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April 15, 2024

DOCKET# 45147
DOCUMENT# 218354

Hargray of Georgia, LLC.
dba Clearwave Fiber
1375 Chatham Parkway
Savannah, GA 31405

DOCKET NO: 45147
Case No: PSC 24-26375

Attention: Nevine White

On March 21, 2024, a Notice of Probable Violation ("NOPV") of the Georgia Underground Facilities Protection Act ("GUFPA" or "the Act") was filed with the Georgia Public Service Commission Pipeline/Facility Safety Office ("Staff") naming Hargray as the probable violator ("Respondent"). The probable violation alleged is for failure to comply with section 25-9-7-(a)(1) of the Act:

> Failure of a facility owner to determine whether underground facilities are present on the land upon which blasting or excavating is to occur prior to 7:00 a.m. on the effective date, or calendar day on which blasting or excavating is anticipated to begin.

Staff recommended a civil penalty of $807,000.00 and required an affirmative written response to a Consent Agreement or a request for a hearing before the Advisory Committee within 30 days of the date of the notice.

Staff has granted an extension to allow an additional **60** days from the original due date of the response (90 days from the date of the NOPV) for the Respondent to provide an affirmative written response or request a hearing. Failure to respond either by executing the provided Consent Agreement or requesting a hearing will result in the issuance of a Rule NISI to be heard before the Georgia Public Service Commission ("Commission").

Staff has also attached an electronic copy of the 1614 late locate requests mentioned in the March 21th Notice of Probable violation.

Thank you,

Michelle Thebert
Director, Facilities Protection Unit
Georgia Public Service Commission

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN RE: **Hargray of Georgia, LLC.**	)	**DOCKET NO. 45147**

CERTIFICATE OF SERVICE

I hereby certify that the *Notice of Extension* in Docket No. 45147 was filed with the Commission's Executive Secretary and a copy of same was served upon all parties and persons listed below via electronic mail as indicated by an asterisk. I further certify that the Hargray of Georgia, *LLC.* was served a hard copy of the above-stated document by United States Mail.

*Sallie Tanner, Executive Secretary
Georgia Public Service Commission
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stanner@psc.ga.gov
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*Nevine White, SVP Finance and Administration
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Respectfully Submitted this 18th day of April 2024:

Cathy Nesbitt, Administrative Assistant
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