



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD  
EXECUTIVE COMMITTEE  
Meeting on January 9, 2024**

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**MINUTES**

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The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:03 a.m. at the Tennessee Public Utility Commission, 502 Deaderick Street, Ground Floor Conference Room, Nashville, TN, 37243.

**Executive Committee Members Present:**

Kevin Tubberville- Chairman  
Wayne Hastings- Vice Chairman (via phone)  
Eddie Hood  
Bob Pitts  
Steve Raper

**TPUC Staff Present:**

Aaron Conklin, Legal Advisor to the TPUC staff  
Ryan McGehee, Legal Advisor to the TUUDEB  
Brittany Shaw  
Slayde Warren  
Stacy Balthrop

**Tennessee 811 Present:**

Craig Ingram  
Bill Turner

**Roll Call & Minutes:**

Roll call confirmed Chairman Kevin Tubberville, Vice Chairman Wayne Hastings (via phone), Mr. Eddie Hood, Mr. Steve Raper, and Mr. Bob Pitts as present, making a quorum. The Committee considered the Minutes from the December 19, 2023, meeting. Mr. Pitts motioned to approve the Minutes which were seconded and approved.

**Presentation of Investigation of Complaints:**

The Committee heard and ruled on the following complaints:

**EB23-0268-**

**Alleged Violator:** Google Fiber  
**Alleged Excavator:** Unknown  
**Complainant:** Destination Healthcare Safety Services  
**Facility Type:** Water  
**Equipment:** N/A  
**Root Cause:** Failure to use reasonable care in the tolerance/safety zone  
**Finding:** No violation.

**EB23-0297-**

**Alleged Violator:** Angel Tizapa  
**Alleged Excavator:** Angel Tizapa  
**Complainant:** Horton Highway Utility District  
**Facility Type:** Gas  
**Equipment:** Auger  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing.  
**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing and Angel Tizapa ordered to attend compliance training.

**EB23-0299-**

**Alleged Violator:** American Exscapes, LLC  
**Alleged Excavator:** Christopher Stokes  
**Complainant:** Horton Highway Utility District  
**Facility Type:** Gas  
**Equipment:** Mini-Excavator  
**Root Cause:** No-notification to TN One-call/811 prior to excavating/demolishing.  
**Finding:** In violation for no-notification to One-Call/TN 811, it is a subsequent violation, and a civil penalty of \$5,000 assessed.

**EB23-0300**

**Alleged Violator:** Lenoir City Utilities  
**Alleged Excavator:** Lee Strunk  
**Complainant:** All Seasons Lawn Care  
**Facility Type:** Electric  
**Equipment:** Backhoe-Trackhoe  
**Root Cause:** Facilities not marked or located  
**Finding:** No violation

**EB23-0303-**

**Alleged Violator:** J&G Trucking Excavating and Hauling  
**Alleged Excavator:** Favian Castellanos  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Grader-Scraper  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing.  
**Finding:** In violation for no notification to One-Call/TN 811 prior to excavating/demolishing and Favian Castellanos ordered to attend compliance training.

**EB23-0312-**

**Alleged Violator:** Fort Loudon Electric  
**Alleged Excavator:** Fort Loudon Electric  
**Complainant:** Homeowner  
**Facility Type:** Water  
**Equipment:** N/A  
**Root Cause:** No Notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** No violation

**EB23-0314-**

**Alleged Violator:** Daniel Moore, Property Owner  
**Alleged Excavator:** Daniel Moore  
**Complainant:** Powell Clinch Utility District  
**Facility Type:** Gas  
**Equipment:** Backhoe-Trackhoe  
**Root Cause:** Warning letter.

**EB23-0321-**

**Alleged Violator:** Clark Enterprises  
**Alleged Excavator:** Phillip Rutter  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Mini-Excavator  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing and Phillip Rutter and Elmer Clark Jr. ordered to attend compliance training.

**EB23-0334-**

**Alleged Violator:** Git-R-Gone  
**Alleged Excavator:** Steve Smith  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Water  
**Equipment:** Trackhoe  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing and Steve Smith ordered to attend compliance training.

**EB23-0339-**

**Alleged Violator:** White Construction Company  
**Alleged Excavator:** Unknown  
**Complainant:** Water Maintenance Department-City of Kingsport  
**Facility Type:** Water  
**Equipment:** Auger  
**Root Cause:** No notification to TN One-Call/811 prior to excavating/demolishing  
**Finding:** In violation for no notification to TN One-Call/811 prior to excavating/demolishing.

There were no items on the consent agenda for this meeting.

### **Discussion of Future Topics for the Next Executive Committee Meeting**

The Tennessee 811 training program update and staff updates were reserved for the Board meeting. No public comment was made during the public comment period. The Executive Committee meeting adjourned at 10:20 a.m.