

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Shores Companies, Inc.
Damage Prevention Enforcement**

Case No. GS-12-31

ORDER AND NOTICE

November 28, 2012

The evidence of record has been considered and appraised.

The Commission Orders:

1. The Hearing Officer's October 26, 2012 recommended Order Finding Respondent in Default, a copy of which is attached to this Order and made a part of this Order, is ADOPTED as the Public Service Commission's Order Finding Respondent in Default.
2. The facts before the Commission indicate that Shores did violate North Dakota Century Code Chapter 49-23 by failing to comply with the One Call procedures as outlined in North Dakota Century Code § 49-23-04, *et seq.*, as alleged in Advocacy Staff's August 23, 2012 formal complaint and supporting documentation.
3. This Order constitutes written notice of default and a statement of the grounds for default.
4. Shores Companies, Inc., 14620 Berg Rd NW Evansville, MN 56326, shall deposit the penal sum of \$2,000 with the Commission, unless a written Motion is filed, requesting that the default Order be vacated and stating the grounds relied upon, within seven days after service of the Order.

PUBLIC SERVICE COMMISSION

Absent

**Kevin Cramer
Commissioner**

Brian P. Kalk

**Brian P. Kalk
Chairman**

Bonny M. Fetch

**Bonny M. Fetch
Commissioner**

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OCT 26 2012

NORTH DAKOTA PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION

Public Service Commission)	CASE NO. GS-12-31
)	
Petitioner,)	
)	
vs.)	ORDER FINDING
)	RESPONDENT
Shores Companies, Inc.)	IN DEFAULT
)	
Respondent.)	
)	
)	
)	

The Public Service Commission, Advocacy Staff, (Advocacy Staff) has moved the Public Service Commission (Commission) for Default Judgment against Shores Companies, Inc. pursuant to N.D.C.C. § 28-32-30, N.D. Admin Rule 69-02 and Rule 55 of the North Dakota Rules of Civil Procedure.

It appears from the Motion for Default and record and Affidavit of Christopher Marohl that Shores Companies, Inc. (Shores) is in default as of October 3, 2012 for failing to file an Answer within 20 days after the formal complaint and notice of hearing was mailed via certified mail to Shores on September 13, 2012, by the Commission.


ORDER

THEREFORE on the Motion of Commission Advocacy Staff's counsel, Shores is in default concerning this matter.

The facts before the Commission indicate that Shores did violate North Dakota Century Code Chapter 49-23 by failing to comply with the One Call procedures as outlined in North Dakota Century Code § 49-23-04, et. seq., as alleged in Advocacy Staff's August 23, 2012 formal complaint and supporting documentation.

Pursuant to N.D.C.C. § 28-32-30(2), Shores has seven days to contest to vacate this default order, or it becomes final.

IT IS FURTHER ORDERED that Respondent, Shores Companies, Inc., 14620 Berg Rd NW Evansville, MN 56326, shall deposit the penal sum of \$2,000 with the Commission, if the order is not contested within seven days of the date of issuance.

By:  **PUBLIC SERVICE COMMISSION**
Patrick J. Ward
Administrative Law Judge &
Substantive Hearing Officer
Zuger Kirmis & Smith
PO Box 1695
Bismarck, ND 58502-1695
701-223-2711

Kelsey Bachhaus

Subscribed and sworn to before me, today, October 26, 2012.

Brenda K. Vitek
NOTARY PUBLIC

