



THIRD PARTY DAMAGE COMPLAINT

Public Service Commission
SFN 59067 (12-11)

PART A – WHO IS SUBMITTING THIS COMPLAINT

Information Being Submitted By <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Company*	Company/Organization Reservation Telephone Cooperative	Person Filing Information Alicia M. Brenna	Position attorney	
Address of Person Filing Information 4031 110th Ave NW	City Keene	State ND	Zip Code 58847	
Telephone Number 701-675-2188	Email Address brennalaw@gmail.com		Date 1/24/2012	

PART B – WHO ALLEGEDLY VIOLATED THE ONE-CALL REGULATIONS

Name of Excavator Edwards Gravel and Trucking		Telephone Number 701-220-7056	
Address 6752 51st Street NW	City Plaza	State ND	Zip Code 58771
Name of Entity for Which Excavation Was Performed Edwards Gravel and Trucking		Telephone Number 701-220-7056	
Address 6752 51st Street NW	City Plaza	State ND	Zip Code 58771

PART C – DATE AND LOCATION OF THE EVENT

Date of Event 3/9/2011	Address of the Excavation and/or Damage 1st Street SE #12 and #14		
County Mountrail	City Parshall	State ND	Zip Code 58770

PART D – FACILITY INVOLVED

Type of Facility Involved cutting of fiber optic cable	Operator of Facility and Contact Person (if known) Reservation Telephone Coop/ Shane Hart		
Address 24 Main Street North	City Parshall	State ND	Zip Code 58770
Telephone Number 701-562-5200	Email Address (if known) shaneh@restel.com		
Brief Description of Facility Involved fiber optic cable			

PART E – DAMAGE (if applicable)

Fatalities 0	Injuries 0	Length of Hospitalization, If Applicable 0
Estimated Value of Property Damage: \$ \$5109.15 plus current attorneys fees (\$483.00 currently)		Number of Customers Affected 9
Damaged Within <input checked="" type="checkbox"/> Public Property <input type="checkbox"/> Private Property		Photos of Damaged Facility <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, please include copies)

PART F – EXCAVATION

Was a locate requested from North Dakota One-Call?	
<input type="checkbox"/> Yes Locate Ticket Number <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	Start Date on Ticket <input style="width: 150px; height: 20px;" type="text"/>
Did excavator wait until the start date/time on the ticket before commencing excavation?	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> N/A	
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> N/A	

PART G – 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 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 24 inches horizontally?	<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 H – DESCRIPTION OF EVENT

<p>Description of Event</p> <p>Excavator began digging without calling One Call. During the excavation, a fiber optic cable was cut. A backhoe and operator were required to be hired to pull the damaged fiber cable. Equipment: splice case, splice tray, ribbon and single splices, splice trailer, case prep and labor.</p> <p>Reservation Telephone Cooperative has repeatedly sent invoices and made phone calls to the owner of Edwards Gravel and have received no response. In December 2011, the coop had their attorney send a letter identifying their negligence on this matter.</p>
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Description of Event Continued

[Empty text area for event description]

PART I – SIGNATURE

Signature of Person Filing Complaint /s/ Alicia M. Brenna	Date 1/24/2012
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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
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480
Telephone: (701) 328-2400

Email to the Commission