

**PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA**

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PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA

Docket No. 21-01028

March 7, 2022

Explanation - Matter in ***bold underline italic*** is new; matter in brackets ~~[omitted material]~~ is material to be omitted

Chapter 455 of NAC is hereby amended by adding thereto the provisions set forth as sections 1 and 2 of this regulation.

Section. 1. The association for operators shall send an electronic notification to the excavator immediately upon receiving notification from all operators pursuant to NAC 455.125(3).

Sec. 2. The association for operators shall compile any report requested by the Regulatory Operations Staff regarding the information provided by operators and excavators pursuant to NAC Chapter 455.

Sec. 3. NAC 455.125 is hereby amended to read as follows:

1. An operator locating and identifying subsurface installations pursuant to the provisions of paragraph (a) of subsection 1 of NRS 455.130 shall locate and identify all subsurface installations of the operator that are in use or held for prospective use and are located within the affected area of the proposed excavation or demolition and shall:

(a) Mark the approximate location of the subsurface installations located and identified as required by NRS 455.133 and NAC 455.130 or in another manner agreed to in writing between the excavator and the operator; or

(b) For any subsurface installations of the operator that the operator was unable to identify or locate according to the records of the operator:

(1) Inform the excavator of the approximate location of the subsurface installation; and

(2) Provide to the excavator the best description available of the subsurface installation from those records.

2. If an operator determines that it has no subsurface installations within the affected area of the proposed excavation or demolition, the operator shall notify the excavator pursuant to the provisions of subsection 2 of NRS 455.130 by:

(a) Notifying the excavator directly; or

(b) Making a mark which indicates that the operator has no subsurface installations within the affected area of the proposed excavation or demolition in a manner that:

(1) Is consistent with the practice in the industry; or

(2) Includes the name, initials, or logo of the operator.

3. Upon completion of subsections 1 or 2, an operator shall immediately notify the association for operators that the duties are completed or in progress to be completed within a time mutually agreed upon by the operator and the excavator.

Sec. 4. NAC 455.145 is hereby amended to read as follows:

1. Except when commencing an emergency excavation as provided in the provisions of subsection 2 of NRS 455.110, an excavator:

(a) Shall not commence an excavation or demolition:

(1) Until each operator of a subsurface installation within the affected area of the proposed excavation or demolition has marked the location or has provided the approximate location of the subsurface installations of the operator pursuant to the provisions of NAC 455.125; ~~and~~

~~(2) Before:~~

~~(1) The date and time the excavator identified as the date and time of commencement of the excavation or demolition; and~~

~~(H) Two working days after the date and time the excavator provided notification to the association for operators.]~~

(b) To ensure that all subsurface installations in the affected area have been properly located and identified, shall not commence an excavation or demolition until the excavator has reviewed:

(1) All marks made by operators pursuant to the provisions of NAC 455.125;

(2) All marks made by the excavator pursuant to the provisions of NAC 455.115;

(3) All other information regarding subsurface installations provided to the excavator by an operator with subsurface installations in the affected area of the proposed excavation or demolition; mil

(4) All other evidence that is visible of the approximate location of subsurface installations in the affected area of the proposed excavation or demolition, and

(5) The electronic notification sent by the association for operators pursuant to the provisions of Section 1 of this regulation.

2. In addition to the requirements provided in subsection 1, if an excavator is commencing an excavation or demolition pursuant to subparagraph (2) of paragraph (a) of subsection 1 and each operator of a subsurface installation within the affected area of the proposed excavation or demolition has not marked or otherwise identified the location of the subsurface installations of the operator pursuant to the provisions of NAC 455.125, the excavator shall, before commencing the excavation or demolition, provide notification to the association for operators and request that each operator who has a subsurface installation that has not been marked return and mark the subsurface installation in the affected area of the proposed excavation or demolition