



Public Service Commission

State of North Dakota

COMMISSIONERS

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19 April 2013

Mr. Allen C. Hoberg
Office of Administrative Hearings
2911 North 14th Street - Ste 303
Bismarck, ND 58503

Re: Public Service Commission v. Kindred Plumbing and Heating
Damage Prevention Enforcement
PU-12-303

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A hearing has not been scheduled yet but when a Notice of Hearing is issued I will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

Illona A. Jeffcoat-Sacco
General Counsel

enclosure
c: w/encl. Kindred Plumbing and Heating



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the North Dakota Public Servc Commission v.Kindred Plumbing and Heating
Damage Prevention Enforcement, PSC Case No. PU-12-303

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-23 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
 Hearing to determine if Kindred Plumbing and Heating violated N.D.C.C. Chapter 49-23, the North Dakota One-Call Law, and if a violation is found, should the Commission impose a civil penalty

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	Date 19 April 2013
Signature of Requesting Person X <i>Illona A. Jeffcoat-Sacco</i>	Telephone Number (701) 328-2407

Attachment
Request for ALJ
19 April 2013

Public Service Commission v. Kindred Plumbing and Heating
Damage Prevention Enforcement
PU-12-303

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Ryan Norrell - Advocacy Staff (pending SAAG appointment and Commission Motion)	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 701-328-2407
Illona A. Jeffcoat-Sacco PSC General Counsel (Commission Advisor)		
Patrick Fahn and Sara Cardwell	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-4077
PSC Advocacy Staff		
PARTY Kindred Plumbing and Heating	Address 302 Woodlawn Dr. Kindred, ND 58051	Telephone Number 701-428-3461
Representation To be determined	Address	Telephone Number