

Memorandum

To: Commissioner Brian P. Kalk
Commissioner Randy Christmann
Commissioner Julie Fedorchak

From: Julie Prescott, Public Utility Analyst

Date: October 22, 2014

Re: Damage Prevention Enforcement, Case No. PU-12-778

On October 29, 2012, the Commission received a North Dakota One-Call Complaint form from Jennie Jamison, Bookkeeper at One Call Concepts, Inc. (OCCI) of Hanover, Maryland. The complaint indicated a violation by BCS Fence & Services of Dickinson, North Dakota (BCS) of North Dakota Century Code chapter 49-23: One-Call Excavation Notice System. In its complaint, OCCI indicated that it provided utility locate services in for BCS in 2011 and 2012 for which it had not been compensated by BCS in the amount of \$47.90.

A business records search by Commission staff of the Secretary of State (SOS) website, as well as a telephone conversation with SOS, revealed that BCS, a limited liability company, was dissolved involuntarily on or before May 17, 2013. OCCI was notified of BCS's business status, and responded via email on September 19, 2014, indicating that OCCI will "write off" the balance owed OCCI by BCS.

Staff recommends that no further action be taken and the case be closed.