

Complex/Large Project Subcommittee

9/25/2026

1:00pm

Attendance: Kevin Campbell, Jason Broyles, James Wooten, Seamus Mulligan, Collins Cranmer, Bradley Shoemaker, Guy Carpenter, Joe Ladesic, Joshua Thieman, Melvin Henson, Russell Johnson, Kyle Cross, Frank Riegler, Dave Coniglio, Roger Lipscomb, Dominick Belser, Al Tonetti, Brian Hickman, Matt Hennis, Chris Glass, Kyle McLeod, Jim Collins, Drew Williams, Deanna DeWitt, Patrick Ginnetti, Brooke Ebersole, Kara Arnold, Greg First, Jaime Gillen, Joseph Dragovich, James Mander, Stephanie Kromer, Andrea Ashley, Chris Russ, Garry Lee, Brian Holden, Gregory Vergamini, Kristen Henson, Collin Crigger, Lawrence Hampton, Davy Myers, Jimmy Stewart, Kurt Leib, Sean Travis, Joshua Bowman, Bruce Jones, Richard Thompson, Stephen Kristan, Kyle Mangione, Trint Hatt, Michael Brinkman, Michael Lambdin, Brent St. Clair, Michael Evans, Jennifer Reams, Wendi Snyder, Kristen Sours, Blake Ross

Melvin Henson opened the meeting at 1:02pm

Reviewed minutes from the previous meeting.

Motion to accept made by Seamus Mulligan

Motion seconded by Jim Wooten

Minutes approved unanimously

The majority of those on the call were at the OUDPC meeting last Wednesday and are aware of the requests from the legislature. Not putting aside any of the work that has been done but do need to pause and redirect our conversation to meet the needs of what the legislature is asking for. Today's meeting will focus on dealing with that direct need from the legislature. Have asked Roger to walk us through some things and show us some proposed language which will get the conversation started.

Want to have a solution to fix things long term, and don't want to disrespect the work this committee has done so far. Do need to focus on the issue at hand with the fiber installations, and reducing damages on those, this is a focus of the state legislature at this time. Will have a lot of work coming from the BEAD money being released. Need to get a grip and make sure folks are doing the utility coordination. It is happening at different levels

with different levels of success. Utility coordination is taking place on a voluntary basis, and no one is being held accountable for not doing it. So, we need to make sure people are being held accountable and everyone is staying safe. Do apologize for having this get redirected and appreciate all the work that this committee has done so far. The group has done a good job. There may be a need to separate large projects, and complex projects. Need a definition of a complex project that will trigger utility coordination on these large fiber projects. A company that will blanket a community and install fiber to every house will require a different level of communication. For today, we need to look at this as two separate issues. We at OHIO811 are not pushing an agenda, we are keeping you informed and protecting the industry as a whole. Our involvement with the legislature is mostly as a conduit, and as a subject matter expert. We are obliged to help all of you, the industry, and keep the community safe. We are putting this in front of all of you today, and the committee can decide whether to work on this course of action or keep working on what you are working on. Don't think the legislature is going to wait for us to find middle ground on an issue that we have been discussing for years. This is what is being put in front of the committee for consideration. The idea here is a very narrow definition.

For OUDPC Consideration...

ORC 3781.25 (BB) – Complex Project is a project occurring over an extended period of time within a geopolitical jurisdiction that necessitates excavation activities that potentially involve multiple crews and which encompass multiple streets, road rights-of-way, dwellings, buildings or other locations within that community and by the nature of the work being performed require elevated utility coordination to ensure that public safety is maintained.

Thoughts: *We may need to add specific examples of the types of work being performed...one such example may be the broadband internet infrastructure installation / expansion projects. Which is the primary area that the Legislature is currently focused on and asking the Coalition to address.*

Additionally: *The initial intent would be that this definition and its supporting language be kept separate from the Large Project language that exists today and future, long term, language that the subcommittee is currently working on. If this is the direction the Coalition would like to go, we may need to develop a Large Project definition and add it to 3781.25 as well.*

Basically, a large project would be a gas main, sewer main, water main etc. A complex project would encompass blanketing an entire community. Will open it up for discussion,

hoping to find a middle ground and keep the legislature happy while we work on a longer-term solution.

Work that has multiple crews on multiple streets, utilities have multiple crews working all the time, and everything that is being done could be considered a complex project.

This is why we are talking about the nature of work being performed. You have 80 crews doing different jobs, where a fiber crew is all doing the same job, installation and expansion of a fiber network. A utility with 80 crews doing work at the same time wouldn't meet the definition because they are all doing different types of work. That is part of the reason why we show different examples of the work types to eliminate the potential confusion.

Don't want to battle complaints due to confusion about what this means.

This is why we want to have some language on the type of work being performed so there is no confusion. May need to specify the types of projects that are creating unsafe situations in the field.

May need to separate large and complex projects in the law. May need to house the examples somewhere other than the ORC as well.

Think that would be a good idea for the committee and the coalition to consider.

Should we consider instead of project, using excavation.

LSC will look at all of this and see if there is a conflict. Wanted to stay away from a complex excavation because some of this work is aerial, and the underground drops all affect it. Building fiber in a community is a project, not just an excavation. We can research too and help the committee work through this.

The definition is a good starting point. Listing specific examples, what would you propose as to how it would be included. How would broadband infrastructure installation be included in that definition.

It would have to be more of a type of work; it is a network infrastructure expansion. Would be able to call it out, and say some examples are x type of work. This wide, infrastructure development. Think it can be done. If we are going to do something in the lame duck session, let's make it very direct, and focus on something specific. The BEAD money is out and that work is going to be starting late this fall and winter. May just need to call it out specifically.

How would the utility coordination get triggered? Would it be OHIO811, the municipalities have to be responsible at some point too.

If you are a company that is going to come and build major infrastructure in Ohio, you should be required to utilize the design phase. One of the downfalls of the permit process is not every township has permit control. Part of HB 979, some of the townships are willing to give the county jurisdiction to handle the permit control. As for how it is triggered, it would be based on the definition, not so much by the center. If they are going to bring in 8 crews, and do a blanket installation of infrastructure, it is going to meet the definition, and that process would be triggered because of that. Can require as well in the permits that the process is followed as well.

Concerned about it getting bogged down, understand with the broadband and fiber builds that there is a lot of pressure on the utilities. Afraid it will trickle down to other utilities as well.

All of these projects may need to be going through the design phase. Some of the cities are exercising their ability to handle some of this through the permitting process, but there is also no restriction on the amount of permits. Can pursue something like that long term, but in the short term, type of work would be the trigger to get more utility coordination.

Concern with the design side is doubling the workload on the locating side with the designs.

That's a good different perspective when physical markings are needed for design work.

Concern that as a facility owner, I would want to know in advance where these fiber builds are going.

That is some of the problems we are having. The fiber project owner brings in out of state contractors, and then hires subcontractors, then those subcontractors have subcontractors. No one is ensuring they are all trained and have a full picture of the project. Also don't have a good process on how to work with the community, especially if something goes sideways. The media, even nationally, was saying that Ohio was broken. We put out almost 11 million notices last year and are doing very well on damages compared to the volume of work. Do have things to address, but we are not broken.

The biggest thing I hear is the utility coordination is the manpower to get things located, to have the meeting and coordination is tough. The contractors probably just want to know when their work is going to be done so they can go get their work done. Should we just put a timeline on the large projects, say 5 days to mark the job. That would give you time to get that job located and get out ahead of them. Once you are 5-6 days ahead, it will be easier to get in front of.

What we are trying to do here is just have a definition that would trigger that process. If it is triggered, then you have the joint meet, if you can't make it to that joint meet, then you have a responsibility to get with the project owner and get the relevant information. The meetings can be virtual as well or we will hold them at the center. Once the marking schedule is established, then the marking requirement of 2 working days not including day of notification is out the window, and it goes solely off that marking schedule. The joint meet isn't a dig ticket, and once the schedule to mark is done, the excavation tickets will match what the agreed upon marking schedule is.

What happens is they can't agree on a marking schedule, or they don't adhere to the schedule.

We talked about no one thing will fix these problems; we need stronger accountability. Need the PUCO to be able to escalate fines faster than what they are now. If everyone is held accountable to it, and broke the schedule, then they should be able to be brought before the PUCO and the UTC and be held accountable. Also, there will be not one marking schedule. It will be different with each utility depending on when they come into play. As the project progresses, some utilities will be minimally affected, and some will be affected more. If they can't come to an agreement, then it would just have to be accepting to consequences of not following the process.

About accountability, conversations in the past about being able to piggyback tickets, what would it look like on the accountability side of this if all these facility owners, and don't do the installs themselves and are shielded with these subcontractors. Something happens and they say they can't do anything about it because it was the subcontractor doing the work. If we put the accountability back on the project/facility owner, it would make things better because they would know they are ultimately responsible.

Great point, that was something we also said to the legislature as well. If a sub is working, and blows up a house, the sub gets fired and the project owner washes their hands of it. If you have a problem with a sub, the project owner should be held accountable, and that needs to be taken care of in the UTC subcommittee. Don't think it can be captured in this definition. The definition is more to trigger the utility coordination. But accountability does have to be there as well. Not one thing is going to fix it all. Some project owners also only have a contract with their primary sub, but you can stipulate the amount of sub's that primary sub can hire. The project owner must be ultimately responsible for all the subs working for them.

Will give you all some time to think about this and have some more meetings scheduled before the full coalition meeting in October and decide if you want to work from this

document or create a new one. We are here to help support, and at the end of the day we have to decide if we are going to be engaged or let the legislature do it on their own.

Can Jason send out a notice to the group asking the group if they have questions, so at the next meeting those can be addressed.

Many folks will have to digest this and talk to people at their organizations. Roger and Jason are always willing to have discussions with whoever has questions.

Is there a way to put this in the marking standards so it is not so final? It is enforceable but may be a different way around it.

There are some things that may be appropriate to put in the marking standards. The 6 damage prevention councils review every 2 years and discuss updates and changes. Some of this could reside there for sure. This particular piece probably shouldn't, but a number of other things could.

Different rules based on the facility and the size of the facility. Something of this magnitude, and a different type of marking, there could be less heartburn with putting it there since it is easier to change.

There may be parts of it that go into the marking standards, or in the law and marking standards. We can continue that conversation as well.

Knowing we do have a strict time frame on this, do we want to do a weekly call at 1pm every Friday until the next coalition meeting? That will give everyone time to get thoughts from their organizations and come back together. What is everyone's thoughts?

The committee may say they don't want to spend their time on this, but if they do, it would be appreciated and would need an escalated conversation.

Given the importance of this issue, the feeling is that every Friday is appropriate.

Roger and Jason as a phone call away if anyone needs to discuss further in-between.

Sending out an email asking for questions would be a good idea as well so people can think about it and be prepared with questions at the next meeting.

Appreciate everyone's time and effort

Seamus Mulligan made a motion to adjourn the meeting

Jim Wooten seconded the motion

Meeting adjourned at 2:00pm.

