

February 27, 2023

Representative Larry Kraft (Rep.Larry.Kraft@house.mn.gov)
Minnesota House of Representatives
515 State Office Building
St. Paul, MN 55155

Re: HF1275 (Excavation Notice Reporting)

Dear Rep. Kraft:

Thank you for the time you have taken to talk with underground facility operators about concerns with House File 1275. We thank you for the changes you are willing to make to the Bill which will improve the efficiency of the Gopher State One Call (GSOC) system. As much as these changes to the Bill are appreciated, we believe the Bill can be improved even further and we intend to continue working on the Bill as this legislative session progresses.

Even with the author's amendment you and the Office of Pipeline Safety have proposed, the Bill does not address the very real problem of the GSOC system being flooded with locate requests for excavation projects that an excavator has no intent to work on, which cannot be started or finished within the 14-day time window associated with each locate ticket, or which have already been completed. Our proposed language would require an excavator to have a good faith intent to start and finish excavating the area identified in a locate ticket within the time period covered by the locate request. We also proposed language that would require OPS to investigate and determine that an excavator had a good faith intent to excavate before OPS could issue a notice of violation to an underground facility operator.

The additional changes proposed would drive much better collaboration in the field between operators and excavators and would drastically improve the overall efficiency of the GSOC system by removing significant amounts of system waste. For example, our language would make it prudent for an excavator to confirm with an operator that a locate is indeed required after having been previously requested. Instead of underground facility operators spending hundreds of thousands of dollars in labor locating underground facilities in areas which are not going to be excavated within 14 days from the date of a locate request, these resources can instead be used doing the work Congress, the Legislature, and the public desperately want to be done – building infrastructure and deploying broadband to unserved areas. The current abuses which Chapter 216D currently allows not only divert scarce resources away from infrastructure projects, they drive up the costs of these projects, costs which are ultimately paid for by consumers and taxpayers.

Again, we thank you for introducing HF1275 and bringing attention to the important issues currently facing the GSOC system. We look forward to continuing to work with you on these issues.

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Sincerely,

MINNESOTA CABLE COMMUNICATIONS ASSOCIATION

Anna Boroff, Executive Director

MINNESOTA TELECOM ALLIANCE

Brent Christiansen, President and CEO