



**PART F – MARKING**

Were facilities marked?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A
Were utility/facility marks visible in the area of excavation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A
Were the utility/facilities marked correctly?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A
Was the marking complete prior to the start time on the ticket?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A
Did the excavator pre-mark with white paint?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A
Was the facility marked accurately (within 18 inches)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A
Did the excavator use reasonable care to maintain locate marks for the life of project?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> N/A

**PART G – DAMAGE (if applicable)**

Fatalities 0	Injuries 0	Length of Hospitalization, If Applicable 0
Estimated Value of Property Damage: \$ \$500		Number of Customers Affected 6 - 8
Damaged In <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private		Photos of Damaged Facility <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, please include copies)
Additional Information This is the <i>FIRST</i> time we have experienced a dig in without a locate with thi		

**PART H – SIGNATURE**

Signature of Person Filing Complaint Scott Fritz 	Date 12/8/10
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Please include additional documents and photos, if applicable.

**\*If you are filing on behalf of a company, please provide information supporting your authority to file this complaint.**

Send Completed, Original Complaint To:  
Public Service Commission  
Testing and Safety Division  
600 E Boulevard Ave Dept 408  
Bismarck ND 58505-0480  
Telephone: (701) 328-2400

**Email to the PSC**



*I WAS INFORMED THE FIRST EVENT THE CONTRACTOR HAD A LOCATE. THEY DID NOT HOWEVER HAND-DIG WITHIN 18" OF MARKINGS.*

215 South Cascade Street  
PO Box 496  
Fergus Falls, Minnesota 56538-0496  
218 739-8200  
www.otpc.com

December 2, 2010

Kindred Plumbing and Heating  
Box 25  
Kindred ND 58051



Eric Merhiy:

Otter Tail Power Company Safety Services Department has processed two reports of property damage to company facilities as a result of dig-ins by Kindred Plumbing and Heating installation crews.

On July 27<sup>th</sup>, 2010, the first reported dig-in occurred in Enderlin, North Dakota. This resulted in damage to a transformer, underground cable, and underground accessories. This incident had the potential to be life threatening to your employees working in and near the trench. Everyone was fortunate that our facilities were de-energized at the time of the dig-in due to a system disturbance caused by a thunderstorm that had passed through the area earlier in the day. Otter Tail Power Company field personnel were in the process of restoring power when the dig in occurred.

North Dakota One Call (NDOC) states: *"excavators are required to maintain a minimum horizontal (side to side) clearance of two feet (24") between unexposed facility and cutting edge or point of any power operated excavating or earth moving equipment."* At this location, our facilities met the "hand dig zone" requirements set forth by NDOC.

The second reported damage occurred on November 9, 2010 in Wahpeton, North Dakota. A Kindred Plumbing and Heating underground crew was digging in a sewer system without the appropriate One Call notification. As you well know, North Dakota One Call also requires *"anyone who engages in excavation anywhere in North Dakota to provide notice of at least 48 hours in advance to North Dakota One Call."*

The actions at these job locations were unacceptable safety practices. Underground dig-ins have the potential to be catastrophic by causing injury, death, and creating liability hazards for your company, the general public, and our customers. Otter Tail Power Company upholds public safety and personal safety to be of the utmost importance.

I hope you recognize the safety concerns and understand why Otter Tail Power contacted North Dakota One Call following the damage to our facilities. In the coming weeks you will also be receiving separate billings for these dig-ins.

If you have any questions or comments relating to these incidents, feel free to contact me.

Thank You-

A handwritten signature in black ink that reads "Ryan Smith".

Ryan Smith  
Otter Tail Power Company  
Manager Safety Services  
[rsmith@otpc.com](mailto:rsmith@otpc.com)  
218-739-8508

## Fritz, Scott

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**From:** Coyne, Geri  
**Sent:** Wednesday, December 08, 2010 8:45 AM  
**To:** Fritz, Scott  
**Subject:** FW: Wahpeton, ND dig in

**From:** Paulson, Patrick  
**Sent:** Wednesday, November 10, 2010 4:46 PM  
**To:** 'nd1call@bektel.com'; Coyne, Geri; Smith, Ryan  
**Subject:** Wahpeton, ND dig in

Chad Olson, I contacted you earlier this morning about a dig in we had in Wahpeton, ND on Tuesday, November 9<sup>th</sup> at around 2:40 pm. A contractor was installing a new storm sewer system at the Wahpeton airport without a locate and hit our primary underground cable. He hit the cable with his excavator and kept on digging. I came on the sight and asked if he had a ticket number for a locate and he said he didn't. The operator gave me his main office information and said to check with them. The Contractor is Kindred Plumbing and Heating out of Kindred, ND. Their office number is 701 428 3461. I'm sending you the information as you requested this morning. I am also sending it on to my supervisor and safety department.

Thanks,  
Patrick Paulson  
Wahpeton Service Representative  
Otter Tail Power Company  
(701) 671 6013

**Fritz, Scott**

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**From:** Smith, Ryan  
**Sent:** Friday, December 03, 2010 8:18 AM  
**To:** Coyne, Geri; Krebs, Charles  
**Cc:** Fritz, Scott; Jacobs, Kimberly  
**Subject:** Kindred Plumbing and Heating  
**Attachments:** 2435\_001.pdf

All-

Attached is a letter to sent today to KPH recognizing their unacceptable work practices in Wahpeton and Enderlin while digging around (into) Otter Tail Power Company facilities.

Since we are aware and taken notice of their unsafe work practices, this would warrant not hiring KPH for any contracted work until they can prove that they have documented the appropriate steps towards corrective action for the safety concerns in this letter.

In other words we don't want to hire them, now that we have documented their unsafe work practices. Please see that appropriate personnel are aware of the circumstances.

Thanks-

Ryan

WAHPETON, ND.  
GERI COYNE OM.



