

ONE CALL CONCEPTS, INC
B.P.U. NO. 1-FACILITIES PROTECTION SERVICES

**ONE CALL CONCEPTS, INC.
TARIFF FOR FACILITIES PROTECTION SERVICES**

..

By: R. Thomas Hoff, President

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Issued: February 1, 2012
By: R. Thomas Hoff, President
One Corporate Place South
Piscataway, New Jersey 08854

Effective: February 1, 2012

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STANDARD TERMS AND CONDITIONS

1. GENERAL INFORMATION

1.1 Filing:

This tariff, comprising service rules, regulations, and rate schedules, is the official tariff of ONE CALL CONCEPTS, INC. (OCC) approved by, and on file with, the Board of Public Utilities of the State of New Jersey pursuant to the provisions of N.J.A.C. 14:2-3.1.

1.2 Scope:

The provisions of this tariff shall apply to all persons or entities, including but not limited to, partnerships, associations, corporations, government entities or agencies operating underground facilities ("Operator") within the geographical boundaries of the State of New Jersey and required by the Underground Facility Protection Act, N.J.S.A. 48:2-73, et seq. to participate in the One Call Damage Prevention System.

1.3 Revisions:

No agent or representative of OCC is authorized to waive or revise the provisions of this tariff. Revisions to this tariff may be made only pursuant to order of the Board of Public Utilities.

2. OBTAINING SERVICE

2.1 Application:

Applications by Operators shall be made to OCC on the form attached hereto as Schedule A (sheet 10). A signed application is required, which when duly accepted by OCC, shall constitute evidence of the agreement between OCC and the Operator.

2.2 Availability of Tariff:

At the time OCC provides an application to an Operator, OCC also shall provide to the Operator a copy of the current OCC Tariff on file with the Board of Public Utilities.

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2.3 Communication Requirements:

Operators shall provide and maintain appropriate dedicated message receiving equipment (system compatible FAX or electronic receiving devices/teletype machines) and telephones at all contact locations. Operators shall notify OCC promptly of all additions, relocations and disconnects of such message receiving equipment. Backup telephone numbers for each contact location shall be provided to OCC as well as the name and telephone number of a single Operator representative.

Operators shall be responsible for insuring that their message receiving units are maintained in operating condition. Where Operator message-receiving equipment is not available, arrangements for overnight delivery of notices may be made at a cost to Operator of \$30.00 per day. Operator shall furnish to OCC the address where such overnight deliveries are to be made.

2.4 Operator Location Notifications:

Operators shall supply OCC a list of municipalities and/or geographic areas which encompasses complete area coverage for Operator underground facilities. Operators further shall provide a list of municipalities and/or geographic areas for which the Operator wishes to receive notification as applicable to each of its respective receiving locations. An Operator may supply an alphabetical street index/GIS format with latitude and longitude for areas within a community for which it is to receive notification. Any changes in area coverage shall be promptly transmitted to OCC in writing. Such changes shall not be effective until acknowledged to Operator in writing by OCC.

2.5 Holidays:

Each year OCC will notify each Operator of the list of holidays currently on file with OCC for that Operator. If Operator desires to change any of the holidays reflected in the list provided by OCC, such list of holiday revisions shall be provided to OCC in writing by Operator not later than November 15 to be applicable for the following calendar year.

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3. OPERATIONAL REQUIREMENTS

3.1 Confidentiality:

Operators shall not provide any information or data received from OCC to any other entity except as required by the Board of Public Utilities.

3.2 Access to Records:

In accordance with the fee schedule set forth on Schedule B (sheet 14) hereto, OCC shall provide Operators and excavators access to written or audio records of specific call messages. OCC responses to said Operator and excavator requests shall be provided to the Board of Public Utilities at no cost at the same time the responses are furnished to the requesting Operator or excavator. Any request for information by Operators or excavators shall be in writing and shall be presented by the designated contact person as shown on records on file with OCC. Access to OCC records shall be provided at the OCC office and under the direct supervision of OCC personnel. All original written and audio records shall remain in the custody of OCC at all times. OCC will provide a copy of the ticket to the excavator at no cost at the time of processing, if the excavator has an email address or fax number.

4. BILLING PROCEDURES

4.1 Basis of Bills:

Bills shall be rendered in arrears monthly, quarterly or annually, as agreed to by and between OCC and the Operator. Bills shall be based upon the number of notifications transmitted by OCC to the Operator, or to a third party on the Operator's behalf, during the previous billing period. Bills will be rendered within 10 days of the end of the billing period. The bill shall reflect the number of notifications and total cost for the number of notifications provided either to the Operator or to a third party on the Operator's behalf during the billing period. Each Operator that receives notification, or for whom notification is provided to a third party, shall be charged at the applicable rate provided in the Rate Schedule herein, regardless of whether the notification included notifications on behalf of other Operators.

4.2 Payment of Bills and Late Payment Fee:

Bills shall be due and payable to OCC within 30 days of the date of the bill. For bills rendered to non-governmental entities only, any bill remaining unpaid for more than 30

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days after the date of the bill shall be subject to a late fee payment of 1% of the amount of the bill for each 30-day period, or increment thereof, the bill remains unpaid. If it becomes necessary to institute actions to collect unpaid bills, cost of collection and reasonable legal fees, if any, may be included.

4.3 Default:

If an Operator shall default in the payment of any bill rendered by OCC, then OCC shall provide written notice of said default to the BPU. An Operator in default may be subject to penalties pursuant to N.J.S.A. 48:2-86 and -88.

5. NOTICE FORMATS

5.1 Operator Notice:

Operators and/or their designees shall be furnished notification regarding calls received by OCC from excavators of intent to excavate in the service area designated by said Operator pursuant to Section 2.4 hereof prior to excavation. Each Operator that receives notification, or for whom notification is provided to a third party, because it has facilities identified in the data base lookup, will be billed for each such notification pursuant to this tariff.

Regular notification to the Operator shall be sent indicating that excavation is planned to begin between three and ten working days from the date of the notification. Said notices shall be sent using telecommunications to the receiving equipment of the Operator within a matter of hours following receipt by OCC from an excavator of intent to excavate.

5.2 Routine Notice: (See notice attached hereto as Schedule D, sheet 16)

5.3 Emergency Notice: (See notice attached hereto as Schedule E, sheet 17)

An emergency is defined as any condition constituting a clear and present danger to life, health or property caused by the escape of any material or substance transported by means of an underground facility or the interruption of a vital communication or public service that requires immediate action to prevent or mitigate loss or potential loss of the communication or public service, or any condition on or affecting a transportation right-of-way or transportation facility that creates a risk to the public of potential injury or property damage. Emergency notice to the Operator shall be sent indicating that a potential hazard to life and equipment exists and immediate action is required.

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5.4 Voice Emergency Notice:

A voice notification may be sent, at the Operator's request, confirming an emergency notice that was transmitted in accordance with Operator instructions. Voice notifications provided hereunder shall incur an additional charge as provided for in Schedule B (sheet 14) hereto.

5.5 Update Notice: (See notice attached hereto as Schedule F, sheet 18)

Specific notices inform the Operator of additional information regarding a job for which notification has previously been transmitted. These notices employ the format of the Routine Notice (Schedule D) with data in the appropriate fields. An update notice may be used to inform the Operator of an urgent need to refresh the markout where it has been lost. Said notice will alert the Operator to the message in the same manner as an emergency notice and will indicate that immediate action is required.

5.6 Responsible Excavator Update Notice: (See notice attached hereto as Schedule G, sheet 19)**5.7 Rented Equipment Operator Update Notice:** (See notice attached hereto as Schedule H, sheet 20)**5.8 Cancellation Update Notice:** (See notice attached hereto as Schedule I, sheet 21)**5.9 No Response Update Notice:** (See notice attached hereto as Schedule J, sheet 22)**6. LIABILITIES****6.1 OCC Liability:**

OCC will use reasonable diligence in furnishing to Operators in a timely fashion notice of intent to excavate, but in the event such furnishing of notice shall be interrupted or fail by reason of causes beyond the control of OCC and which could not have been avoided by the exercise of due care, OCC shall not be liable to Operators for damages.

6.2 Operator Liability:

Good Night Message: Operators shall be responsible for reporting and verifying to OCC any request or retransmission of any notification listed on the Good Night Message but not accounted for at the Operator's site.

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RATE SCHEDULE

Each operator that receives notification, or a copy of a notification, or for whom notification is provided to a third party, regardless of whether the notification included notifications on behalf of other Operators, shall be charged a rate as defined below.

The charge per Ticket effective February 1, 2012 and until the effective date of a revised tariff is established is \$ 1.18. The rate may be recalculated in years three through five, if necessary, and approved by the Board in accordance with the agreement. No charge shall be made to Operators for notifications of Updates and Broadcasts.

TERMS OF PAYMENT

Payment shall be due not later than 30 days from the date of the bill. All bills shall list a due date.

BILLING FREQUENCY

Bills for service rendered under this Rate Schedule will be rendered in arrears monthly, quarterly or annually as agreed to by and between OCC and the Operator.

LATE PAYMENT FEE

For bills rendered to non-governmental entities only, any bill remaining unpaid more than 30 days after the bill due date shall be subject to a late fee payment of 1% of the amount of the bill for each 30-day period, or increment thereof, the bill remains unpaid.

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**SCHEDULE A
APPLICATION FOR PARTICIPATION IN
NEW JERSEY ONE-CALL**

Provide the information requested below and either fax to NJ One-Call at 732.394.3007 or mail to:

**New Jersey One Call
One Corporate Place South
Piscataway, New Jersey 08854
Attention: General Manager**

Questions and requests for assistance should be directed to 732.394.3000

Applicant agrees to abide by the Tariff of ONE CALL CONCEPTS, INC. (New Jersey One Call) as it may be approved from time to time by Order of the Board of Public Utilities of the State of New Jersey.

NAME OF PERSON COMPLETING FORM: Please type or print all information

Name: _____ Title: _____

Phone Number: _____ Fax: _____ E-Mail: _____

Signature: _____

1. Legal Name of company: _____

State of Incorporation: _____

2. New Jersey Name if different: _____

3. Business Address of Company Headquarters: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

4. Company's NJ One Call correspondence representative or Contact

Name: _____ Title: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax: _____ E-Mail: _____

5. Holidays observed by your company:

The following Holiday information is needed by the Call Center to know when your receiving location is operational. If the Holiday list changes or an office closes early the day before a Holiday, please indicate this or instruct your personnel to notify the Customer Service Department when they are leaving. (The Customer Service Department number is 732.394.3000.)

New Years Day	_____	Martin Luther King Day	_____	Lincoln's Birthday	_____
Presidents Day	_____	Washington's Birthday	_____	Good Friday	_____
Memorial Day	_____	Independence Day	_____	Labor Day	_____
Columbus Day	_____	Election Day	_____	Veterans Day	_____
Thanksgiving Day	_____	Thanksgiving Friday	_____	Christmas Eve	_____
Christmas Day	_____	New Year's Eve	_____	Other:	_____

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6. Message Receiver Site/Location Information

***Note: If your company will be receiving notifications at more than one location, the following information must be provided for each location.**

Contact: _____ Phone: _____ Fax: _____

Address: _____

City: _____ State: _____ Zip: _____

Normal Working Hours for this Office (Mon.-Fri.) _____ (Sat.-Sun.) _____

Primary Receive Device Phone # _____ Baud Rate: _____

This is a Fax: _____ Printer: _____ PC Software: _____ Other: _____

Alternate Name: _____ Title: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

7. **Your Company 24 Hour Emergency Number**

Do you desire the optional service of Voice Calls for the charge* specified under Rate Schedule B when Emergency Notices are processed outside of normal business hours. (Please note there is \$2.50 charge per call, see schedule B)

Yes _____ No _____

If yes, please supply the phone number to call here: _____

8. Please indicate the type of Underground Facilities you are protecting

Cable TV_ Gas _ Electric _ Water _
Sewer _ Pipeline _ Traffic Light _ Telecommunications _
Other: _____

9. Billing information

Name of Person to Bill: _____ Title: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax: _____ E-Mail: _____

Bills will be sent to the email address listed above unless you direct otherwise – see below.

Please DO NOT send my bills via email.

Please send additional copies of my bill to the following email addresses:

10. Geographical Coverage Area

County Name(s): _____

Municipality(s): _____

ATTACH ANY ADDITIONAL DOCUMENTATION

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FACILITY LOCATION FORM

To locate your facilities so that you receive the safe but minimum amount of notices please complete the following:

Name of Facility: _____

What type of facility: _____

Location: (list each street your facility is on/or intersects.)

Street Name	Municipality	County
--------------------	---------------------	---------------

You can access the Call Center base map, via the Internet, to map your facilities. Please contact 732-394-3000 for additional information. If you do not have access to the Internet and you have a map of your facilities, which clearly locates them with street names, water features, township/municipally and county please forward with this form. If you do not have a map we can provide you with a One-Call map of your area, in which you can locate your facilities, for a fee of \$5.00 per sheet. You can also make an appointment with our Center to have your facilities mapped on site. This process will result in receiving the appropriate number of notices to insure safety.

Signed by: _____ Date: _____

Please print or type clearly, feel free to copy and attach additional pages.

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SCHEDULE B

Schedule of Additional Charges OPERATORS / EXCAVATORS

Ticket search – every one to thirty-one days searched counts as a single billable unit	\$ 30.00 for each 1 – 31 day period searched
Ticket Production	\$ 1.00/per printed page
Audio Tape search - every one to thirty-one days searched counts as a single billable unit	\$ 45.00 for each 1 – 31 day period searched
Audio Tape production	\$ 5.00/cassette
Voice Notification in confirmation of emergency notice	\$ 2.50 each
Paper copies of database maps <i>NOTE: Digital files will be processed and transferred free of charge. All database information is considered proprietary information and will only be released to the facility operator that first provided it.</i>	\$ 5.00 per map sheet
Litigation Support <i>NOTE: Litigation support is limited to expert testimony on call center operations. The State Contract Manager must approve all requests for litigation support requested under this tariff.</i>	\$50.00 / Hour
Additional work: special projects/technical support <i>NOTE: Vendor will prepare an estimate for all additional work. This included technical support in support of software development by facility operators. The State Contract Manager must approve all requests for additional work beyond normal call center operations that is requested under this tariff.</i>	\$30.00 / Hour

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SCHEDULE C

New Jersey One Call Record Search Request Form

In order to perform a search this form must be completed and faxed to 732-394-3007, attention: General Manager, or mailed to New Jersey One Call, Attn: General Manager, One Corporate Place South, Piscataway, NJ 08854. All information must be completed. Please make check payable to OCC, Inc.

Your Name: _____

Company's Name: _____

Company's Phone: _____

Company's Address: _____

Search Site Information

Name of Excavator (optional): _____

Dig Site Address or Street (required): _____

Town (required): _____ County (required): _____

NOTE: Search requests that do not include dig site street, town and county will not be processed. All three items must be included in order for a search to be performed.

Nearest Intersecting Street: _____

Date (s) to search: _____

Additional Instructions or Comments: _____

Signature: _____ Date: _____

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SPECIAL NOTE REGARDING SCHEDULES D thru J (inclusive)

Schedules D (sheet 17) thru J (sheet 23) are provided for informational and illustrative purposes only. As such, they cannot be used as a technical guide for the design of software used to receive tickets from the one call center. Facility operators who intend to create software programs for the receipt and management of tickets should contact the New Jersey One Call Center at 732-394-3000 for technical reference information. Under no circumstances will One Call Concepts, Inc. be liable in any way for any loss or damage of any kind incurred as a result of the use of the schedules as a technical guide for the design of receiving software.

Grid names will be included with the transmission of the ticket to the facility operator as noted in the following sample tickets upon request at no additional charge. Grid names provided under this tariff are provided "as is" with no express or implied warranty for accuracy. Under no circumstances will One Call Concepts, Inc. be liable in any way for any loss or damage of any kind incurred as a result of the use of or reliance upon any grid names.

Facility operators who request to receive grid names must agree that they will evaluate, and bear all risks associated with, the use of the provided grid names, including any reliance on the accuracy, completeness, or usefulness of the transmitted grids names.

Facility operators who would like to receive grid information on their locate tickets should contact the New Jersey One Call Center at 732-394-4000 for more information.

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Effective: February 1, 2012

SCHEDULE D – Routine Ticket

New Jersey One Call System SEQUENCE NUMBER

Transmit: Date: At:

*** R O U T I N E *** Request No.:

Operators Notified:

Start Date/Time: At Expiration Date:

Location Information:

County: Municipality:

Subdivision/Community:

Street:

Nearest Intersection:

Other Intersection:

Lat/Lon:

Type of Work:

Block: Lot: Depth:

Extent of Work:

Remarks:

Working For:

Address:

City:

Phone: Ext:

Excavator Information:

Caller:

Phone: Ext:

Excavator:

Address:

City:

Phone: Ext: Fax:

Cellular:

Email:

[Optional list of grids]

End Request

Issued: February 1, 2012
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Effective: February 1, 2012

SCHEDULE E – Emergency Ticket

New Jersey One Call System SEQUENCE NUMBER

Transmit: Date: At:

*** E M E R G E N C Y *** Request No.:

Operators Notified:

Start Date/Time: At Expiration Date:

Location Information:

County: Municipality:

Subdivision/Community:

Street:

Nearest Intersection:

Other Intersection:

Lat/Lon:

Type of Work:

Block: Lot: Depth:

Extent of Work:

Remarks:

Working For:

Address:

City:

Phone: Ext:

Excavator Information:

Caller:

Phone: Ext:

Excavator:

Address:

City:

Phone: Ext: Fax:

Cellular:

Email:

[Optional list of grids]

End Request

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Effective: February 1, 2012

SCHEDULE F – Update Ticket

New Jersey One Call System SEQUENCE NUMBER

Transmit: Date: At:

*** U P D A T E *** Request No.: Of Request No.:

Operators Notified:

Start Date/Time: At Expiration Date:

Location Information:

County: Municipality:

Subdivision/Community:

Street:

Nearest Intersection:

Other Intersection:

Lat/Lon:

Type of Work:

Block: Lot: Depth:

Extent of Work:

Remarks:

Working For:

Address:

City:

Phone: Ext:

Excavator Information:

Caller:

Phone: Ext:

Excavator:

Address:

City:

Phone: Ext: Fax:

Cellular:

Email:

[Optional list of grids]

End Request

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Effective: February 1, 2012

SCHEDULE G – Responsible Excavator Update Ticket

New Jersey One Call System SEQUENCE NUMBER

Transmit: Date: At:

*** U P D A T E *** Request No.: Of Request No.:
Responsible Excavator

Operators Notified:

Start Date/Time: At Expiration Date:

Location Information:

County: Municipality:

Subdivision/Community:

Street:

Nearest Intersection:

Other Intersection:

Lat/Lon:

Type of Work:

Block: Lot: Depth:

Extent of Work:

Remarks:

Working For:

Address:

City:

Phone: Ext:

Excavator Information:

Caller:

Phone: Ext:

Excavator:

Address:

City:

Phone: Ext: Fax:

Cellular:

Email:

[Optional list of grids]

End Request

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SCHEDULE H – Rented Equipment Operator Update Ticket

New Jersey One Call System SEQUENCE NUMBER

Transmit: Date: At:

*** U P D A T E *** Request No.: Of Request No.:
Rented Equipment Operator

Operators Notified:

Start Date/Time: At Expiration Date:

Location Information:

County: Municipality:

Subdivision/Community:

Street:

Nearest Intersection:

Other Intersection:

Lat/Lon:

Type of Work:

Block: Lot: Depth:

Extent of Work:

Remarks:

Rental Equipment Operator:

Caller:

Company:

Address:

City:

Phone: Ext: Starting:

Working For:

Address:

City:

Phone: Ext:

Excavator Information:

Caller:

Phone: Ext:

Excavator:

Address:

City:

Phone: Ext: Fax:

Cellular:

Email:

[Optional list of grids]

End Request

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SCHEDULE I – Cancellation Update Ticket

New Jersey One Call System SEQUENCE NUMBER

Transmit: Date: At:

*** U P D A T E *** Request No.: Of Request No.:
 *** Cancellation Of Request No.:

Operators Notified:

Start Date/Time: At Expiration Date:

Location Information:

County: Municipality:

Subdivision/Community:

Street:

Nearest Intersection:

Other Intersection:

Lat/Lon:

Type of Work:

Block: Lot: Depth:

Extent of Work:

Remarks:

Working For:

Address:

City:

Phone: Ext:

Excavator Information:

Caller:

Phone: Ext:

Excavator:

Address:

City:

Phone: Ext: Fax:

Cellular:

Email:

[Optional list of grids]

End Request

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SCHEDULE K– Fax-a-Locate Agreement

NEW JERSEY ONE CALL Fax-A-Locate Agreement

1. The phone number for transmitting locate requests by fax is **1-800-705-4559**. Only Routine messages (three (3) full business days notice before the start of excavation within the State of New Jersey) are acceptable. Updates, Emergencies, Cancellations or changes must be called in to 1-800-272-1000.or 811.
2. A “business day” ends at midnight of the same day. Faxes received prior to 10:00pm on a business day can be entered into the system (processed) any time up to 10:00pm of that day. Faxes received after 10:00 pm will be processed for the next day. “Business day” means any day other than Saturday, Sunday or a nationally or State recognized holiday.
3. All FAX-A-LOCATE requests submitted in this manner must be printed legibly on the specified form provided. OCC will then return a processed locate request. New Jersey One Call/One Call Concepts will refuse to process any locate request(s) containing vague, illegible or insufficient information
4. The sender of a locate request(s) assumes all liability for non-notification up until the point that they a: receive acknowledgement from us in the form of a return fax which includes a confirmation number assigned to the request, b: verify the complete accuracy of all information indicated on the returned locate request. It will be the original sender’s responsibility to notify the call center in a timely manner so that any detected discrepancies can be *immediately* corrected.
5. All dig locate requests faxed to New Jersey One Call that do not comply with the above stated guidelines will be rejected. It is the sender’s responsibility to track submitted requests. If the sender does not receive a confirmation number for the submitted request, the request has been rejected. It is advised that you call that request in by phone – 800-272-1000 or 811
- 6.OCC reserves the right to reject or terminate any company’s agreement to use the FAX-A-LOCATE service.

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SCHEDULE K– Fax-a-Locate Agreement (Continued)
OCC will not be responsible for faxes not received and recorded in our office.

Company Name _____ Date: ___ / ___ / ___

Mailing Address _____

City _____ State _____ Zip _____

Office Phone: (_____) _____ Fax:(_____) _____

E-Mail _____

Company Contact Name: _____ Cell Phone: (____) _____

Title: _____ Best Time To Call: _____

Print Name: _____ Signature _____

Signature: (New Jersey One Call use only) _____ Date: ___ / ___ / ___

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