markout	\$5,000	Essex County Club	1/30/2025	350 Mount Pleasant Ave, West Orange	9/12/2025
Gas	GOC2025-0133	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/30/2025	77 May St, Irvington	5/28/2025
Gas	GOC2025-0134	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	1/30/2025	40 W Main St, Somerville	5/16/2025
Gas	GOC2025-0141	Did Not Properly Mark	\$5,000	South Jersey Gas	3/5/2025	3 Gateway Blvd, Oldmans	5/8/2025

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Facility Damaged	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Gas	GOC2025-0142	Failure To Use Reasonable Care	\$4,000	Fred Schiavone Construction	3/6/2025	104 N Somerset Ave, Ventnor City	3/6/2026
Gas	GOC2025-0146	Did Not Properly Mark	\$5,000	South Jersey Gas	3/10/2025	1010 Rose Ave, Runnemede	5/16/2025
Gas	GOC2025-0150	Did Not Have A Valid Markout	\$5,000	Rencor Inc.	3/3/2025	170 Whipporwill Valley Rd, Middletown	7/3/2025
Gas	GOC2025-0151	Failure To Use Reasonable Care	\$4,000	JF Kiely Service	3/4/2025	469 Harding Rd, Laurence Harbor	6/11/2025
Gas	GOC2025-0152	Did Not Have A Valid Markout	\$5,000	RMC Mason & Concrete	3/5/2025	9 Holland Ln, Colts Neck	10/3/2025
Gas	GOC2025-0153	Did Not Properly Mark	\$5,000	NJ Natural Gas	3/6/2025	122 Mill Creek Rd, Bayville	5/14/2025
Gas	GOC2025-0154	Did Not Properly Mark	\$5,000	NJ Natural Gas	3/6/2025	124 Mill Creek Rd, Bayville	5/14/2025
Gas	GOC2025-0158	Did Not Properly Mark	\$5,000	NJ Natural Gas	3/10/2025	921 Cole Dr, Brielle	5/14/2025
Gas	GOC2025-0160	Did Not Have A Valid Markout	\$4,000	Brasusa Construction	3/10/2025	14 Brotherton Ave, Rockaway	6/6/2025
Gas	GOC2025-0167	Did Not Have A Valid Markout	\$5,000	TGM Masonry	3/13/2025	10 Ripley Ln, Belmar	10/17/2025
Gas	GOC2025-0168	Did Not Properly Mark	\$5,000	Public Service Electric & Gas	2/3/2025	307 Forrest St, Jersey City	10/3/2025
Gas	GOC2025-0170	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/3/2025	201 Overlook Ave, Little Falls	5/16/2025
Gas	GOC2025-0171	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/4/2025	5106 Beatty St, Piscataway	5/16/2025
Gas	GOC2025-0180	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/7/2025	49 Newark Pl, Belleville	5/28/2025
Gas	GOC2025-0181	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/7/2025	Ferry Ave, Camden	5/16/2025
Gas	GOC2025-0184	Did Not Properly Mark	\$4,000	Public Service Electric and Gas	2/10/2025	699 Ferry Ave, Camden	5/14/2025
Gas	GOC2025-0185	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/10/2025	1-25 26th St, Fair Lawn	5/16/2025
Gas	GOC2025-0188	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/11/2025	NJ Turnpike north, Ridgfield Park	5/16/2025
Gas	GOC2025-0190	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/13/2025	195 State Rt 18, East Brunswick	5/14/2025
Gas	GOC2025-0191	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/14/2025	139 Depew St, Dumont	10/3/2025
Gas	GOC2025-0196	Did Not Properly Mark	\$5,000	South Jersey Gas	3/17/2025	107 Himmeliend Rd, Medford	5/8/2025
Gas	GOC2025-0197	Did Not Properly Mark	\$5,000	South Jersey Gas	3/18/2025	2820 S Lincoln Ave, Vineland	5/16/2025
Gas	GOC2025-0201	Did Not Have A Valid Markout	\$4,000	Cape May Fence	3/26/2025	118 68th St, Sea Isle City	10/15/2025

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Facility Damaged	One Call Case #	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
Gas	GOC2025-0202	Did Not Properly Mark	\$5,000	South Jersey Gas	3/27/2025	1243 Ohio Ave, Cape May	5/8/2025
Gas	GOC2025-0207	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/17/2025	143 Cooper Ave, Cherry Hill	5/14/2025
Gas	GOC2025-0208	Expired Markout	\$4,000	Salomone Bros Inc	2/17/2025	510 Main St, Little Falls	6/25/2025
Gas	GOC2025-0210	Did Not Properly Mark	\$5,000	Public Service Electric and Gas	2/18/2025	750 Park Dr, Cherry Hill	5/14/2025
Total Cases: 50 Total Penalties: \$244,000							