

**Title 14. Local Government**  
**Chapter V. Arkansas Public Service Commission**  
**Subchapter A. Generally**  
**Part 30. One Call Center Rules**  
**Subpart 1. Generally**

**14 CAR § 30-101. Purpose and scope.**

(a)(1) The purpose of this part is to delineate the Arkansas Public Service Commission's responsibility over a One Call Center pursuant to Acts 1987, No. 600, and Acts 1989, No. 370, the Arkansas Underground Facilities Damage Prevention Act, Arkansas Code § 14-271-101 et seq.

(2) This part also:

(A) Establishes minimum criteria for:

(i) The organization of a One Call Center;

(ii) The reporting of information to the Arkansas Public Service

Commission; and

(iii) Other matters; and

(B) Provides a procedure for exemption and enforcement.

(b) This part does not limit the power given to the Arkansas Public Service Commission pursuant to Acts 1987, No. 600, Acts 1989, No. 370, or any other law or rule.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 1 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-102. Form of organization.**

(a)(1) Arkansas One-Call System, Inc. shall be the form of organization for the One Call Center.

(2) The One Call Center shall be operated as a nonprofit corporation and managed by the corporation's board of directors.

(3) The One Call Center shall be operated in accordance with the bylaws set forth in Appendix I.

(b) No change in the form of organization, bylaws, or structure of the managing body shall be made without the prior approval of the Arkansas Public Service Commission.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 2 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-103. Operational responsibility.**

(a) The One Call Center is responsible for providing a centralized one (1) number call system to expedite the location of underground installations prior to excavations in compliance with the Arkansas Underground Facilities Damage Prevention Act, Arkansas Code § 14-271-101 et seq.

(b)(1) At a minimum, the One Call Center shall have:

(A) An established office with adequate space;

(B) Sufficient equipment for storage and retrieval of the volume of information it must maintain and process;

(C) Sufficient telecommunications equipment to ensure efficient and rapid intake and distribution of information; and

(D) Sufficient personnel to staff an office performing the functions of the One Call Center during normal business hours.

(2) The One Call Center shall establish and maintain standards of performance subject to the review of the Arkansas Public Service Commission.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 3 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-104. Policies and procedures.**

(a) The One Call Center shall comply with the Arkansas One-Call System, Inc. Policies and Procedures set forth in Appendix II, which shall henceforth be the One Call Center policies and procedures.

(b) The One Call Center shall be responsible for amending its policies and procedures as necessary to comply with all state and federal laws, rules, and regulations.

(c)(1) Any change or amendment of these policies and procedures shall be subject to Arkansas Public Service Commission review upon request of:

(A) The Arkansas Public Service Commission staff; or

(B) Any person affected by such change or amendment.

(2) The Arkansas Public Service Commission staff shall be notified in writing immediately after the change or amendment is adopted by the One Call Center.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 4 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-105. Membership.**

(a)(1)(A) All operators of underground facilities shall become members of the One Call Center.

(B) "Operator" means any public utility, as defined in Arkansas Code § 23-1-101, that owns or operates an underground facility and all municipality-owned or municipality-operated water, sewer, gas, or gas utilities owned or operated individually

or by property owner associations, improvement districts, or property developers, serving in excess of one hundred (100) customers.

(2) Certain operators may not be subject to the provisions of the Arkansas Underground Facilities Damage Prevention Act, Arkansas Code § 14-271-101 et seq., if an ordinance or formal resolution was adopted in accordance with Arkansas Code § 14-271-105.

(b)(1) The One Call Center is responsible for identifying all operators as defined in subsection (a) of this section.

(2) The One Call Center shall provide written notice of membership requirements to any operator that is not a member.

(c) The One Call Center will report to the Arkansas Public Service Commission the names of all operators that fail to comply with subsection (a) of this section.

(d)(1) Other persons who own or control underground facilities or similar facilities may upon application become members of the One Call Center.

(2) Membership shall be evidenced by participation in and payment for the services furnished by the One Call Center.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 5 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-106. Fees and charges.**

(a) The fees and charges of the One Call Center shall be designed to recover the costs of operation in a manner that is both equitable and efficient.

(b) Any change in the fees and charges set forth in Appendix III shall be filed with the Arkansas Public Service Commission and subject to Arkansas Public Service Commission review upon request of:

- (1) The Arkansas Public Service Commission staff; or
- (2) Any person affected by such change.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 6 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-107. Compliance and enforcement.**

(a) The One Call Center shall require from operators such information as it deems necessary to identify significant or repeated instances of operator and/or excavator noncompliance with the Arkansas Underground Facilities Damage Prevention Act, Arkansas Code § 14-271-101 et seq. and this part.

(b)(1) Any operator, excavator, person, or entity unlawfully treated with respect to this part may complain to the Arkansas Public Service Commission in writing.

(2) The provisions of Arkansas Code § 23-3-119 and the Arkansas Public Service Commission's Rules of Practice and Procedure, 23 CAR pt. 462, addressing formal complaints shall apply to such complaints.

(c) If the Arkansas Public Service Commission finds that a violation of the Arkansas Underground Facilities Damage Prevention Act, Arkansas Code § 14-271-101 et seq., has occurred, the Arkansas Public Service Commission may refer the violator to the Attorney General for the execution of Arkansas Code § 14-271-104.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 7 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**14 CAR § 30-108. Reporting.**

The One Call Center shall:

(1) Render monthly reports to the Arkansas Public Service Commission reflecting details of its activities;

(2) Annually furnish the Arkansas Public Service Commission a report of independent auditors as to its financial condition, and shall be subject to audit by the Arkansas Public Service Commission staff;

(3) Promptly report significant or repeated instances of operator and/or excavator noncompliance with the Arkansas Underground Facilities Damage Prevention Act, Arkansas Code § 14-271-101 et seq., and this part to the Arkansas Public Service Commission after such instances come to their attention; and

(4) Furnish such other information as the Arkansas Public Service Commission or staff may from time to time request.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 8 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

#### **14 CAR § 30-109. Exemptions.**

(a) Pursuant to Arkansas Code § 14-271-107, the Arkansas Public Service Commission is authorized to grant exemptions from some or all of the requirements of membership in the One Call Center.

(b)(1) An original application for exemption and fourteen (14) copies shall be filed with the secretary of the Arkansas Public Service Commission.

(2) The secretary shall serve the One Call Center with a copy of the application.

(3) The application shall state, in sufficient detail to permit meaningful review, the facts and reasons supporting the requested exemption.

(c) The Arkansas Public Service Commission may hold such hearings as it deems necessary to determine if an exemption, in whole or in part, is reasonable and proper.

**Authority.** Arkansas Code § 14-271-103.

**Codification Notes.** This section was promulgated as Section 9 of the One Call Center Rules prior to codification into the Code of Arkansas Rules.

**Appendix A. Amended and Restated By-Laws of Arkansas One-Call System, Inc. (An Arkansas Non-Profit Corporation)**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/348/14CARpt.30AppendixI.pdf>

**Appendix B. Arkansas One-Call Center Policies and Procedures**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/349/14CARpt.30AppendixII.pdf>

**Appendix C. Arkansas One-Call Member Fees**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/350/14CARpt.30AppendixIII.pdf>