

- BEFORE THE UNDERGROUND FACILITIES DAMAGE DISPUTE BOARD -

Request of Lear & Lear PLLC for Arbitration (Sandy)	DOCKET NO. <u>26-999-07</u> NOTICE REGARDING REQUEST FOR ARBITRATION
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ISSUED: January 12, 2026

On January 12, 2026, the Public Service Commission (PSC) received the attached request for arbitration from Lear & Lear PLLC. Lear & Lear PLLC requests arbitration related to a damaged underground facility in Sandy, Utah, owned by Enbridge Gas Utah. This request for arbitration is governed by Utah Code Ann. § 54-8a-13, which is available at this link: https://le.utah.gov/xcode/Title54/Chapter8A/54-8a-S13.html?v=C54-8a-S13_2024050120240501

The PSC provides administrative support to the Underground Facilities Damage Dispute Board (“Board”). Pursuant to that role, any interested party may provide additional information regarding this dispute, including whether the disputing parties agree to arbitration as required by Utah Code Ann. § 54-8a-13(5), to the PSC by **Wednesday, February 11, 2026**, at psc@utah.gov. The PSC will forward that information to the Board and provide administrative support for the next steps pursuant to the governing statute.

This notice is being sent to the email address of Lear & Lear PLLC, the email addresses the PSC has on file for Enbridge Gas Utah, and the email address of Blue Stakes of Utah 811.

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DATED at Salt Lake City, Utah, January 12, 2026.

/s/ Gary L. Widerburg
PSC Secretary
DW#343355

CERTIFICATE OF SERVICE

I CERTIFY that on January 12, 2026, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

Aaron M. Kinikini (aaron.kinikini@learlaw.com)
Lear & Lear PLLC

Jenniffer Clark (jenniffer.clark@enbridge.com) and
(jenniffer.clark@dominionenergy.com)
Austin Summers (austin.summers@enbridge.com) and
(austin.summers@dominionenergy.com)
Enbridge Gas Utah

Paul C. Huntsman (paulh@bluestakes.org)
Blue Stakes of Utah 811

Patricia Schmid (pschmid@agutah.gov)
Patrick Grecu (pgrecu@agutah.gov)
Assistant Utah Attorneys General

Madison Galt (mgalt@utah.gov)
Division of Public Utilities

/s/ Melissa R. Paschal
Lead Paralegal

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ATTACHMENT



Lear & Lear PLLC is requesting Arbitration under Utah Code 54-8a-13

1 message

Reporting Server <noreply@bluestakes.org>

Mon, Jan 12, 2026 at 11:07 AM

To: psc@utah.gov

Cc: aaron.kinikini@learlaw.com

An Underground Facilities Damage Dispute Board has been established according to Utah state law [54-8a-13](#).

This board is created to arbitrate a dispute arising from a facility owner's or an excavator's violation of Title 54, Chapter 8a - Damage to Underground Utility Facilities in the Utah State Code, familiarly known as "The Blue Stakes Law".

The following information was submitted regarding this written request for Arbitration:

Requester's Full Name: **Aaron M Kinikini**
Requester's Company: **Lear & Lear PLLC**
Requester's Phone Number: **8015385004**
Requester's E-mail Address: **aaron.kinikini@learlaw.com**
Date Of Incident: **10/06/2024**
Blue Stakes Ticket Number(s): **C042770769**
Company(s) in Dispute: **Enbridge Gas Utah**

Dispute Explanation:

On or about October 7, 2024, KCI INC was excavating at [7789 S Canterwood Ln, Sandy, UT 84093](#), and struck an underground facility owned by Enbridge Gas Utah, resulting in damages of approximately \$2,664.06. KCI INC complied with the notice to operator requirements contained in UCA 54-8a-4. However, Enbridge Gas Utah failed to comply with its marking obligations set forth at UCA 54-8a-5, by falling to mark its underground facilities in the area of excavation. As such, Enbridge Gas Utah should bear the costs of repairs to its underground facilities and to any third party's property resulting from its failure to mark. KCI INC requests arbitration with Enbridge Gas Utah in order to resolve this issue.

User IP Address: **69.27.11.114**