

Resolution Supporting Legislation (H.R. 431 and S. 164) to Establish a Model One-Call Notification System for Consideration by the States

WHEREAS, State one call notification systems have proven to be important elements in efforts to reduce or prevent natural gas explosions caused by third party excavation damage and, thereby, reduce or prevent harm to the public associated with such explosions; *and*

WHEREAS, Some form of one call notification system has been or is currently in the process of being developed in 47 of the 50 United States; *and*

WHEREAS, For States that have developed or are currently in the process of developing one call notification systems, 26 States have mandatory one call notification systems, of which 11 are mandatory for all excavators; *and*

WHEREAS, The natural gas explosion caused by a third party excavation in Edison, New Jersey, on March 27, 1994, resulting in the death of one individual and the displacement of hundreds more, signifies the importance of establishing and enforcing through appropriate State enforcement agencies mandatory one call notification systems; *and*

WHEREAS, On January 5, 1995, Rep. Frank Pallone (D-NJ) and Senator Bill Bradley (D-NJ) introduced H.R. 431 and S. 164 respectively, both of which are entitled the Comprehensive One-Call Notification Act of 1995, to establish a model one call notification program for consideration and/or adoption by the individual States; *and*

WHEREAS, The aforementioned bills do not mandate States to adopt the one call notification system prescribed in the legislation, but rather require States to consider whether adopting the prescribed one call notification system is appropriate, and authorizes \$4 million to be distributed in the form of grants to States or operators who elect to adopt the elements included in the prescribed one call notification system when developing, modifying, or improving new or existing one call notification programs; *and*

WHEREAS, The aforementioned bills are nearly identical to legislation (H.R. 4394) which passed overwhelmingly in the House of Representatives during the 103rd Congress, but not given final approval prior to the adjournment of the 103rd Congress; *and*

WHEREAS, A considerable amount of time and effort has been dedicated by members of Congress, congressional staff, stakeholders, various associations and other interested parties toward crafting a reasonable compromise version of legislation to establish a one call notification system, which ultimately resulted in the passage of H.R. 4394 by the House of Representatives prior to the adjournment of the 103rd Congress; *now, therefore, be it*

RESOLVED, That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), convened at its 1995 Winter Meeting in Washington, D.C., urges Congress to expedite passage of H.R. 431 and S. 164 during the 104th Congress without significant alterations to the legislation as introduced.

Sponsored by the Committee on Gas
Adopted March 1, 1995