

**RULES
OF
THE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD**

**CHAPTER 1230-01-01
DEFINITIONS**

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1230-01-01-.01 DEFINITIONS.

- (1) Any term used in these rules that has been defined in T.C.A. § 65-31-102 shall have the meaning given to the term therein.
- (2) In addition, for the purpose of these rules, the following terms shall have the following meanings:
 - (a) “Act” means the Underground Utility Damage Prevention Act, T.C.A. §§ 65-31-101 et seq.
 - (b) “Board” means the underground utility damage enforcement board created by T.C.A. § 65-31-114.
 - (c) “Bore” or “Boring” means the creation of a horizontal hole beneath the surface of earth, pavement, or other materials without disturbing said surface, using directional drills, horizontal augers, or other equipment designed for such purpose.
 - (d) “Commission” means the Tennessee Public Utility Commission created by T.C.A. § 65-1-101.
 - (e) “Complainant” means the person initiating a complaint against another party for investigation and consideration by the Executive Committee.
 - (f) “Cross bore” or “Cross boring” means an intersection of one underground utility by another underground utility resulting in a direct connection between the services of each utility that disrupts the integrity of at least one of the intersecting underground utilities.
 - (g) “Executive Committee” means the executive committee of the underground utility damage enforcement board created by T.C.A. § 65-31-114(f).
 - (h) “Hand dig” or “hand digging” means any movement, placement, or removal of earth, rock, or other materials in or on the ground by use of non-mechanized tools or equipment, including, but not limited to, shovels, picks, post hole diggers, vacuum excavation or soft digging.
 - (i) “Hearing Officer” means the same as “Administrative Judge,” as defined in T.C.A. § 4-5-102(1), and “Hearing Officer,” as defined in T.C.A. § 4-5-102(4).
 - (j) “Investigative Staff” means the employee(s) of the Commission designated to investigate complaints pursuant to T.C.A. § 65-31-116(a).
 - (k) “Marking Standards” means the method by which an operator indicates the location of a facility in accordance with the guidelines adopted by the Board.

(Rule 1230-01-01-.01, continued)

- (l) "Person" means any individual; any corporation, partnership, association, or any other entity organized under the laws of any state; any subdivision or instrumentality of a state; and any employee, agent or legal representative thereof.
- (m) "Private Service Line" means an underground utility line or facility which is not owned by an operator and is not used by an operator to provide its utility services.
- (n) "Proceeding" means any complaint submitted for adjudication by the Executive Committee, including any contested cases resulting from a respondent's request for a hearing or the filing of a petition for enforcement by investigative staff, and any appeal of an order of a Hearing Officer.
- (o) "Respondent" means a person against whom a complaint is filed or against whom any relief is sought.
- (p) "Root Cause" means the primary reason for the occurrence of an event that constitutes an alleged violation of the Act.
- (q) "Safety Zone" means a strip of land at least four feet (4') wide, but not wider than the width of the utility plus two feet (2') on either side of an underground utility line or facility.

Authority: T.C.A. § 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.