COMMISSIONERS:
JASON SHAW, Chairman
TIM G. ECHOLS, Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
TRICIA PRIDEMORE

FILED
DEC 22 2023
EXECUTIVE SECRETARY
G.P.S.C



REECE McALISTER
EXECUTIVE DIRECTOR

SALLIE TANNER
EXECUTIVE SECRETARY

Georgia Public Service Commission

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244 WASHINGTON STREET, SW
ATLANTA, GEORGIA 30334-5701

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MAILED
12-27-23

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN THE MATTER OF:

GUFPA CASE NO. PSC 20-20879

DOCKET NO. 43859

CASE CLOSED

DOCKET# 43859
DOCUMENT# 216882

Atlanta Bobcat & Construction Services, Inc.,
Respondent

FINAL ORDER

The Georgia Public Service Commission ("Commission") issues this Order to accept the Consent Agreement agreed to by Atlanta Bobcat & Construction Services, Inc., ("Respondent"), on November 27, 2023. A copy of the Consent Agreement is attached hereto as Attachment A.

FINDINGS AND CONCLUSIONS

1.

All Findings and Conclusions contained within the attached Consent Agreement are incorporated herein by reference.

2.

The Commission has reviewed the terms of the Consent Agreement and finds that it is a reasonable and appropriate resolution of the allegations against Respondent.

ORDERING PARAGRAPHS

WHEREFORE IT IS ORDERED, that all findings of fact and conclusions of law contained within the preceding sections of this Order and/or as incorporated therein by reference, are hereby adopted as the findings and conclusions of this Commission;

ORDERED FURTHER, that the Commission hereby accepts and adopts the Consent Agreement attached as "Attachment 'A'" and executed by Atlanta Bobcat & Construction Services, Inc. on November 27, 2023. Nothing in this order shall resolve or prejudge any complaint or complaints against any other person involved in the matters from which this action arises;

ORDERED FURTHER, that Respondent shall abide by the terms of the Consent Agreement.

ORDERED FURTHER, that Respondent shall pay to the Commission, ***in certified funds***, a civil penalty of $10,000.00 within thirty (30) days from the date of this Order. Respondent may mitigate $10,000.00 of the above assessed civil penalty by attending Commission approved training, and shall pay remaining civil penalty of $0.00, ***in certified funds***, within thirty (30) days from the date of this Order. Proof that such training has been accomplished shall be furnished to the Commission within forty-five (45) days from the date of this Order.

ORDERED FURTHER, that failure to comply with the terms of this Order or the Consent Agreement could subject Respondent to further penalties under O.C.G.A. § 46-2-91.

ORDERED FURTHER, that a motion for reconsideration, rehearing, oral argument, or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission; and

ORDERED FURTHER, that jurisdiction over this matter is expressly retained for the purpose of entering such further Order or Orders as this Commission may deem just and proper.

The above action of the Commission in Administrative Session on December 9, 2023.

Sallie Tanner
Executive Secretary

12-22-23
Date

Jason Shaw
Chairman

12-22-23
Date

COMMISSIONERS:

JASON SHAW, Chairman
TIM G. ECHOLS, Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
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BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION

IN THE MATTER OF:	)	**CASE CLOSED**
	)	
Atlanta Bobcat & Construction Services, Inc.,	)	DOCKET NO. 43859
RESPONDENTS	)	(PSC Case No. 20-20879)
	)	

CERTIFICATE OF SERVICE

I hereby certify that this Commission Order was filed with the Commission's Executive Secretary and a copy of same was served upon all parties and persons listed below via hand delivery as indicated by an asterisk, or by depositing same in the United States mail.

*Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

Atlanta Bobcat & Construction Services, Inc.
Attn: Veronica Mena
6798 Valley Bluff Dr
Atlanta, GA 30334

Veronica Mena, registered agent c/o
Atlanta Bobcat & Construction Services, Inc.
270 Lake Drive
Doraville, GA 30340

Respectfully Submitted this 27th day of December, 2023:

Maritza Rivera, Admin. Assistant
Facilities Protection Unit
Georgia Public Service Commission
244 Washington St. Ste. 112
Atlanta, GA 30334

20-20879

Docket 43859

This Consent Agreement shall not become effective until and unless approved by the Commission. Respondent(s) enter into this Consent Agreement without admission of fault or liability.

II.

The undersigned authorized representative of the Respondent(s) acknowledges that he/she has read this Consent Agreement and understands its contents. The undersigned representative acknowledges that the undersigned party freely, knowingly and voluntarily enters into this agreement. The undersigned representative hereby consents to the resolution of this proceeding as provided herein.

This 22 day of NOVEMBER, 2023

Consented to:
(Sign with and mail original to)

On behalf of: Allada Bobcat & Construction Services, Inc.

RECEIVED
NOV 30 REC'D
2023
GUFPA UNIT
GPSC

PSC 20-20879 "GUFPA" Questionnaire
PSC 20-20879, Docket No. 43859

Please answer all questions in a written statement and include your cause number on each page.

1. Name of entity (corporation, corporation, sole proprietor, etc.) submitting this information?

2. Name of person submitting this information and title or position in the company or corporation?

3. Is this business incorporated? If incorporated, how so (corporation or limited liability)? In what state? Name and full address of the corporation's Registered Agent? If not incorporated, how is the business organized (i.e. partnership, sole proprietor, DBA, or other)? Name and full address of the business's highest ranking official (i.e. president or chief executive officer)?

4. Was a locate request made into Georgia 811 Utilities Protection Center prior to beginning excavation? If so, when and by whom? Provide the ticket number and the name of the company requesting the locate? Expiration of ticket? Extension date of ticket? Provide name of party performing the excavation if different from ticket holder? Please provide a copy of all locate tickets associated with this excavation.

5. Were any other contractor (i.e. primary or subcontractor) involved? If subcontractor involved, is there a signed contractor agreement in place? If subcontractor involved, is there a signed contract allowing one party to work under the locate ticket of another? Please provide a copy of contracts associated with this excavation.

6. Were you working under an emergency locate request? If so, Please describe in detail what qualifies this as an emergency situation and describe what actions you took to perform your excavation with reasonable care in order to prevent damage to the underground facilities.

Respondent: Atlanta Bobcat & Construction Services, Inc.
Docket #: [illegible]
Case #: PSO 09-0078

Respondent may Choose from ONE of the following OPTIONS to dispose of this case:

OPTION 1 – I Disagree and Want to attend GUFPAAC: If you disagree with the probable violation(s) alleged you may request to appear and have your case heard before the Georgia Utility Facility Act Advisory Committee ("GUFPAAC"), a committee of industry representatives and peers. Please dispute same by submitting a detailed written response and return it along with all supporting evidence (pictures, diagrams, sketches, witness statements and any other documentation to be used in support of your position) and sign/return the below statement within thirty (30) days of this NOPV:

I hereby request the opportunity to present my case to the GUFPAAC and I certify under the penalty of perjury that the response(s) and information provided regarding the above mentioned probable violation(s) are true and correct to the best of my knowledge.

Authorized Representative of Respondent Date

**Upon receipt of your signature above, your detailed written response and all supporting evidence, your case will be scheduled to be heard by the GUFPAAC and you will be notified by mail of the date of the GUFPAAC meeting.

OPTION 2 – I Disagree and want a Hearing before the Hearing Officer: If you disagree with the probable violation(s) alleged, please respond by submitting a detailed, written response along with all supporting evidence (pictures, diagrams, maps, witness statements and any other documentation to be used in support of your position) within 30 days of receipt of this letter. If you need more time to gather your information, you must contact the GUFPA staff to request additional time. Note: The information you provide will be used to investigate and close the case. It will assist the investigator in his/her investigation to arrive at a more informed conclusion. If at the point you still disagree with the findings of the investigator, your case will be heard by a Commission hearing officer.

** Sign below only if you are choosing Option 2 **

I certify under the penalty of perjury that the response(s) and information provided regarding the above mentioned probable violation(s) are true and correct to the best of my knowledge.

Authorized Representative of Respondent Date

OPTION 3 – I Agree and Want to Pay the Proposed Civil Penalty and attend Training: If you agree with the alleged probable violation(s) please complete, sign and return the Consent Agreement provided for in this package. A minimum of five (5) employees of your company shall attend Commission approved damage prevention training. You must pay the recommended mitigated civil penalty of $0.00. Staff must receive the signed Consent Agreement and the "Response" page indicating your decision, and the mitigated penalty amount by certified check or money order within 30 days of receipt of this letter.

PLEASE NOTE: Georgia Law requires that ALL information requested by OPTION 1 and OPTION 2 be provided upon Staff's request. O.C.G.A. 46-3-110.99, 46-3-120 and 25-9-1 et seq.). Failure to respond and/or comply with these requests for information as set forth herein may result in the loss of one or more of the OPTIONS presented.

OPTION 4 – I Agree and Want to Pay the Full Civil Penalty: If you agree with the alleged probable violation(s) please complete, sign and return the Consent Agreement provided for in this package and pay the full recommended civil penalty of $ 10,000.00. Staff must receive the signed Consent Agreement within thirty (30) days of the NOPV. THIS OPTION DOES NOT REQUIRE TRAINING.

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

MICHELLE THOMAS
FACILITIES PROTECTION
DIRECTOR

RECEIVED
NOV 30 REC'D
GUFPA UNIT
GPSC

Docket 43859