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

FILED
MAY 0 1 2025
EXECUTIVE SECRETARY
GPSC

REECE McALISTER
EXECUTIVE DIRECTOR

SALLIE TANNER
EXECUTIVE SECRETARY

Georgia Public Service Commission

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ATLANTA, GEORGIA 30334-5701

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BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN THE MATTER OF:

GUFPA CASE NO. PSC 25-26906

DOCKET NO. 56129 **CASE CLOSED**

Ballew Contracting, Inc.,
Respondent

DOCKET# 56129
DOCUMENT# 222460
MAILED
5.1.2025

FINAL ORDER

The Georgia Public Service Commission ("Commission") issues this Order to accept the Consent Agreement agreed to by Ballew Contracting, Inc., ("Respondent"), on March 19, 2025. 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 Ballew Contracting, Inc. on March

19, 2025. 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 $5,000.00 within thirty (30) days from the date of this Order. Respondent may mitigate $5,000.00 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 April 15, 2025.

Sallie Tanner
Executive Secretary

5-1-25
Date

Jason Shaw
Chairman

5-1-25
Date

COMMISSIONERS:

JASON SHAW, Chairman
TIM G. ECHOLS, Vice-Chairman
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BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION

IN THE MATTER OF:	)	
	)	
Ballew Contracting, Inc.,	)	DOCKET NO. 56129
RESPONDENTS	)	(PSC Case No. 25-26906)
	)	

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

Ballew Contracting, Inc.
Attn: Brad Ballew
775 Seaboard Drive, Suite 608
Dallas, GA 30157

Lisa Allen, CPA, registered agent c/o
Ballew Contracting, Inc
5041 Dallas Highway, Suite 610
Powder Springs, GA 30127

Respectfully Submitted this 1st day of May, 2025:

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

If Respondent(s) choose training in lieu of paying $5,000.00 of the penalty described above, Respondent(s) agree to promptly complete a training program acceptable to the Commission, ***minimum of one (Mr. Brad Ballew) required to attend training***. **The respondent will be responsible for completing the training class and submitting the remaining $0.00 penalty in certified funds or cashier's check to the Georgia Public Service Commission.**

5.

Respondent(s) understands that all payments will be processed upon receipt. However, this does not release the Respondent of the terms of this agreement.

6.

Respondent(s) understands that failure to comply with the terms of this Consent Agreement could subject each to additional penalties.

7.

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.

8.

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 19 day of March 20 25

Consented to:
(*Sign, date, and mail, email, or fax*)

KRISTA DAUGHTRIDGE NOTARY PUBLIC STATE OF GEORGIA COMM. EXP. 9/28/2026 PAULDING COUNTY, GEORGIA

On behalf of: Ballew Contracting, Inc.

RECEIVED
MAR 26 2025
GUFPA UNIT
GPSC

PSC 25-26906 **REVISED**

PSC 25-26906, Docket No. 56129

"GUFPA" Questionnaire

PSC 25-26906, Docket No. 56129

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

1. Name of entity (company, corporation, municipality, 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, "D/B/A" or other)? Name and full address of the businesses highest ranking official (i.e. president or chief executive officer)?

4. Was a locate request made with **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/party requesting the locate? Legal date of ticket? Expiration 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.

stakeholders and peers. Please dispute same by submitting a detailed written response and return it along with all supporting evidence (pictures, diagrams, maps, 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 afore-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 this GUFPAAC meeting.**

☐ **OPTION 2 – I Disagree and want a Hearing before the Hearing Officer:** If you disagree with the probable violation(s) alleged, please dispute 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 not 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 afore-mentioned probable violation(s) are true and correct to the best of my knowledge.

RECEIVED
MAR 26 2025
GUFPA UNIT
GPSC

Authorized Representative of Respondent _____ Date _____

☐ **OPTION 3 – I Agree and Wish to Pay the Mitigated 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 one (Mr. Brad Ballew)** 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 this **"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 in OPTION 1 and OPTION 2 be provided upon Staff's request. (O.C.G.A. §§ 24-10-26, 46-2-20 and 25-9-1 *et. seq.*). Failure to respond and/or comply with these requests for information in the 30 days provided for shall result in the loss of one or more of the **OPTIONS** presented.

☐ **OPTION 4 – I Agree and Wish 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 **$5,000.00**. Staff must receive the **signed Consent Agreement** within **thirty (30) days** of this NOPV. THIS OPTION DOES NOT REQUIRE TRAINING.

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

EXECUTIVE DIRECTOR
MICHELLE THEBERT
FACILITIES PROTECTION
UNIT DIRECTOR

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DAMAGE REPORT (PROBABLE VIOLATION) – PSC 25-26906

INCIDENT INFORMATION

INCIDENT DATE:	11/5/2024	MATERIAL TYPE:	Plastic
FACILITY TYPE:	Gas	SIZE:	1/2-Inch
INCIDENT ADDRESS:	4744 Fowler Street, Acworth		
UTILITY LINE FUNCTION:	Service		
MECHANIZED EQPT.:	Backhoe/Trackhoe		

LOCATE INFORMATION

LOCATE COMPANY NAME:	Stake Center Locating
LOCATE NUMBER:	241031-002441