



Kindred Plumbing & Heating, Inc.

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April 5, 2011

Public Service Commission
600 Boulevard Ave Dept. 408
Bismarck, ND 58505

RECEIVED

APR 06 2011

PUBLIC SERVICE COMMISSION

Re: Third Party Damage Complaint
Case No. PU-10-649

Dear Public Service Commission:

Please take this time to review our appeal to a Third Party Damage Complaint on Kindred Plumbing and Heating. On November 9, 2010 in Wahpeton, ND we unfortunately cut a single power cable during installation of a new storm sewer system for the Wahpeton Airport. However, we were aware of the line and its location from previous months of working there. In May 2010, we were onsite installing storm sewer and came across the line but never found it at 5' to 6' depths. Also, multiple contractors onsite doing the dirt work, concrete, paving, lighting, and drain tile all crossed the path of the power line numerous times and never found it. When we came across the line again in November, we used caution and hand shovels to try and find it. After we reached our grade without finding it, on the last pass with the excavator to clean the trench we unfortunately clipped the power line.

After the line was cut, I called Ottertail Power and notified them of the accident. Our operator then dug around the line to help assist the power company during the repair. We installed the new pipe and the repaired line went over the top of the pipe giving it the proper bury depth.

This is the first instance that we have had with Ottertail Power. Our company understands the danger of our profession and uses all necessary precautions to insure a safe working environment. We incorporate this for all our employees and other workers on the jobsite. We request your consideration in closing this case with no further action required. Thank you for your time in this matter.

Regards,

Eric Merhiy
Vice President
Kindred Plumbing and Heating, Inc.

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Response to informal third party damage complaint

Kindred Plumbing and Heating
Eric Merhiy, Vice President