

SHORES COMPANIES, INC.
14260 BERG RD NW
EVANSVILLE, MN 56326
(320) 815-8557

April 10, 2012

RECEIVED

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PUBLIC SERVICE COMMISSION

DARRELL NITSCHKE
PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA
600 EAST BOULEVARD, DEPT. 408
BISMARCK ND 58505-0480

Dear Mr. Nitschke:

RE: **Shores Companies, Inc./Third Party Damage Complaint**
Case No. GS-12-31

The following serves as my written account, on behalf of Shores Companies, Inc. ("Shores Companies"), of the event referred to in that Third Party Damage Complaint signed by Belle Fourche and sent to me by the North Dakota Public Service Commission under cover letter dated January 12, 2012. Any reference to 'me' or 'I' relates to 'me' or 'I' in my capacity as officer of Shores Companies, Inc.

Shores Companies was hired by Kranks Landscaping & Dirtworks, LLC, d/b/a KLD to install underground water and sewer utilities. To indicate our work and place all on notice, we marked our path of work with barrels, cones, barricades, street closure signage and other notifying signage. On October 14, 2011, I made the One-Call in order for various utilities to be located in anticipation of my excavation. Shore Companies successfully crossed a Rough Rider Electric line sufficiently located, successfully crossed a One Oak high pressure LP line that was sufficiently located and successfully crossed a salt water line that was sufficiently located. However, Shores Companies did compromise the Belle Fourche pipeline on November 13, 2011, but at no fault of Shores Companies.

Belle Fourche did not adequately mark its facilities. First, there was no flag locating the Belle Fourche line on the south side of 8th Street, as required by regulations. Second, any flag marking the location of the line on the north side of 8th Street was not a One-Call flag, but a was a fiberglass permanent marker that, in any event, was not visible and has now been determined to have been covered by a third party blader prior to Shores Companies' excavation. Third, the engineered location of one of the manholes on this project had to be moved westerly after it was discovered that Belle Fourche's indication of the location of the subject line was erroneous, again proving Belle Fourche's negligence in adequately locating its lines. Finally, I see that the new flags marking this area of the facility have been established some 35 feet west of the original permanent marker that was not visible at the time of any work done by Shores Companies. New flags (as you can see on the photos attached to the Third Party Damage Complaint) were placed by Belle Fourche on the project within hours after its line was hit. Belle Fourche was completely negligent in response to the One-Call.

As additional evidence of its pattern of negligence in responding to the One-Call, I made a One-Call, ticket number 12025094, with start date 10:45am April 4, 2012, on this same KLD project and, as of Tuesday, April 10, 2012, Belle Fourche still has not placed any flags in response to such One call. Centurylink, Rocky Midstream, MDU, City, Willis Gas Corp., all have.

This situation was not caused by the expiration of the One-Call locations since the location of the

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Response to Third Party Damage Complaint

Shores Companies, Inc

Dennis Shores, President

facilities in question was never adequately marked to begin with. Despite that, Shores Companies has indicated to the involved parties that it would pay the cost to test and dispose of the waste products, which is estimated to be about 40 ton of oil saturated dirt, which could cost in excess of \$8,000.

Shores Companies has never been subject to any complaints (administratively or legally) and has never previously compromised any pipeline of any nature.

Sincerely, 
SHORES COMPANIES, INC.

By
Dennis Shores
Its President