



Ontario One Call
104 Cooper Dr., Suite 1,
Guelph, ON
N1C 1C3

October 15, 2020

Dear Mr. Hamilton,

Thank you for the opportunity to comment on proposed by-law changes. Following are comments from Utilities Kingston:

1. For transparency, Utilities Kingston would like to see Ontario One Call make a summary of responses available to members, following the consultation process, but before the meeting on November 5.
2. Section 12.02 of the by-law outlines the layout of the Board of Directors. We believe the non-members of the Board should include an industry representative in damage prevention, such as the ORCGA or other similar group, that is looking at damage prevention as a whole.
3. As you are reviewing changes to the by-law, we believe that Schedule 2, Section 13 should also be looked at. Although we agree that no one should use emergency locates unless they are bona fide, this statement places enforcement standards on members that are not placed on excavators, creating an unfair situation. We suggest this should be removed, and that excavators and members should be treated consistently.
4. Under Section 28 of Schedule 2, Utilities Kingston, as an excavator and locate provider, is concerned that a cap of \$10,000 AMA will not have a significant enough impact on a member to encourage changes in procedures. We suggest this AMA should be more reflective of a penalty that would encourage change.
5. With the removal of Schedule 4, Section 7, the concept of best practices is also removed. We believe that it is important to add best practices as a baseline of compliance back into a document. My suggestion is to add this into the Late Locate Policy, as an aid to determine the criteria for 'reasonable'.
6. Utilities Kingston has concerns about the Late Locate Policy as it has a significant implication on owners and locate providers. Specifically:
 - a. We are concerned that 3 and 4 in the principles are subjective and do not include any measurable definition.
 - b. Regarding the sentence that outlines locates that can "reasonably" be excused, we suggest that criteria for "reasonably" should be indentified, so that an employee, an owner or locate provider can determine what is reasonable.
7. Regarding the changes related to investigations and compliance, we suggest that you outline what classifies a valid locate and define the criteria that would create a valid locate. This could perhaps be incorporated in the schedule or into the Late Locate Policy. In the US, the requirement to white line an area is included in legislation.

Outlining the excavation area often leads to quicker response times. Utilities Kingston believes this should be incorporated into the requirements for a locate and entail part of the needed definition.

8. Utilities Kingston supports expanding damage reporting to all members. It was indicated that the reporting would only be to the top 20 companies. I wonder if you might miss important information or not see a full picture by eliminating small companies.
9. Finally, we are concerned that the amount of time allowed for comments on these proposed changes is very short to allow for fulsome and meaningful responses.

Thank you for the opportunity to comment. I look forward to seeing a summary of comments from other members.

Regards,

A handwritten signature in black ink, appearing to read 'K. Santucci', with a period at the end.

Karen Santucci, CRSP
Manager Service and Gas Operations
Utilities Kingston

cc: Nancy Taylor, Board of Directors, Ontario One Call