



STATE OF MAINE
PUBLIC UTILITIES COMMISSION

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CONSUMER ASSISTANCE AND SAFETY DIVISION – BULLETIN 2025-03

To: All Underground Utility Stakeholders

From: Nathan Dore, Manager
Safety Programs

Re: Clarifications on Provisions of Chapter 895 (Underground Facility Damage Prevention Requirements)

Date: September 24, 2025

The Maine Public Utilities Commission (MPUC) Consumer Assistance and Safety Division (CASD) is issuing this bulletin to clarify certain rules pertaining to Underground Facility Damage Prevention Requirements in Chapter 895 of the Commission's Rules.

23 MRS § 3360-A(3)(D) requires that excavators give notice of blasting activity at least 24 hours in advance except in limited circumstances involving unanticipated obstructions. Excavators must specify the date and location of blasting activities.

Chapter 895 § 4(B)(1)(c) requires that excavators notify the Dig Safe System of the date and location of blasting at least 24 hours in advance of blasting, except in limited circumstances involving unanticipated obstructions.

The intent of the rule requirement is not to allow an exemption to the normal notice process in Chapter 895 § 4(B)(1)(a), which requires notifications at least 72 hours prior to the commencement of excavation, but rather to make certain utilities aware of the blasting activity. This notification facilitates the conduct of pre-and post-blasting surveys to verify the integrity of the systems under their operation.

Excavators may indicate on the original 72-hour locate request that blasting is expected to take place during the excavation. If there is an active notification for the site, and excavation has commenced, excavators may alternatively issue a supplemental notification to the Dig Safe system and any non-members at the excavation site at least 24 hours in advance of the blasting activity, specifying the date and location of the planned activity.

While utilities must provide positive response to excavators and locate their facilities in response to the 72-hour locate request, they are not required to perform a second locate in response to a 24-hour blasting notification.

This is an informal CASD interpretation of Chapter 895. The CASD may from time-to-time issue bulletins to assist utilities, ratepayers and other interested persons in interpreting and applying provisions of the

Commission's rules. Any bulletin shall not constitute res judicata or legal precedent in any subsequent proceeding, nor shall it be binding on any party. In any subsequent enforcement action initiated by the Commission, however, any person's justifiable reliance upon the bulletin may be considered in mitigation of any penalty sought to be assessed.

If anyone has questions regarding this opinion, please contact me at (207) 287-1375 or at nathan.dore@maine.gov.

Faithfully,

A handwritten signature in black ink, appearing to read 'Nathan Dore', with a stylized, flowing script.

Nathan Dore
Safety Programs Manager
Maine Public Utilities Commission
18 State House Station
Augusta, Maine 04333-0018
Office: 207-287-1375
nathan.dore@maine.gov
www.maine.gov/mpuc