



MEMBERS MANUAL

New Mexico One Call, Inc.

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1. INTRODUCTION

Since 1990, certain New Mexico companies have joined together to operate a service known as New Mexico One Call, Inc. (NMOC) for the purpose of providing a mechanism whereby construction contractors and other persons can determine the location of underground facilities prior to engaging in blasting or excavating operations. By providing such information, NMOC is intended to help prevent damage to underground facilities resulting from such operations, and thereby to prevent injuries to persons and property and interruptions of utility service.

NMOC is structured as a 501-C4 nonprofit corporation, the regular members of which are the participating entities that own, operate or maintain underground facilities. New Mexico Law, Chapter 62, Article 14 NMSA 1978 requires all underground utility owners and certain pipeline owners and operators to belong to the One Call Center and also requires all excavators to notify the One Call Center of their intended excavation activities. This manual sets forth the general operational procedures for New Mexico One Call, Inc. and its members.

2. NMOC'S MAJOR FUNCTIONS

2.1 Locate Requests

To receive notifications from the public, contractors, utilities, and other parties of proposed excavation activity. These parties are required by state law to contact the One Call Center in advance of all planned excavation. The notifications received for these purposes are referred to as locate requests.

2.2 Notify Facility Owners

To transmit, via a communications network, information pertinent to the excavation location and the nature of the excavation to all NMOC members who may have underground facilities at or near the excavation location.

2.3 Clears

To provide a Clear Registration System as required by state law for facility owner/operators to document the clear status of locate requests and for excavators to inquire about the clear status of a locate request.

2.4 Promotion

To promote and market membership in NMOC to all underground facility owner/operators.

2.5 Awareness

To promote awareness of safe excavation practices to the general public.

2.6 Education

To provide education of excavators, facility owner/operators and the general public in how to use the one-call process.

3. OBJECTIVES

3.1 NMOC's objectives are to:

- A. Promote public safety.
- B. Eliminate costly damages.
- C. Reduce lost production time caused by damages.
- D. Promote utility coordination.
- E. Promote compliance with existing regulations, such as:
 - 1. Chapter 62 Article 14 NMSA 1978
 - 2. NMAC Title 18 Transportation and Highways Chapter 60: Pipeline Construction and Maintenance
 - i. Part 2: General Provisions
 - ii. Part 4: Enforcement Procedures
 - iii. Part 5: Excavation Damage Prevention
 - 3. OSHA 1926.651, and
 - 4. CFR Title 49-Part 192.614
- F. Help protect the environment.
- G. Promote use of NMOC by excavators.
- H. Promote membership in NMOC.
- I. Provide a cost effective notification system to members.

4. DEFINITIONS

Specific definitions of words as defined in State law are used in these Operating Procedures unless the context clearly implies a different meaning.

5. MEMBERSHIP

5.1 Member Classifications

Participation in NMOC may be in one of the following classifications:

- A. Pipeline . Any member who owns or operates facilities in New Mexico consisting of a Gas Transmission, Liquids pipelines, or products or by-products pipelines, gathering systems, or producers.
- B. Electric . Any member who owns or operates underground electric distribution and transmission utility facilities within New Mexico.
- C. Government . Any member of a political subdivision or authority of government or quasi government agency or group including Villages, Towns, Cities, Schools, Parks, Authorities, or other government owned or operated underground facilities within New Mexico that are for the public use or good.
- D. Communications . Any member who owns or operates underground telephone, fiber, cable television, or other communication signal or alarm facilities within New Mexico.
- E. Water and Wastewater . Any member who owns or operates as a business a water system or wastewater system or is non-profit mutual domestic water or waste-water system, a homeowner association, or other group providing water or waste-water services in New Mexico.
- F. Gas Distribution . Any member who owns or operates a gas distribution system providing gas services to the general public in New Mexico.
- G. Associate . Any individual, group, or business entity, including contractors, suppliers, or designated honorary members; who does not own or operate any underground plant in New Mexico, but desires to promote safe excavation and damage prevention by providing services and support to New Mexico One Call, Inc.
- H. Members may only reside in one classification. When members have more than one underground facility they must choose which classification to belong to, usually the member chooses the classification with the most underground facilities. If a member wishes to be represented in more than one classification, it must elect to have another membership under the other desired classification.

5.2 Membership Agreements

- A. Upon execution of the appropriate membership agreement, all members of New Mexico One Call, Inc. shall be governed by the Bylaws of the Corporation. Membership is considered inactive until all registration and database requirements have been satisfied.

- B. The Membership Agreement states those terms and conditions under which members may be accepted and permitted to participate in NMOC as members.

5.3 Membership Fees

Each member will be assessed a membership fee, in accordance with the applicable Rate Schedules adopted by the Board of Directors from time to time. Members will be notified at least thirty (30) days prior to any changes in their applicable rate schedules. A copy of the current schedule is attached as Appendix A.

5.4 Membership Types

Each member will be identified by the type of entity it is. The following definitions are used to help identify the entity most appropriate for the member:

- A. Privately Owned. This type is used to identify farm, ranch, or privately owned systems with one or more users/locations, but the service is not for resale or for profit and is used strictly within the ranch or farm or privately owned operations.
- B. Very Small Systems. This type of system is used to identify small owner operators, typically homeowner associations, trailer parks or very small subdivisions which are not for profit and have less than ten miles of total underground distribution and/or less than 250 customers in the aggregate.
- C. Small Owners and Master Meters. This type of system identifies larger facilities owned by developers, including strip centers, apartment complexes, and other master metered utilities, whose complex is served by the utility but owned and operated by the owner. Typically the rent or lease within the complex includes the utility service or it is sub-metered for allocation purposes. Limited to less than 50 miles of total underground facilities and or less than 500 customers in the aggregate.
- D. Incorporated Non-Profit Associations and Groups. Typically includes non-profit Mutual Domestic Water and Wastewater entities in small rural areas, larger homeowner associations operating water and/or sewer services, and other non-profit groups which operate retreats or complexes for specific non-profit groups.
- E. Government. includes villages, towns, cities, departments of federal, state and municipal government agencies, parks, or quasi government agencies, i.e., flood control authorities, etc.
- F. Business Entities & Corporations. For profit businesses who provide utility services, or operate public utility facilities that are privately owned for the public good.
- G. Pipelines, Gathering Systems, & Producers. Gas distribution utilities, liquid and gas pipeline owners and operators, and gathering systems and producers of gas and oil products and by-products.

6. COMMITTEES

6.1 Standing committees

The Board of Directors establishes those standing committees it deems to be necessary for the efficient operation and control of NMOC.

6.2 Additional committees

The Chairman of the Board may establish additional committees from time to time as necessary.

6.3 Chairperson

Unless otherwise provided, each committee shall elect a chairperson to oversee committee operations and ensure that it performs those functions as are established by the Board of Directors. This chairperson is responsible for:

- A. Conducting regularly scheduled meetings;
- B. Approval and distribution of minutes of the committee meetings;
- C. The selection, or election, of a Committee Secretary;
- D. All written correspondence from the Committee to promote the effectiveness of NMOC and to ensure improved results; and
- E. Instituting all actions, as directed by the Board of Directors, not covered in this section.

7. CENTER OPERATIONS

7.1 Executive Director

The Executive Director is responsible for overseeing the routine operation and maintenance of NMOC.

7.2 Board of Directors

The Board of Directors will normally meet the second Wednesday of each even numbered month and, when necessary, will review and revise the operations of NMOC to ensure it continues to provide the most efficient service to all of its members.

7.3 Geographical Boundary

NMOC will accept notifications of excavation activities only when they are within the geographical boundaries of the State of New Mexico.

7.4 Employees

NMOC shall provide the personnel necessary to carry out its business and shall employ the appropriate management and staff to conduct the operations of NMOC in

an effective manner to ensure the integrity of the service offered to all of the NMOC members.

7.5 Duties and Responsibilities

The duties and responsibilities of the personnel of NMOC are designated and outlined in the approved job descriptions for those positions operating within NMOC. The duties and responsibilities of these positions are subject to change pending any changes in the temporary or permanent operational needs of NMOC.

7.6 Hours

NMOC Operations Center is open to receive notifications during the following business hours - 7:00 A.M. to 5:00 P.M. (Mountain Time Zone) Monday through Friday. The Center will also accept facsimiles and web tickets 24 hours per day, 7 days a week, but will process such requests as defined in state regulations.

7.7 Holidays

NMOC will observe the following state holidays: New Year's Day, Martin Luther King's Birthday (observed), Memorial Day (observed), Independence Day, Labor Day, Columbus Day, Thanksgiving Day, US Presidents Day (usually observed by the State on the Friday following Thanksgiving Day), and Christmas Day. If any of these holidays occur on a Saturday, it will normally be observed on the preceding Friday and if any of these holidays occur on a Sunday, it will normally be observed on the following Monday.

8. DATABASE PROCEDURES

8.1 Notification Area

Each member of NMOC shall be responsible for indicating every area of the State where they have underground facilities, or otherwise wish to receive notifications from NMOC. Each member company is responsible for notifying NMOC in writing of changes in its coverage area within thirty (30) days of the installation of new facilities affecting their database. Each member is responsible for verifying its database from time to time to insure its accuracy.

8.2 Reporting Mileages

Since reporting mileages is based on the honor system, NMOC reserves the right to request members certify their reported underground facility mileage from time to time. Certification requests will be made via mail and will show the estimated mileages based on member layer map coverage, and the reported mileage. The member will have 30 days to provide the certified mileage to NMOC. NMOC will then use the certified mileages for billing purposes. NMOC will use the estimated mileages for billing purposes if the member fails to respond to the certification request in 30 days and such billings will be on a non-refundable basis. Furthermore, NMOC reserves the right to back charge any member for reasonable under-reported mileages plus a late fee of 1½ percent per month for the period the mileages were under reported. See Appendix B ~~D~~etermining Your Reportable Mileage.+

8.3 New Members

New members will be required to provide the following:

- (A) Company Representative and contact information.
- (B) Terminal information and type, terminal contact person and information.
- (C) Billing Contact and information.
- (D) Total Miles of underground facilities in New Mexico.
- (E) Their underground facilities map data or TRSQ grid database of their service area.
- (F) After Hours emergency contact information.

A member is not considered active until their database has been provided and they have been made active in the computer system.

NMOC will begin sending tickets out immediately once the member data is initially input in order to avoid any delays in protecting the member's underground facilities. NMOC will upon completion of the initial input data provide a confirmation of the database input information to the designated company's terminal contact. The member is responsible for immediately reviewing and ensuring the database confirmation accurately represents what was provided to NMOC. The member is responsible for the accuracy of the initial database information until such time as the member provides NMOC with confirmation the database has been input correctly. Any damages or liabilities resulting from errors or omissions in the database are the sole responsibility of the member until the member has provided NMOC confirmation the database is correct.

8.4 Database Updates

Once the initial member database is input, NMOC will make changes to it on an as requested basis by the member. NMOC will begin sending tickets out immediately once the member data change is input in order to avoid any delays in protecting the member's underground facilities. The member is responsible for the accuracy of the changed database information until such time as the member provides NMOC with confirmation the data base change has been input correctly. Any damages or liabilities resulting from errors or omissions in the database are the sole responsibility of the member until the member has provided NMOC confirmation the database change is correct.

9. COMMUNICATIONS

9.1 Locate Requests

NMOC will provide adequate incoming telephone lines as the volume of calls dictate. NMOC also provides facsimile and web-based accessibility for locate requests twenty-four hours per day, seven days per week. For the purposes of determining the legal excavation start time, facsimile and web-based entries will be processed within three hours of the next business day's opening at 7:00am.

9.2 Management Staff

NMOC's management staff shall each have separate telephone lines available to conduct the business of NMOC.

9.3 Voice Recordings

For liability purposes, a voice record shall be maintained of the incoming call request to locate underground lines. These records shall be kept in retention for a period of five (5) years. Should a request become involved in litigation, a recording of that request shall, upon request, be made available to the NMOC member for legal purposes for a fee. There may be a nominal charge for any copies of tickets, written records or voice records retrieved from archived information.

9.4 Member Notification

NMOC shall maintain sufficient quantities of outbound telephone lines and internet bandwidth to ensure the expedient and efficient transmittal of locates requests or messages to all NMOC members.

Each NMOC member is responsible for maintaining a communications receiving device or arrangement whereby NMOC can transmit location requests in an expedient and efficient manner.

Every NMOC member should use e-mail as its primary means of receiving notifications. This will help reduce per ticket costs to all members.

All member activity concerning any additions, relocations or disconnections of receiving units for NMOC locate requests must be cleared through NMOC prior to such action.

Each NMOC member is individually responsible for maintaining adequate supplies necessary to operate their receiving equipment.

Each member receiving location should insure that the power to their machines is always on to receive transmissions from NMOC.

Every NMOC member must have a backup system available for receiving notifications.

Each NMOC member shall furnish the center with the appropriate telephone numbers for verification of location requests and for emergency or after-hours notifications.

NMOC will promptly contact any receiving location if it is determined that receiving equipment is not functioning properly. NMOC will send test messages if needed to any receiving location upon request.

Each NMOC member receiving locate requests is responsible for immediately notifying NMOC of any errors or failures of their notification receiving equipment.

9.5 Good Night Reports

Each NMOC member shall be furnished a good night report each morning. The good night report lists all the tickets transmitted to the member the previous day. The member shall review the report and determine if it is missing any ticket transmissions. If the member is missing transmitted tickets or the good night report, the member shall immediately notify NMOC and have the missing information retransmitted.

9.5.1 Option Limiting Good Night Reports

Members who receive more good night reports than tickets may request an option to limit the good night reports being sent to only when a ticket has been transmitted for that day. To elect this option the member must execute a written agreement (Appendix B) which stipulates the member agrees to be solely responsible for ensuring their receiving equipment is functioning and indemnifies NMOC from any liability that could be incurred as a result of the member failing to receive a ticket transmitted by NMOC.

9.6 Clears

NMOC shall maintain a Clear Registration System, as provided by State law, whereby all NMOC members shall clear every locate request (ticket) received which has not been properly cleared and marked at the dig site.

10. UNDERGROUND LOCATE REQUESTS

10.1 The Locate Ticket

A locate request form (ticket), recording the information furnished by the caller, shall be prepared for each type of underground locate request. The date and time received will automatically be assigned by the computer system or operator while the information from the caller is being entered on the terminal.

PRC rules and regulations requires that every one making a locate request must provide certain information so as to permit the locator to specifically identify the proposed area of excavation and work area requirements. If NMOC determines the minimum information is not provided as required by regulations, NMOC will suspend the request and advise the requestor to call back before the close of business that day with the required information or the request will be purged and the caller will have to remake the request when the information is available.

PRC rules and regulations provides for the locate request to include an area no larger than can be reasonably worked by the excavator in a ten day period. If the work area will take longer than ten working days to complete, NMOC will suggest options for the type of locate request to use in meeting the allowable size of the physical area of a single locate request.

Callers will be notified that a locate request is only good for ten working days beginning two working days after the request is processed in accordance with state law. The caller will be given the valid excavation dates by the operator. All requests for %elocates+ should be requested two working days before the expiration date of the original request.

10.2 Ticket Number

NMOC shall sequentially number the locate request forms and the information shall be maintained by NMOC to insure quick reference. The caller shall be given the location request number for their future reference, or in case additional information is required. The caller, upon their request, may also receive a confirmation copy of the locate request by fax or email. After receipt and preparation of the request, the NMOC ticket request information will be automatically stored electronically. NMOC shall retain this information for a period of five (5) years.

10.3 Members Notified

NMOC's computer system automatically identifies those members whose database indicates their need or desire for excavation notifications in the dig area. The NMOC operators will inform the caller of NMOC members that are being notified.

10.4 Member Response

The receiving location(s) of each member is responsible for promptly handling all location requests that they receive. Each member that is notified of planned excavation activities shall mark as provided by law those facilities that may be in the proposed area of excavation and shall respond via the %Clear Registration System+ whether facilities are %clear+ if they have not been marked as provided by law.

The NMOC member agrees to respond to the following requests within the time periods shown in the table for each type of header code request:

Header Code	Member's Required Response Time
WARNING	IMMEDIATE RESPONSE REQUIRED
EMERGENCY	Within two (2) HOURS
Priority Locate	AS SHOWN ON TICKET (Between 2 hours and 40 hours)
Standard Locate	Within two (2) working days
Bid Locate	
Design Locate	
Update	
CONFERENCE Bid Design Wide Area	Arrange meeting with excavator within two (2) working days
Road Maintenance	%Clear+ if no conflicts or mark site within two (2) working days
Correction	Original ticket start time does not change.

PRC rules and regulations require that facility owners report to the Pipeline Safety Bureau any third party damages to the members' underground facilities.

11. BILLING AND EXPENSE RECORDS

11.1 Member Billing

NMOC will bill its members, in accordance with the rate schedules established from time to time by the Board of Directors, as follows:

- (A) Determine, prepare and mail an invoice for each member in accordance with the appropriate NMOC rate schedule.
- (B) Prepare and mail a current statement of account to the members each quarter. The statement shall indicate the current quarter's billing amount by member name and previous quarters credit amounts received.
- (C) Payments are due and payable within 30 days of receipt of invoice. Checks should be made payable to New Mexico One Call, Inc. NMOC will also take credit card payments.
- (D) The appropriate member's account will be credited when payment is received and the payment will be deposited in the established NMOC bank account.
- (E) NMOC bills members 30 days in advance. Payments not received by NMOC within 30 days will be considered delinquent and subject to the following late payment fees:

0 - 30 days	Current
31 - 60 days	Payment is overdue
61 - 90 days	\$15 late fee or 1½% of unpaid balance per month, whichever is greater
91 - 360 days	\$25 late fee or 2% of unpaid balance per month, whichever is greater
- (F) Payments not received by NMOC within 360 days will result in membership suspension and the company will be reported to the Public Regulation Commission, Pipeline Safety Bureau as a member in Poor Standing and excavation notices will be suspended. Late payment fees will continue to be charged to the member even if service is suspended and will accumulate until account is current. In order to reinstate membership to Good Standing, NMOC will require the member to pay the account in full plus a security deposit equal to three months of dues. Security deposits will be refunded to the member when the member has been a member in good standing for 24 consecutive months and the deposit was made within the last 36 months. Deposits held over 36 months and not refunded within the 36 months will be forfeited. Security Deposits are not interest bearing and

when appropriate, are refunded to the member at the same amount as received.

Any member who fails to make arrangements or otherwise correct the cause of the suspension within 90 calendar days may be removed for reasonable cause by a majority vote of the Board of Directors. Removal of any member terminates all membership and privileges accompanying said membership immediately upon removal. In the event of such removal, the member shall none the less remain obligated for all assessments, fees, dues, and other charges payable for any preceding years and the year of removal. A copy of the removal notice shall be sent to the Public Regulation Commission Pipeline Safety Bureau.

- (G) Security deposits will be refunded to the member when the member has been a member in good standing for 24 consecutive months and the deposit was made within the last 36 months. Deposits held over 36 months and not refunded within the 36 months will be forfeited. Security deposits are non refundable in the event of suspension or removal from membership. Security Deposits are not interest bearing and, when appropriate, are refunded to the member at the same amount as received.

11.2 NMOC Accounting

For purposes of accounting, NMOC books are kept monthly and shall be kept in accordance with generally accepted accounting practices.

- (A) NMOC will maintain records of all expenses associated with its operations.
- (B) NMOC will compile a monthly summary of operating costs in detail.

Deposit slips and monthly bank statements shall be maintained on file for seven (7) years.

12. PUBLIC RELATIONS, EDUCATION AND ADVERTISING

The Executive Director shall establish guidelines for any advertising and publication of information on NMOC or usage of its logo by NMOC members. The Executive Director will be responsible for the ordering and the distribution of NMOC advertising and specialty items.

NMOC will set up and maintain an on-line web access store for the ordering and purchasing of NMOC advertising materials and items for promotional use by the members.

NMOC will create a written marketing plan annually.

NEW MEXICO ONE CALL, INC.

NMOC will maintain a record of all public appearances and presentations made involving any representative of NMOC. NMOC presentations for interested groups may be arranged through the Executive Director.

All advertising and promotional material will specify New Mexico One Call, Inc. and/or logo, and/or the 811 logo, and/or %Dig Safely+and the appropriate telephone numbers.

APPENDIX A – RATE SCHEDULE



MEMBERSHIP DUES AND FEES SCHEDULE

The following is a description of the dues and fees and algorithms approved by the Board of Directors of New Mexico One Call, Inc. for the 4th quarter 2009 billing.

REGULAR MEMBERSHIP	TYPE	RATE	BASIC	MILES OF PLANT	PER TICKET
	Privately Owned & Very Small Facility	R1	\$19	\$0	\$0.88
	Small owners & Master meters	R5	\$68	\$0	\$0.98
	Incorporated Non-Profit Associations and Groups	R50	\$68	\$10.20 /mi/yr	\$0
	Government	R120	\$138	\$4.20/mi/yr	\$0.98
	Business Entities and Corporations	R132	\$148	\$4.45 /mi/yr	\$0.99
	Pipelines, Gathering Systems & Producers	R150	\$168	\$4.80/mi/yr	\$1.00
	Very Large Rural Facility	R200	\$2003	\$0	\$0.95
ASSOCIATE MEMBERSHIP	TYPE		Yearly Fee	Includes	Additional Persons
	Individuals		\$150	n/a	n/a
	Associations Groups		\$350	Three persons	\$125 per added person/year
	Contractor And Excavator Companies		\$225	One person	\$125 per added person/year
	Vendors		\$300	One person	\$125 per added person/year

BASIC DUES

ANNUAL BASIC DUES = \$Basic fee + Miles of plant fee * MILES OF PLANT + ticket fee * TICKETS

CLEARs

\$0.15 per clear processed through NMOC.

TERMS

Terms of payment are NET 30 Days.

Late fees will be charged according to our policy as stated in the Members Manual. A copy of the manual is available on our web site at www.nmonecall.org or by calling 505-260-1165.

New Applicants

Do not send payment with your application. We bill quarterly or yearly.

Note

The NMOC Board of Directors has approved an incremental rate increase applicable each quarter until the 2nd quarter of 2011. The increment per quarter where applicable is:

Basic \$3.00 Mileage \$0.20 Tickets \$0.03

APPENDIX B – GOOD NIGHT REPORT AGREEMENT



AGREEMENT TO LIMIT THE TRANSMISSION OF GOOD NIGHT REPORTS

It is understood and agreed between _____ (hereafter known as Member) and New Mexico One Call, Inc. that New Mexico One Call, Inc. will transmit good night reports to Member only on days that they have been sent locate tickets or other communications to the terminals listed below.

The Member further agrees to release, indemnify and hold harmless New Mexico One Call, Inc., its officers and employees, from any and all claims, causes of action, damages and judgments arising out of the Member's failure to receive a locate ticket that was transmitted by New Mexico One Call, Inc.

It is further agreed that it is the Members sole responsibility to make sure that their receiving equipment for locate tickets is properly functioning at all times and that Member will abide by all applicable state regulations.

Terminals: _____

Member
Authorized Signature: _____

Date: _____

Please print name: _____

Phone: _____

Email: _____

New Mexico One Call, Inc.
Authorized Signature: _____