

**NEBRASKA ATTORNEY GENERAL
ANNUAL REPORT OF ONE-CALL ENFORCEMENT
PURSUANT TO NEB. REV. STAT. §76-2325
Calendar Year 2021**

To: Nebraska State Fire Marshal
Chair, Executive Board of Legislative Council
One-Call Board of Directors

From: Douglas J. Peterson, Attorney General
Milissa Johnson-Wiles, Assistant Attorney General

Date: February 9, 2022

The Nebraska Attorney General submits this report to interested parties pursuant to Neb. Rev. Stat. § 76-2325.02 (Cum. Supp. 2020)

In 2021, the Nebraska Attorney General opened 39 investigatory files for enforcement action related to complaints of violations of the Nebraska One-Call Notification Act, Neb. Rev. Stat. § 76-2301 *et. seq.* This office resolved 37 investigatory files in this same time frame, as follows:

- 10 complaints were closed, prosecution declined
- 15 complaints were resolved by warning letters
- 11 complaints were resolved with assessment of a civil penalty by either settlement or Consent Decree for violations in the following counties: Lancaster, Gage
- 1 complaint was resolved by civil action and Consent Decree
- Total amount of civil penalties assessed* in 2021: \$53,750.00
- 1 civil action from 2020 remained in litigation at end of 2021
- 93 complaints remain open and under investigation at the end of 2021

*The date of assessment of civil penalties and inclusion in this report is determined by: 1) the date a Consent Decree is signed by the Court; or 2) the date of an out-of-court settlement. The amount of civil penalties includes total amount assessed, including any amount which may be waived after a successful remediation period.

