

Mr. David Ferguson
Pipeline Safety Division
Texas Railroad Commission
William B Travis Bldg.k, Room1-111
Austin, Tx 78701

March 13, 2014

RE: Proposed Amendments to Chap 18 – Underground Pipeline Damage Prevention

Mr. Ferguson:

Thank you for the opportunity to offer comments to the Railroad Commission staff's proposed amendments to Title 16, T.A.C. Chapter 18, relating to Underground Pipeline Damage Prevention.

Telecommunication providers, specifically the member companies of the Texas Telephone Association do not, by statute, fall within the regulatory purview of the Railroad Commission. I would, therefore, like to begin with a brief overview of TTA and the members we represent.

TTA was founded in 1905 to support the local exchange telephone companies of Texas. Our member companies are the primary service providers to millions of residents and businesses across the state. We represent 27 companies ranging from some of the largest in the world to the smallest in the state. The majority of our members are small companies of which ten are member-owned cooperatives.

While it can be difficult to summarize the specific concerns from such a large and diverse group of stakeholders as ours, TTA members have a major stake in any underground utility regulation and clearly have reservations about the proposed amendments as all of our companies are both facility operators as well as excavators. Telecommunication Service Providers and Information Service Providers should be exempted from the requirements included in these proposed amendments.

Jurisdiction aside, Texas' current Call Before You Dig system works well. Any modification of the current system, however well intended, is a serious matter for our companies. We wholeheartedly support and share a strong commitment to public safety. The current Call Before You Dig system maintains a delicate balance of all stakeholder interests including those stakeholders that do not fall under the Railroad Commission's scope of regulatory authority.

TTA does not support amendments that seek to alter this balance by imposing new burdens on telecommunication carriers. We do thank you for this opportunity to offer comments and look forward to actively participating in any future activities on this topic.

Lyn Kamerman
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