

owner of a private residence when said excavation is made entirely on the land on which the private residence is situated.

[(3)] (6) (I) "Underground facility" means any item of personal property which shall be buried or placed below ground or submerged for use in connection with the storage or conveyance of water, sewage, electronic, telephonic, or telegraphic communications, electric energy, oil, gas or other substances, and shall include but not be limited to pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments and those portions of poles below ground.

(II) "UNDERGROUND FACILITY" DOES NOT MEAN OR INCLUDE ANY STORMWATER SYSTEM.

~~(7) "WORKING DAY" MEANS ANY DAY EXCEPT SATURDAY, SUNDAY, OR A LEGAL HOLIDAY.~~

[(c) (1) Every public service company having the right to bury underground facilities shall file with the Public Service Commission the telephone number of the person or persons, in each county in the State, to whom all calls concerning proposed excavation should be directed. For those counties where a one-number utility protection system exists, the one-number utility protection system's telephone number shall be filed with the Public Service Commission on behalf of all participating public service companies.

(2) A person shall not make or begin any excavation without first notifying by telephone, at least 48 hours prior to the commencement of the proposed excavation (excluding Saturdays, Sundays and legal holidays), each and every public service company which may have underground facilities in the area of the proposed excavation. In those counties where a one-number utility protection system exists, telephonic notification required by this subsection may be accomplished by notifying the one-number utility protection system within the time limits prescribed.

(3) If it is determined by a public service company that a proposed excavation is planned within five feet of an underground facility as measured in the horizontal plane, and if a proposed excavation, by blasting, is planned in such proximity to the underground facility that the facility may be destroyed, damaged, dislocated or disturbed, the public service company shall notify the person who proposes to excavate and shall mark the horizontal location of the underground facility on the ground to within three feet on either side of the underground facility by means of stakes, paint, or other suitable means within two business days after the request. In the case of extraordinary circumstances, if the public service company cannot mark the location within two business days, the company shall notify the person who proposes to excavate and shall, in addition, notify the person of the date and time when the location will be marked.

(4) If the public service company has no underground facility in the area of the proposed excavation or if it is determined that a proposed excavation is not planned within five feet of an underground facility as measured in the horizontal plane, and if a proposed excavation, by blasting or other means, is not planned in such proximity to the public service company's underground facility that the facility may be damaged, the