

**NEBRASKA ATTORNEY GENERAL
ANNUAL REPORT OF ONE-CALL ENFORCEMENT
2023**

To: Nebraska State Fire Marshal; One-Call Board of Directors

From: Ken Yoho, Assistant Attorney General

Date: January 10, 2024

Re: Annual Report of One-Call Enforcement Activities for 2023

The Nebraska Attorney General submits this report regarding the Office of the Attorney General's enforcement activities during 2023 for violations of the Nebraska One-Call Notification Act, Neb. Rev. Stat. § 76-2301 *et. seq.*

One-Call Complaints

86 Complaints opened

68 against operators

18 against excavators

113 Complaints closed

34 involving excavators

79 involving operators

56 Prosecution declined

27 due to no violation found

13 due to age of file and subsequent history of compliance

16 due to age of file (4 barred by statute of limitation)

23 Resolved by warning letter

11 due to age of file and issues being satisfactorily addressed

12 due to being a first violation

17 Settled

13 Closed in 2022, but not reported in 2022

4 Closed after consolidating files

71 Complaints remained open at the end of 2023:

67 allege violations against 13 distinct operators

4 allege violations against 4 distinct excavators

Civil Case Matters

0 Civil actions filed or still open, i.e., in litigation

3 Civil case files closed

Civil Penalties Assessed

Total amount of civil penalties assessed in 2023: \$86,500.00

An additional \$2,000.00 recovered on overdue judgments