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**TITLE 170 INDIANA UTILITY REGULATORY COMMISSION**

**Notice of Intent to Adopt a Rule**

LSA Document #22-359

Under [IC 4-22-2-23](#), the Indiana Utility Regulatory Commission intends to adopt a rule concerning the following:

**OVERVIEW:** Amends [170 IAC 5-5-1](#), [170 IAC 5-5-2](#), [170 IAC 5-5-3](#), and [170 IAC 5-5-4](#) to make various updates to definitions; to modify the procedural timeline for resolution of excavation damage cases; to require account information on the IURC website; and to require a publicly available penalty schedule from the UPPAC. Adds [170 IAC 5-5-1.1](#), [170 IAC 5-5-1.2](#), [170 IAC 5-5-1.3](#), [170 IAC 5-5-2.1](#), [170 IAC 5-5-2.2](#), and [170 IAC 5-5-2.3](#) to define two full working days in which an operator shall provide location information; to specify the expiration date and time of 811 tickets; to require markings indicating the size and type of underground pipelines and infrastructure; to define methods for notifying excavators under [IC 8-1-26-18\(k\)](#); to define the tolerance zone for round facilities; and to require positive response to excavators. Questions concerning the proposed rule may be addressed to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 8-1-1-3](#); [IC 8-1-26-26](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Jeremy Comeau, Assistant General Counsel  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 East  
Indianapolis, IN 46204  
(317) 232-2102  
jcomeau@urc.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Matthew Jaworowski  
Small Business Ombudsman  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 650-0126  
majaworowski@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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