

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

RELIABILITY & SECURITY

IN THE MATTER OF JERSEY CENTRAL POWER &
LIGHT COMPANY ALLEGED VIOLATIONS OF THE
UNDERGROUND FACILITY PROTECTION ACT,
N.J.S.A. 48:2-73 ET SEQ. EOC 2018-0131

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ORDER ACCEPTING
SETTLEMENTS

DOCKET NO. ES26080467K, et
al. (see attached Appendix)

Parties of Record:

Sam Moosa, Anytime Plumbing Services
Keith Butler, Atlantic City Electric Company
Connor Brink, Brink's Tank Services, Inc.
Charles Massoud, Brunswick Construction Company
John Schick, J Schick & Sons
Akorfa Gidiglo, Jersey Central Power & Light Company
John Remolde, John Remolbe Plumbing & Heating
Patrick Reager, Joseph Jingoli & Son, Inc.
Frank Rose, Just Paving LLC
Eric Lawson, Manchester Septic and Excavation
Michael Pillari, Pillari Brothers Construction
Robert J. Salasin, Power Home Improvements
Chelsey Gaworecki, Public Service Electric and Gas Company
Robert Foster, Robert K. Foster 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 established the One-Call Damage Prevention System ("One-Call System") for the protection of underground facilities that convey 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 use reasonable care, failing to report damage to the Board 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 alleged violations and Offers of Settlement provided in Appendix A, the Board **HEREBY FINDS** that the Offers of Settlement are reasonable, in the public interest, and paid in full. As such, the Board **HEREBY ACCEPTS** the Offers of Settlement as full satisfaction of the alleged violations of the Act.

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 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.

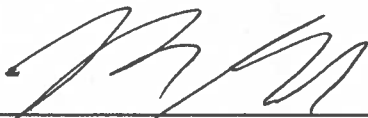
¹ The forty-nine (49) Offers of Settlement were accepted by the alleged violators, and each made full payment on the dates provided in Appendix A.

NO FURTHER ACTION BY THE RESPONDENTS IS REQUIRED.

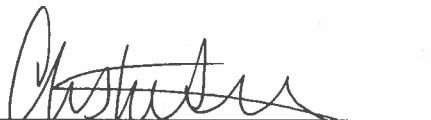
This Order shall be effective on September 30, 2026.

DATED: September 24, 2026

BOARD OF PUBLIC UTILITIES
BY:



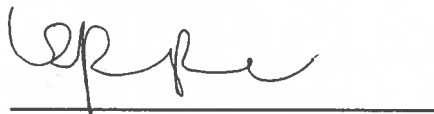
BEN HERTZ-SHARGEL
PRESIDENT



CHRISTINE GUHL-SADOVY
COMMISSIONER



MICHAEL BANGE
COMMISSIONER

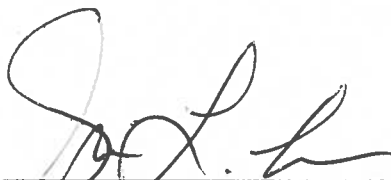


EMMA REBHORN
COMMISSIONER



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 JERSEY CENTRAL POWER & LIGHT COMPANY ALLEGED VIOLATIONS OF THE
UNDERGROUND FACILITY PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ. EOC 2018-0131

DOCKET NO. ES26080467K et al. (see attached Appendix)

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APPENDIX A

Agenda Date: 9/24/26
Agenda Item: VIA

**IN THE MATTER OF JERSEY CENTRAL POWER & LIGHT COMPANY ALLEGED VIOLATIONS OF
THE UNDERGROUND FACILITY PROTECTION ACT, N.J.S.A. 48:2-73 ET SEQ. EOC 2018-0131**

Facility Damaged	One Call Case #	Docket Number	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
ELECTRIC	EOC2018-0131	ES26080467K	Did Not Properly Mark	\$2,500	JCP&L	04/25/2018	60 Devon Dr, Manalapan Township	08/28/2025
ELECTRIC	EOC2019-0025	ES26080468K	Did Not Properly Mark	\$2,500	JCP&L	01/09/2019	187-191 Cannonball Dr, Tinton Falls	08/28/2025
ELECTRIC	EOC2020-0196	ES26080469K	Did Not Properly Mark	\$2,500	PSE&G (E)	09/16/2020	Redwood Rd, North Brunswick	09/25/2025
ELECTRIC	EOC2020-0222	ES26080470K	Did Not Properly Mark	\$2,500	JCP&L	09/28/2020	580 Marc Dr, Lakewood	08/28/2025
ELECTRIC	EOC2020-0257	ES26080471K	Did Not Properly Mark	\$2,500	PSE&G (E)	10/14/2020	5 Taylor Ln, West Paterson	10/30/2025
ELECTRIC	EOC2021-0096	ES26080473K	Did Not Properly Mark	\$2,500	PSE&G (E)	05/17/2021	85 N 18Th St, East Orange	06/11/2025
ELECTRIC	EOC2021-0148	ES26080474K	Did Not Have a Valid Markout	\$1,500	John Remolbe Plumbing & Heating	05/21/2021	333 N Main St, Manahawkin	11/01/2023
ELECTRIC	EOC2021-0176	ES26080475K	Did Not Properly Mark	\$2,500	JCP&L	06/14/2021	0 Hampshire Blvd, Jackson	08/28/2025
ELECTRIC	EOC2021-0280	ES26080476K	Did Not Have a Valid Markout	\$2,500	Robert K. Foster Inc.	08/16/2021	116 Bridge Blvd, Eastampton	11/21/2025
ELECTRIC	EOC2021-0271	ES26080477K	Failure to Use Reasonable Care	\$2,500	Joseph Jingoli & Son, Inc.	09/28/2021	2 Jake Garzio Dr, Ewing	11/21/2025
ELECTRIC	EOC2021-0327	ES26080478K	Did Not Properly Mark	\$2,500	PSE&G (E)	10/08/2021	30 Freedom Way, Jersey City	12/05/2025
ELECTRIC	EOC2023-0090	ES26080479K	Did Not Properly Mark	\$2,500	PSE&G (E)	11/11/2021	199 Railroad Ave, East Rutherford	04/12/2024
ELECTRIC	EOC2021-0347	ES26080480K	Did Not Properly Mark	\$2,500	PSE&G (E)	11/17/2021	225 North Ave, Dunellen	12/05/2025
ELECTRIC	EOC2021-0348	ES26080481K	Did Not Properly Mark	\$2,500	PSE&G (E)	11/18/2021	107 N 19Th St, East Orange	01/14/2026
ELECTRIC	EOC2021-0353	ES26080482K	Did Not Properly Mark	\$2,500	PSE&G (E)	12/06/2021	1401 Hudson St, Hoboken	01/15/2026
ELECTRIC	EOC2022-0012	ES26080483K	Did Not Properly Mark	\$2,500	PSE&G (E)	01/19/2022	New York Ave, Harrison St, Hoboken	11/29/2023
ELECTRIC	EOC2022-0041	ES26080484K	Failure to Use Reasonable Care	\$2,500	PSE&G (E)	02/15/2022	1475 Mount Holly Rd, Edgewater Park	12/13/2023
ELECTRIC	EOC2022-0042	ES26080485K	Did Not Have a Valid Markout	\$2,500	Brunswick Construction Company	02/15/2022	16 Midway Ln, Ewing	02/01/2024

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Facility Damaged	One Call Case #	Docket Number	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
ELECTRIC	EOC2022-0043	ES26080486K	Did Not Have a Valid Markout	\$2,500	PSE&G (E)	02/24/2022	122 Ampere Pkwy, East Orange	04/12/2024
ELECTRIC	EOC2022-0054	ES26080487K	Did Not Properly Mark	\$2,500	PSE&G (E)	03/09/2022	4421 Church Rd, Mount Laurel	06/28/2024
ELECTRIC	EOC2022-0057	ES26080488K	Failure to Use Reasonable Care	\$2,500	PSE&G (E)	03/15/2022	282 Broadway, Bayonne	11/29/2023
ELECTRIC	EOC2022-0121	ES26080489K	Did Not Have a Valid Markout	3,000	Just Paving LLC	04/25/2022	104 Linden Ave, Lakewood	04/24/2024
ELECTRIC	EOC2022-0097	ES26080490K	Did Not Properly Mark	\$2,500	Atlantic City Electric	04/27/2022	86 Damascus Rd, Franklinville	10/12/2023
ELECTRIC	EOC2022-0098	ES26080491K	Did Not Properly Mark	\$2,500	Atlantic City Electric	05/10/2022	13 Galaxy Ct, Sewell	11/15/2024
ELECTRIC	EOC2022-0130	ES26080492K	Did Not Properly Mark	\$2,500	JCP&L	05/10/2022	116 Governors Rd, Lakewood	06/26/2025
ELECTRIC	EOC2022-0102	ES26080493K	Did Not Properly Mark	\$2,500	Atlantic City Electric	05/14/2022	5229 Bay Ave, Ocean City	03/07/2025
ELECTRIC	EOC2022-0281	ES26080494K	Did Not Properly Mark	\$2,500	PSE&G (E)	06/28/2022	117 Coopers Kill Rd, Riverside	07/17/2024
ELECTRIC	EOC2022-0148	ES26080495K	Did Not Have a Valid Markout	\$2,500	Power Home Improvements	07/06/2022	17 Cove Dr., North Cape May	06/05/2024
ELECTRIC	EOC2022-0286	ES26080496K	Did Not Properly Mark	\$2,500	PSE&G (E)	07/19/2022	219 Meadow Dr, Mount Laurel	09/28/2023
ELECTRIC	EOC2022-0292	ES26080497K	Failure to Commence Excavation Within 10 Days	\$2,500	Brink's Tank Services, Inc	08/03/2022	358 Kearny Ave, Kearny	03/06/2026
ELECTRIC	EOC2022-0240	ES26080498K	Did Not Properly Mark	\$2,500	JCP&L	08/11/2022	1284 Rolls Ct, Toms River	08/28/2025
ELECTRIC	EOC2022-0298	ES26080499K	Did Not Properly Mark	\$2,500	PSE&G (E)	08/12/2022	233 E Front St, Plainfield	07/17/2024
ELECTRIC	EOC2022-0299	ES26080500K	Did Not Properly Mark	\$2,500	PSE&G (E)	08/13/2022	Federal St, Camden	11/01/2024
ELECTRIC	EOC2022-0302	ES26080501K	Did Not Properly Mark	\$2,500	PSE&G (E)	08/17/2022	600 Centerton Rd, Mount Laurel	06/18/2025
ELECTRIC	EOC2022-0199	ES26080502K	Did Not Have a Valid Markout	\$2,500	Anytime Plumbing Services	08/20/2022	8 Tamarack Trail, Lebanon	04/03/2024
ELECTRIC	EOC2022-0307	ES26080503K	Did Not Properly Mark	\$2,500	PSE&G (E)	08/31/2022	1813 E Fireside Ct, Cherry Hill	07/24/2024
ELECTRIC	EOC2022-0317	ES26080504K	Did Not Properly Mark	\$2,500	PSE&G (E)	09/28/2022	70 Deerfield Rd, East Brunswick	07/08/2024
ELECTRIC	EOC2022-0316	ES26080505K	Did Not Properly Mark	\$2,500	PSE&G (E)	09/28/2022	30 Village Of Stoney Run, Maple Shade	08/08/2024

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Agenda Date: 9/24/26
Agenda Item: VIA

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Facility Damaged	One Call Case #	Docket Number	Type of Violation	Penalty	Alleged Violator	Violation Date	Location	Payment Date
ELECTRIC	EOC2022-0214	ES26080506K	Did Not Properly Mark	\$2,500	Atlantic City Electric	10/07/2022	179 Railroad Ave, Elk	03/07/2025
ELECTRIC	EOC2022-0243	ES26080507K	Failure to Use Reasonable Care	\$2,500	Pillari Brothers Construction	10/07/2022	64 Freehold Rd, Jackson	04/24/2024
ELECTRIC	EOC2022-0244	ES26080508K	Did Not Properly Mark	\$2,500	JCP&L	10/08/2022	4480450 Indigo Ct, Marlboro	03/26/2026
ELECTRIC	EOC2022-0319	ES26080509K	Did Not Properly Mark	\$2,500	PSE&G (E)	10/10/2022	Farm Rd, Us 206, Hillsborough	05/01/2024
ELECTRIC	EOC2022-0321	ES26080510K	Did Not Properly Mark	\$2,500	PSE&G (E)	10/11/2022	10 Gallant Ln, Willingboro	07/17/2024
ELECTRIC	EOC2022-0247	ES26080511K	Did Not Properly Mark	\$2,500	JCP&L	10/25/2022	0 Schindler Dr, Brick	07/10/2024
ELECTRIC	EOC2022-0248	ES26080512K	Did Not Have a Valid Markout	\$2,500	J Schick & Sons	10/27/2022	236 Villanova Ave, Pemberton	04/24/2024
ELECTRIC	EOC2022-0335	ES26080513K	Did Not Properly Mark	\$2,500	PSE&G (E)	11/10/2022	27 Meadowrue Dr, Mount Laurel	08/09/2024
ELECTRIC	EOC2022-0254	ES26080514K	Did Not Have a Valid Markout	\$2,500	Manchester Septic and Excavation	11/14/2022	7 Victorian Hill, Manalapan	04/02/2024
ELECTRIC	EOC2022-0341	ES26080515K	Did Not Properly Mark	\$2,500	PSE&G (E)	11/21/2022	Oak Knolls, Blackwood	08/15/2025
ELECTRIC	EOC2022-0339	ES26080516K	Did Not Properly Mark	\$2,500	PSE&G (E)	11/21/2022	3 Executive Dr, Marlton	08/15/2025
Total Cases: 49 Total Penalties: \$122,000								