

**Resolution on
Underground Cable Damage Prevention**

WHEREAS, Various organizations such as the FCC's Network Reliability Council (NRC), U.S. Congressional General Accounting Office and other segments of the industry have taken steps to examine factors contributing to damage of underground telecommunications facilities; and

WHEREAS, The NRC identified fiber cable cuts as a dominant factor in telecommunications outages; and

WHEREAS, The Cable Focus Study Group of the NRC (comprised of representatives from BELLCORE, NASUCA, LECs, and IXC's) identified the lack of notification prior to excavation as a dominant factor in cable outages; and

WHEREAS, The assessment of call-before-you-dig legislation, conducted by the Cable Focus Study Group of the NRC, revealed "that the laws are inconsistent across the country and seem to lack depth of enforcement and penalties required to deter excavators from digging without providing notification; and

WHEREAS, The Cable Focus Study Group of the NRC recommended that effective legislation must include the following two key points:

- 1) That any person or entity excavating on utility rights-of-way must notify all underground utility owners at least two days prior to the time excavating work commences, and
- 2) That any person who negligently causes damage to underground facilities is responsible for all costs of emergency restoration and repair work needed to return the facility to its operational condition prior to excavation, now therefore, be it

RESOLVED, That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), assembled at its July, 1993 Summer Meetings in San Francisco, California, supports the policy goal of preventing telecommunications cable dig-ups through more enforcement, expanded enactment, and/or revision of underground facility damage prevention laws; and be it further

RESOLVED, That the NARUC encourages states to evaluate existing legislation and commission rules and assign such responsibilities, liabilities and other obligations equitably, in a manner that furthers the prevention of cable dig-ups.

Sponsored by the Committee on Communications
Adopted July 28, 1993
Reported NARUC Bulletin, No. 32-1993, p. 8.