

June 12, 2024

A. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, NC 27699-4300

RE: Underground Damage Prevention Review Board Case No. 613/NCUC Docket No. M-100 Sub 260

Dear Ms. Dunston:

Pursuant to G.S. 87-129(b1), this letter serves as notice that the Underground Damage Prevention Review Board (the Board) has made a final determination and recommended a penalty in the above captioned case.

On January 25, 2024, a report of alleged violation of Article 8A, Chapter 87 was filed with the Board, which was assigned Review Board Case No. 613 and has been assigned NCUC Docket No. M-100 Sub 260. After review of the report of alleged violation the Board determined that Brightspeed violated the provisions of Article 8A with respect to facility operator responsibilities to provide required information to excavator within required time and that it is appropriate to require Brightspeed to pay a civil penalty in the amount of \$2,500. The Board notified Brightspeed of its determination and the Board's recommended action or penalty on May 1, 2024. The time period to request a hearing before the Board expired June 1, 2024; therefore, this recommendation is the Board's final decision in this case.

Based upon the foregoing and the record in this case, the Board respectfully requests that the Commission issue an order imposing the recommended penalty.

Sincerely,

Jacob Joplin, Chair  
Underground Damage Prevention Review  
Board