Dig Safely. New York

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2019 Annual Report—Supplemental Documents

Our Mission

Prevent damages to underground facilities and protect the public through education and quality communications with excavators, underground facility operators and designers in an efficient, courteous and cost-effective manner while complying with governing regulations.

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2019 Annual Meeting—Meeting Minutes

Minutes from the Annual Meeting of the Members April 10, 2019

The 49th Annual Meeting of the Members of Dig Safely New York, Inc. was called to order by President, Laurie Brown, at 9:34 am at the Embassy Suites by Hilton, Syracuse, New York on April 10, 2019.

President Brown asked the Secretary, Matthew Scorzelli, to read the Notice of the Annual Meeting. Secretary Scorzelli advised that at least 30% of the voting membership was represented, constituting a quorum under the Corporations Bylaws.

President Brown presented the proclamation signed by Governor Andrew Cuomo declaring April as Safe Digging Month. She thanked Governor Cuomo, the Public Service Commission and the Department of Public Service staff for their efforts in protecting underground facilities from damage.

President Brown introduced the Board of Directors and the staff present and asked them to stand while all the names were read. President Brown then stated there are multiple committees listed in the annual report in addition to the list of past presidents. President Brown acknowledged the new 2018 members and the sustaining members. The full list of Sustaining Members was read and can also be found on page 56 – 62 in the Annual Report.

President Brown then called for approval of the 2018 Annual Business Meeting minutes and indicated there were copies available upon request. Mike Bushart made a motion to approve the minutes. Ron Dietz made a second to the motion. A unanimous vote passed the motion.

President Brown called for a motion to accept the Treasurer's Report as presented in the Annual Report. A motion to accept the Treasurer's report was made by Richard Figaro. A second to the motion was made by Dan FitzPatrick. A unanimous vote passed the motion. President Brown then asked if there was any old business from the 2017 Annual Business Meeting and there was none. President Brown then asked if there was any new business for this year's meeting and again there was none.

President Brown then called upon Don Ayers, Chairman of the Nominating Committee to read the nominating report. Don Ayers asked all of the candidates to stand as their names were read.

Candidate	Status	Term
Joseph Limbeck, Charter/Spectrum	Non-Exempt	1-year term would expire April 2020
Don Ayers, Enterprise Products Company	Non-Exempt	3-year term would expire April 2022
Thomas Sutton, Kinder Morgan	Non-Exempt	3-year term would expire April 2022
Michael Bushart, City of Rochester, DES, Water Bureau	Exempt	3-year term would expire April 2022
William VanDame, City of Rochester Engineering	Exempt	3-year term would expire April 2022
Matt Scorzelli, Syracuse Utilities	Exempt	3-year term would expire April 2022

Upon completion of the 2019 elections, the exact number of Board of Directors will be 17, with each class or group classification set as follows:

"6" Board of Directors elected in 2020
"6" Board of Directors elected in 2021
"5" Board of Directors elected in 2022
Eleven (11) representatives from the Non-Exempt Members group
Three (3) representatives from the Exempt Participating Members group
Three (3) representatives from the Sustaining Members group

Industries Represented:

Cable TV (1)
Contractors (2)
Design/Engineers (2)
Design/Engineers (2)
Gas (2)
Gas & Electric (4)
Pipeline (3)
Telecommunications (1)
Water (2)

Leon Hacker made a motion to elect the Directors for the designated terms of office. Joe Laraso made a second to the motion. A unanimous vote passed the motion.

President Brown introduced New York State Public Service Commissioner Diane Burman.
Commissioner Burman presented to the attendees.

President Brown then called for Kevin Hopper to give his Executive Director's report. Kevin presented his Executive Director report. He awarded the Partner in Damage Prevention Award to Dan FitzPatrick with Orange and Rockland for going above and beyond in partnering with Dig Safely New York on damage prevention initiatives.

Damage Prevention Awards were presented to the following:

Damage Prevention Council	Awardee
Capital Region	Troy Rose with National Grid.
Central New York— Tom Petroff Award	Annette Wisniewski with National Grid
Hudson Valley	Lou Ingrassia with the Town of Wallkill
Mohawk Valley	Mike Wolzmuth with National Grid
Northeast	Bill Shave with Northern Supply
Southern Tier	Chet Kupiec with the Town of Union
Utility Coordinating Committee	Jon McKnight with Spectrum
Western New York	Carl Palistrant with the Town of Tonawanda

The Golden Spade Award was presented by President Brown "All of the Directors and Officers of Dig Safely New York, Inc. serve in unpaid positions. To acknowledge their support and contributions toward our goal of "damage prevention and excavation safety," we would like to recognize the following Director who has resigned since the last annual meeting." The award is presented to Jon McKnight.

The President's Award was presented by President Brown to Mike Kolceski for his insight, guidance, and dedication to the Board of Directors during the construction of the new Center for Damage Prevention.

After the presentations were made, Laurie Brown called for a resolution of support. Mike Kolceski stated "Be it resolved that all acts of the Officers and Directors of this Corporation from the date of their election until the date of this meeting be, and they hereby are, in all respects ratified, confirmed and approved." Laurie Brown then appointed Don Ayers to serve as the interim Officer of Dig Safely New York, Inc. with duties to convene at a corporate meeting at 12:15 p.m. the same day for the election of officers and the transaction of normal business. Don Ayers then thanked everyone for coming. Joe Limbeck made a motion to adjourn. Brian Loy made a second to the motion. A unanimous vote passed the motion. The meeting was adjourned at 11:15 am.

Treasurer's Report

Dig Safely New York, Inc. continued to see record high location request volume in 2019, with 577,981 location requests taken. The organization successfully ended 2019 with a net positive income for our seventh consecutive year and maintains a strong financial footing. Our revenues were 25.82% above forecast and expenses were 1.51% below forecast. The Board of Directors approved the additional expense of a new one-call platform, Exactix, set to debut in 2020.

As part of our fiduciary responsibilities, the Board of Directors and the Executive Director perform periodic reviews of the organization's investments and investment policy. The Board of Directors has adopted an investment policy that establishes acceptable levels of risk deemed appropriate for tax exempt organizations. The investment policy is expressed in terms of portfolio allocation percentages for equities, fixed income securities (bonds), cash equivalents and real estate. Dig Safely New York currently invests in conservative investment vehicles deemed appropriate. The construction of the new corporate office on Collamer Road required a mortgage from Berkshire Bank. Dig Safely maintains a very health "cash & equivalents" balance and generates adequate operating profit to comfortably service the mortgage.

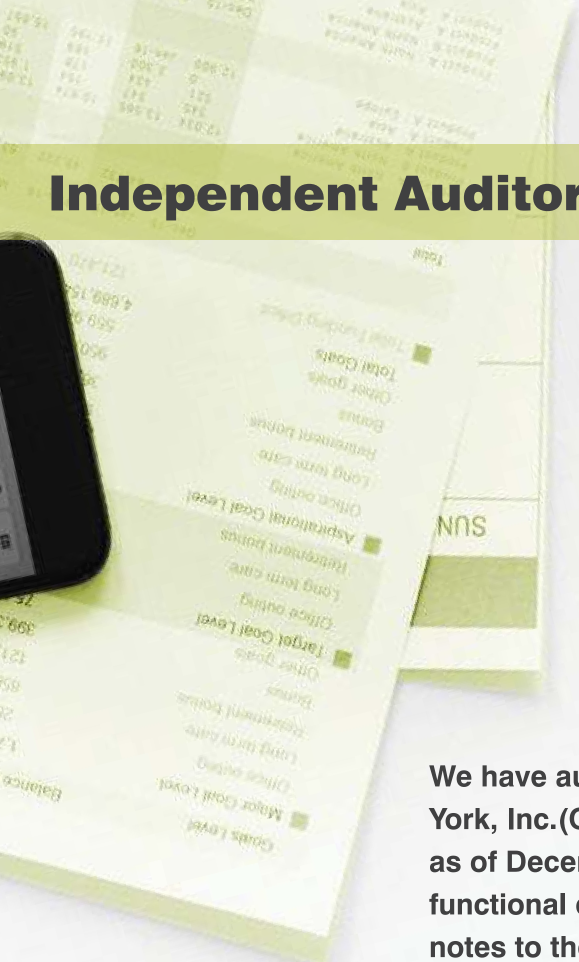
Attachments to this report include the following:

1. Independent Auditors Report Letter (Complete Auditors Report available upon request)
2. Statement of Assets
3. Liabilities and Net Assets
4. Statement of Activities

Respectfully submitted,

Michael J. Bushart

Michael J. Bushart—Treasurer



Independent Auditor's Report Letter

We have audited the accompanying financial statements of Dig Safely New York, Inc.(Organization), which comprise the statements of financial position as of December 31, 2019 and 2018, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the organization's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not

for the purpose of expressing an opinion on the effectiveness of the organization's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

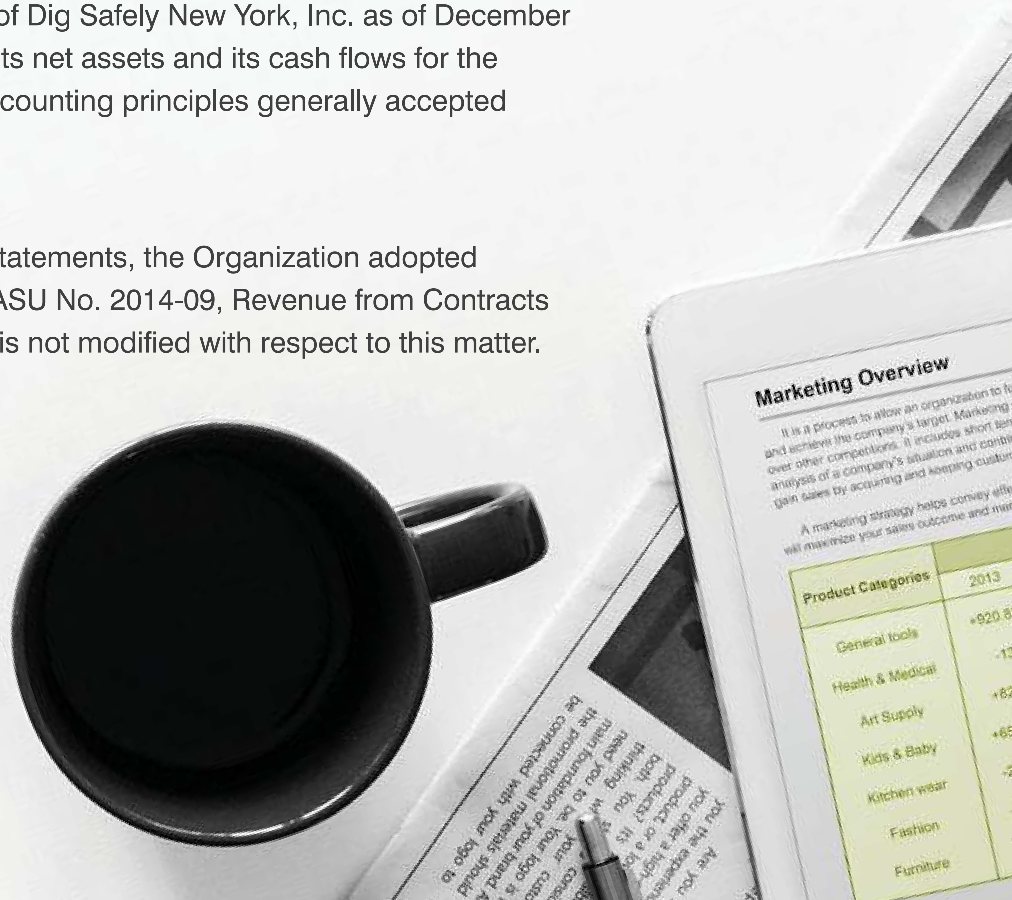
Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Dig Safely New York, Inc. as of December 31, 2019 and 2018, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Change in Accounting Principle

As described in Note B to the financial statements, the Organization adopted Financial Accounting Standards Board ASU No. 2014-09, Revenue from Contracts with Customer (Topic 606). Our opinion is not modified with respect to this matter.

Hill, Barth & King LLC
Certified Public Accountants



Statement of Financial Position

Years ended December 31, 2018 and 2019

	2018	2019
Assets		
Current Assets		
Cash and cash equivalents	$1,635,152	$2,095,112
Accounts receivable, net	$1,108,623	$769,371
Prepaid expenses	$158,149	$305,229
Total Current Assets	**$2,901,924**	**$3,169,712**
Property & Equipment		
Land	$628,675	$516,216
Buildings	$1,587,549	$7,554,997
Furniture & fixtures	$252,828	$758,507
Computers & equipment	$891,769	$431,691
Automobiles and trucks	$36,021	$66,657
Software	$448,992	$678,992
Construction in progress	$5,270,557	$0
	$9,116,391	**$10,007,060**
Less accumulated depreciation	$1,957,739	$961,800
Net Property & Equipment	**$7,158,652**	**$9,045,260**
Other Assets		
Investments—Note D	$2,260,633	$2,532,422
Deposits	$1,647	$1,647
Total Other Assets	**$2,262,280**	**$2,534,069**
Total Assets	**$12,322,856**	**$14,749,041**
Liabilities & Net Assets		
Current Liabilities		
Accounts payable	$79,419	$146,706
Insurance premium payable - NOTE F	$55,877	$0
Accrued expenses	$75,721	$101,538
Deferred revenue	$74,185	$72,173
Other liabilities - NOTE H	-	$476,932
Current portion of long-term debt - NOTE H	-	$168,323
Total Current Liabilities	**$285,202**	**$965,672**
Long-Term Debt Less Current Portion & Unamortized Debt Issuance Costs - NOTE H	$3,817,711	$4,777,055
Net Assets—Without donor restrictions		
Undesignated	$8,219,943	$9,006,314
Total Liabilities & Net Assets	**$12,322,856**	**$14,749,041**

Statement of Activities
Years ended December 31, 2018 and 2019

	2018	2019
Revenue		
Member billings and dues	$5,083,500	$5,365,965
Sponsorship & excavator seminar revenue	$253,688	$212,652
Grant revenue	$0	$100,000
Educational services	$42,639	$402,123
Miscellaneous revenue	$3,416	$0
Total Revenue	**$5,383,243**	**$6,080,740**
Expenses		
Program services	$3,000,642	$3,335,241
Management & general	$ 1,638,234	$1,815,467
Total Expenses	**$4,638,876**	**$5,150,708**
Net Operating Income	**$744,367**	**$930,032**
Non-Operating Income (Expenses)		
Gain on disposal of fixed assets	$0	$47,117
Net investment gains (losses)	$(117,265)	$234,643
Change in fair value of interest rate swap - NOTE H	$0	$(476,932)
Interest	$38,315	$51,511
Changes In Net Assets	**$665,417**	**$786,371**
Net Assets		
Beginning of year	$7,554,526	$8,219,943
End of year	$8,219,943	$9,006,314

Note F—Self-Insurance

The balance sheet includes a liability in the amount of $55,877 as of December 31, 2018 reflecting a shortage of premiums for incurred but not recorded health insurance claims, which were estimated as a result of the Organization being partially self-insured for health insurance.

Statement of Functional Expenses

Years ended December 31, 2018 and 2019

	2018			2019		
	Program Services	Management/ General	Total	Program Services	Management/ General	Total
Salaries & wages	$1,326,639	$939,027	$2,265,666	$1,321,373	$943,140	$2,264,513
Payroll taxes	$98,587	$69,781	$168,368	$94,439	$67,406	$161,845
Employee benefits	$282,077	$199,662	$481,739	$318,304	$227,192	$545,496
Advertising	$35,884	$0	$35,884	$30,345	$0	$30,345
Communication	$152,448	$25,580	$178,028	$219,665	$31,336	$251,001
Contracts & licenses	$164,705	$18,301	$183,006	$150,510	$16,723	$167,233
Contracted services	$19,026	$7,605	$26,631	$10,431	$79,413	$89,844
Depreciation	$98,072	$32,691	$130,763	$224,514	$74,838	$299,352
Insurance	$42,263	$13,644	$55,907	$44,298	$14,070	$58,368
Interest	-	-	-	$110,386	$36,795	$147,181
Miscellaneous	$11,492	$7,659	$19,151	$16,855	$11,239	$28,094
Office	$15,999	$47,998	$63,997	$23,063	$69,187	$92,250
Pension	$48,348	$33,598	$81,946	$45,039	$32,146	$77,185
Professional Development	-	-	-	$ 215	$0	$ 215
Professional fees	$30,100	$143,299	$173,399	$30,300	$124,856	$155,156
Promotional & public education	$437,633	$0	$437,633	$463,734	$0	$463,734
Provision for doubtful accounts	$10,341	$0	$10,341	$4,306	$0	$4,306
Rent	$21,265	$0	$21,265	$22,796	$0	$22,796
Repairs & maintenance (Equipment)	$46,378	$5,153	$51,531	$48,874	$5,430	$54,304
Repairs & maintenance (Facilities)	$37,630	$12,544	$50,174	$38,967	$12,989	$51,956
Seminars and meetings	$0	$41,804	$41,804	$0	$41,393	$41,393
Travel	$109,414	$35,774	$145,188	$100,883	$22,000	$122,883
Utilities	$12,341	$4,114	$16,455	$15,944	$5,314	$21,258
Total	**$3,000,642**	**$1,638,234**	**$4,638,876**	**$3,335,241**	**$1,815,467**	**$5,150,708**

Statement of Cash Flows

Years ended December 31, 2018 and 2019

	2018	2019
Cash Flows From Operating Activities		
Changes in net assets	$665,417	$786,371
Adjustments to reconcile changes in net assets to net cash provided by operating activities:		
Depreciation	$130,763	$299,352
Net realized/unrealized (gains) losses on investments	$117,265	$(234,643)
Provision for doubtful accounts	$10,341	$4,306
(Increase) decrease in accounts receivable	($174,848)	$334,946
Decrease in other receivable	$18,813	$0
(Increase) decrease in prepaid expenses	$22,642	$(147,080)
Increase in accounts payable	$12,462	$67,287
Increase (decrease) in insurance premium payable	$55,877	$(55,877)
Increase (decrease) in accrued expenses	$(710)	$25,817
Decrease in deferred revenue	$(16,362)	$(2,012)
Increase in other liabilities	$0	$476,932
Net Cash Provided by Operating Activities	**$841,660**	**$1,555,399**
Cash Flows From Investing Activities		
Purchase of property & equipment	$(5,074,260)	$(2,185,960)
Proceeds from sale of investments	$829,733	$784,859
Purchase of investments	($366,540)	$(822,005)
Net cash used in investing activities	**($4,611,067)**	**$(2,223,106)**
Cash Flows From Financing Activities		
Issuance of long-term debt	$ 3,817,711	$1,127,667
Net Cash Provided by Investing Activities	**$3,817,711**	**$1,127,667**
Net Increase in Cash & Cash Equivalents	**$48,304**	**$459,960**
Cash & Cash Equivalents		
Beginning of year	$1,586,848	$1,635,152
End of year	$1,635,152	$2,095,112
Interest Paid	**$35,677**	**$147,181**
Non-Cash Transactions		
Interest, dividends & realized gains reinvested	$125,954	$67,859
Investment fees paid	$19,619	$19,045

Total Income & Total Expenses

Last 15 years

Year	Income	Expense
2005	$2,885,902	$2,739,709
2006	$2,959,549	$2,647,117
2007	$3,152,973	$2,905,853
2008	$3,546,124	$3,055,346
2009	$2,914,804	$2,933,166
2010	$3,450,087	$3,191,547
2011	$3,455,853	$3,498,894
2012	$3,981,874	$3,770,681
2013	$4,088,661	$3,936,399
2014	$4,376,780	$4,258,435
2015	$4,695,861	$4,385,709
2016	$4,871,430	$4,170,468
2017	$5,510,068	$4,369,014
2018	$5,383,243	$4,368,876
2019	$6,080,740	$5,150,708

Balance End of Year (EOY)

Last 15 years

Year	Balance
2005	$935,905
2006	$1,303,612
2007	$1,684,979
2008	$2,434,595
2009	$2,571,500
2010	$2,900,404
2011	$2,967,419
2012	$2,203,724
2013	$2,604,159
2014	$3,065,902
2015	$2,945,629
2016	$3,725,291
2017	$4,427,939
2018	$3,895,785
2019	$4,627,534

2020 Budget

Item	
Projected Income	$4,958,475
Projected Expense	$5,569,870
Investment in Plant	$166,000
Total Expenses	$5,735,870

Amendments to By Laws

Additions are "Bold" and green within the section paragraph. A brief statement of the changes follows.

1. Meeting Notice

Article IV, Section 2(c):

If the notice is given personally, **by e-mail**, or by first class mail, it shall be given not less than ten (10) nor more than fifty (50) days before the date of the meeting; if mailed by any other class of mail, it shall be given not less than thirty (30) nor more than sixty (60) days before such date. If mailed, such notice of any annual or special meeting is given when deposited in the United States mail, with postage thereon prepaid, directed to the members at their respective addresses appearing on the record of the members of the Corporation, but notice of any and all meetings may be waived by members, in writing, orally or by attendance at the meeting

Brief statement of changes made: This amendment would add electronic mail to the list of notice methods for which the time requirements of the section, pertaining to notice of meetings of the members of the Corporation, apply. The Bylaws already allow for notices for meetings of the members of the Corporation to be given by electronic mail; this amendment would subject that method to the same timing requirements as other methods of notice.

2. Eligibility for Directors

Article VI, Section 1(a):

The Board of Directors of the Corporation shall comprise not less than fifteen (15) nor more than twenty-five (25), each of whom shall be an individual of at least eighteen years of age, of which at least two (2) but not more than seven (7) shall be representatives of Sustaining Members or Exempt Participating Members, and of which the remainder shall be representatives of Non-Exempt Participating Members. **To be a representative, the individual need not be an employee of the Sustaining Members, Exempt Participating Members, or Non-Exempt Participating Members it is representing.** The exact number of Directors, and the exact number of Directors representing each class of membership of the Corporation, shall be fixed and determined from time to time by formal action of the Non- Exempt Participating Members at each annual meeting, or in lieu thereof, at a special meeting.

Brief statement of changes made: This amendment would clarify that in order to qualify as a representative of a Sustaining Member, Exempt Participating Member, or Non-Exempt Participating Member for purposes of eligibility for the Board of Directors of the Corporation, an individual does not have to be an employee of the Sustaining Member, Exempt Participating Member, or Non-Exempt Participating Member.

3. Term of Office for Directors

Article VI, Section 1(b)(ii):

The terms of office of the Directors initially classified shall be as follows: that of the first class shall expire at the next annual meeting of members, the second class at the second succeeding annual meeting, and the third class at the third succeeding annual meeting. **Subject to Article VI, Section 2, each Director shall hold office for the term for which he or she is elected or appointed, and until his or her successor has been elected or appointed and qualified.** After such initial classification, Directors to replace those whose terms expire at each annual meeting (and whose seats have not been eliminated pursuant to Article VI, Section 1(b)(i) hereof) shall be elected or appointed at such meeting to hold office for a full term in accordance with such classification.

Brief statement of changes made: This amendment would provide that a Director of the Corporation whose term of office has expired but whose successor has not yet been chosen and qualified shall continue to serve in his or her capacity as a Director until his or her successor has been elected or appointed and qualified.

4. Qualification of Directors

Article VI, Section 1(d):

Nominations from the floor are not permitted. Written nominations for vacant Board of Directors positions shall be provided to the

Chair of the Nominating Committee before January 31st preceding the next upcoming Annual meeting. All nominations will be collected and reviewed by the Nominating Committee. Thereafter, the Committee will provide all names of nominees to the President of the Board of Directors no later than the last Board of Directors meeting preceding the next Annual meeting. **The Board of Directors shall determine if an individual is qualified to be a representative of the Sustaining Members, Exempt Participating Members, and Non-Exempt Participating Members.** The Board of Directors shall vote on which of the nominees, if any, are to be presented for a vote at the Annual meeting. If the Board of Directors decides, in its sole discretion, to alter the number of Board vacancies, it may do so by simple majority vote.

Brief statement of changes made: This amendment would make clear that the determination of whether an individual qualifies as a representative of a Sustaining Member, Exempt Participating Member, or Non-Exempt Participating Member, and thus eligible for service on the Board of Directors of the Corporation, is to be made by the Board of Directors.

5. Director Vacancies

Article VI, Section 2:

Any member of the Board of Directors may resign by delivering its written resignation to the Secretary of the Corporation or may be removed at any time by action of the voting members. In case of a vacancy in the Board of Directors through death, disability, resignation, removal or other cause, the remaining Directors may, **appoint through a majority vote** a successor who shall take office immediately and hold same until the next annual meeting of the members, at which time a successor to fill the unexpired term shall be elected by the voting members. A member of the Board of Directors may be removed by a vote of 2/3 or more of the Board of Directors for reason of cause, which shall include, but not be limited to, absence from more than 33 1/3% of the Board of Directors meetings in a calendar year, any act or omission that is prejudicial to the Corporation, any conflict of interest or any act or omission that is not in the best interest of the Corporation.

Brief statement of changes made: This amendment would clarify that the selection by the Board of Directors of the Corporation of a successor Director to fill any vacancy on the Board of Directors is to be done by election by a majority vote of the remaining Directors on the Board.

6. Duties of Directors

Article VI, Section 3:

The Board of Directors shall have the control and general management of the affairs and business of the Corporation. Such Directors shall in all cases act as a Board, regularly convened, by a majority, and they may adopt such rules and regulations for the conduct, **timing, and management** of their meetings and the management of the Corporation as they may deem appropriate and not inconsistent with these by-laws or the laws of the State of New York.

Brief statement of changes made: This amendment would state that the Board of Directors of the Corporation has the authority to adopt rules and regulations concerning the timing and management as they see fit, so long as such rules and regulations are not inconsistent with the Corporation’s bylaws or the laws of the State of New York.

7. Election of Officers

Article VIII, Section 2:

The officers shall be elected at the annual meeting of the Board of Directors and, when so elected, shall take office immediately. **Each officer shall be an individual of at least eighteen years of age, and need not be an employee of the Sustaining Members, Exempt Participating Members, or Non-Exempt Participating Members.** Subject to the right of the Board of Directors to remove an officer with or without cause, each officer shall hold office for the term for which **he or she** is elected or appointed, and until **his or her** successor has been elected or appointed and qualified. **Subject to Article VIII, Section 9, each officer's term shall expire at the next annual meeting of the Members.**

Brief statement of changes made: This amendment would make four changes to the provisions of the Bylaws concerning eligibility, elections, and terms for officers of the Corporation. First, the amendment would require that all officers be at least eighteen years of age. Second, it would specify that an officer is not required to be an employee of a Sustaining Member, an Exempt Participating Member, or a Non-Exempt Participating Member. Third, it would change some of the pronouns ("it" and "its") to make them personal ("he or she" and "his or her"). Finally, it would specify that an officer's term expires at the next annual meeting of the Members of the Corporation.

8. Other Offices and/or Positions

Article VIII, Section 9 (new):

Section 9. Vacancies.

Any officer may resign by delivering its written resignation to the Board of Directors or may be removed at any time by the Board of Directors with or without cause. In case of a vacancy through death, disability, resignation, removal or other cause, the Board of Directors may appoint, through a majority vote, a successor who shall take office immediately and hold same until the end of the next annual meeting of the Members, at which time a successor to fill the office shall be elected by the Board of Directors.

Brief statement of changes made: This amendment would add a new section to the Officers Article, titled "Vacancies." It would specify that an officer of the Corporation may resign by delivering written notice to the Board of Directors of the Corporation. An officer may also be removed at any time, with or without cause, by a majority vote of the Board of Directors of the Corporation. The new section would also allow the Board of Directors, upon a vacancy for any reason, to appoint a successor to assume office immediately and to serve until the next annual meeting of the Members of the Corporation.

NEW YORK STATE OF OPPORTUNITY. | Department of Public Service

Annual One-Call Notification System Report

Enforcement Activity for 2019

The following table shows the number of New York State Code Rule 753 (16 NYCRR Part 753) probable violations issued by the Department of Public Service, Pipeline Safety Section which occurred during the 2019 calendar year.

Violation	Citations
Failure to Notify	265
Improper Notification	10
Failure to Renotify	4
Early Commencement of Excavation	15
Failure to Maintain Mark-Outs	7
Failure to Verify Location	26
Failure to Maintain Clearance	42
Inaccurate Mark-Out	68
Other	26
Total:	**463**

The following table provides a breakdown of violations resolved in 2019, including the amount collected, and the methods by which enforcement cases were resolved.

Resolution	Cases	Amount Collected
Commission Orders	34	$100,000
Referred to Attorney General	58	$91,081
Uncontested Penalties	103	$632,500
Consent Orders	118	$146,150
Resolved Without Penalty[1]	52	-
Warning Letters	16	-
Totals:	**381**	**$969,731**

Some of the enforcement cases resolved in 2019 were based on violations issued in prior years. Likewise, some enforcement cases initiated in 2019 have not yet been resolved. Therefore, the two tables above are not based on synchronized sets of data. It's also worth noting that this data represents primarily only the Pipeline Safety Section's enforcement efforts and not that of other utility industry sectors (e.g., electric, telecommunications, etcetera).

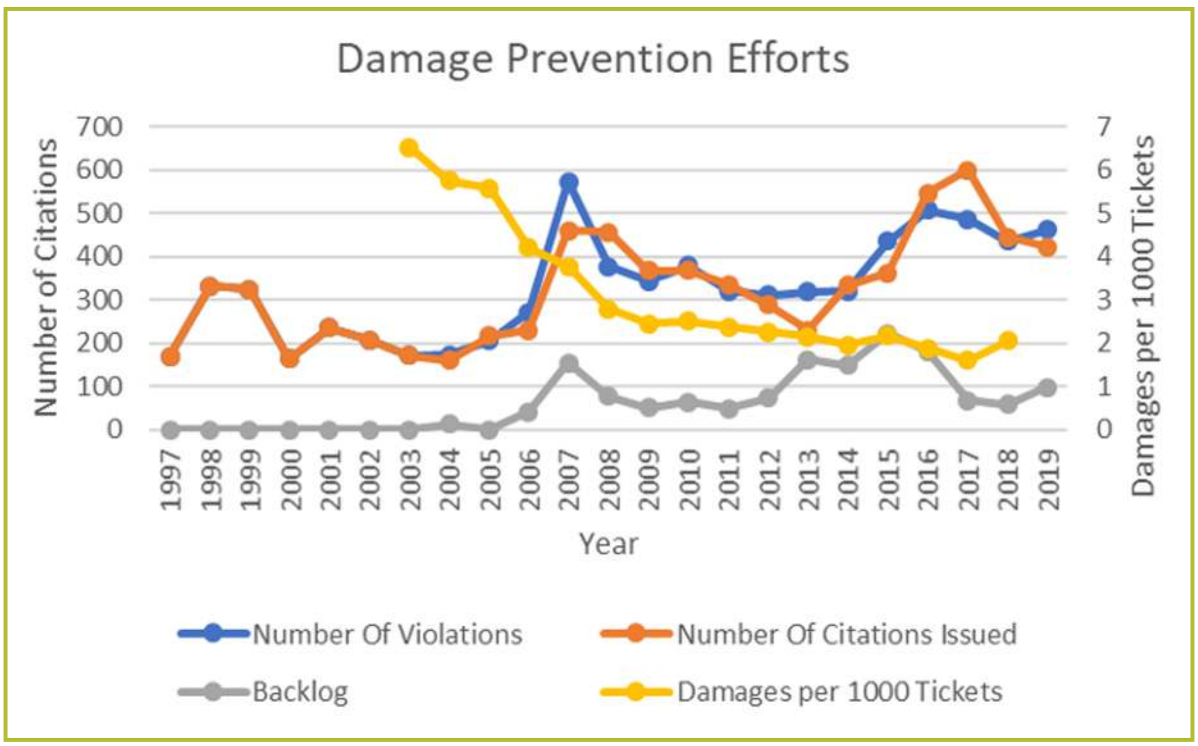
Damages per 1,000 Location Requests
Last Ten Years

The Pipeline Safety Section continued its program of working with the major natural gas local distribution companies (LDCs) whereby we initiate the enforcement process based on information they provide on damages caused by lack of a one-call notice. This accounts for the high percentage of violations having been issued for failure to notify, as indicated above.

We believe that this enforcement activity, in conjunction with the numerous other activities undertaken by the one-call systems and LDCs, continue to have a positive effect in reducing damages to underground natural gas facilities. Since 2003, the Pipeline Safety Section has been tracking a state-wide metric for damages per 1,000 one-call tickets of the LDCs under Public Service Commission jurisdiction. The results for the past 12 years are shown in the chart on the right.

Year	Damage per 1,000
2007	3.78
2008	2.80
2009	2.46
2010	2.51
2011	2.38
2012	2.26
2013	2.15
2014	1.96
2015	2.18
2016	1.89
2017	1.60
2018[2]	2.05

The chart below depicts enforcement actions taken by the New York State Public Service Commission since it took over enforcement of the Protection of Underground Facilities law. The chart displays the number of violations occurring in a given year, the number of citations issued in a given year, the backlog of citations requiring review, as well as the trend line of damages to natural gas pipeline facilities per 1,000 notifications since 2003. The spike in 2007 was due to the initiation of voluntary reporting by LDCs of no-call damages to natural gas pipelines.



[2] The data for calendar year 2019 is not yet available.

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