



# THIRD PARTY DAMAGE COMPLAINT

Public Service Commission

SFN 59067 (11-12)

## PART A – WHO IS SUBMITTING THIS COMPLAINT

Information Being Submitted By <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Company*	Company/Organization North Dakota Public Service Commission	Person Filing Information Aaron Morman	Position North Dakota State Gas Pipeline Safety Inspector/Program Manager	
Address of Person Filing Information 12th Floor, Dept 408, 600 E Boulevard	City Bismarck		State ND	Zip Code 58505-0480
Telephone Number 701-220-5779 cell 701-328-4077 office	Email Address aarmorman@nd.gov		Date 3-19-2013	

## PART B – WHO ALLEGEDLY VIOLATED THE ONE-CALL REGULATIONS

Name of Excavator See Part H, Description of Event		Telephone Number	
Address	City	State	Zip Code
Name of Entity for Which Excavation Was Performed		Telephone Number	
Address	City	State	Zip Code

## PART C – TIME AND LOCATION OF THE EVENT

Date and Time of Event 1/28/2013, 16:35 MST	Address of the Excavation and/or Damage 3910 94th Ave SW, 3.5 miles South of Taylor, ND Latitude 46 Deg 50' 51"N / Longitude 102 Deg 102' 25" W		
County Stark	City Taylor	State ND	Zip Code 58656

## PART D – FACILITY INVOLVED

Type of Facility Involved Interstate Natural Gas 2" Transmission Pipeline	Operator of Facility and Contact Person (if known) WBI Energy Transmission, Inc.		
Address 1250 West Century Ave	City Bismarck	State ND	Zip Code 58506-5601
Telephone Number 701-530-1600	Email Address (if known) kent.kahl@wbienergy.com		
Brief Description of Facility Involved WBI Energy Transmission (WBI) 2" Steel High Pressure Lateral Transmission Pipeline located 3.5 miles South of Taylor, ND.			

**PART E – DAMAGE (if applicable)**

Fatalities 0	Injuries 0	Length of Hospitalization, If Applicable N/A
Estimated Value of Property Damage: \$ See Part H, Description of Event		Number of Customers Affected 100
Damaged Within <input type="checkbox"/> Public Property <input checked="" 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?  
 Yes    Locate Ticket Number **13004602**    Start Date on Ticket **1/24/2013**  
 No  
 Unknown

Did excavator wait until the start date/time on the ticket before commencing excavation?  
 Yes     No     Unknown     N/A

Were buried facilities exposed by hand or non-invasive equipment prior to excavation?  
 Yes     No     Unknown     N/A

**PART G – MARKING**

Were facilities marked?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Were utility/facility marks visible in the area of excavation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Were the utility/facilities marked correctly?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Was the marking complete prior to the start time on the ticket?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Did the excavator pre-mark with white paint?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Was the facility marked accurately within 24 inches horizontally?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input 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 checked="" type="checkbox"/> Unknown	<input type="checkbox"/> N/A

**PART H – DESCRIPTION OF EVENT**

**Description of Event**

I received a phone call from Kent Kahl, D.O.T. Compliance supervisor for WBI Energy Transmission, Inc. (WBI) on January 28, 2013 at 9:04 PM CST, to report that a 2" Steel Lateral Transmission Line owned by WBI had been damaged by excavation activities 3.5 miles South of Taylor, ND in Stark County. The time the line was hit and punctured was at 5:35 PM CST. The 2" lateral transmission line feeds natural gas to about 100 residential and commercial customers in the town of Taylor, ND. The gas to the affected customers was shut off at 9:00 PM CST. The Local Distribution Company (LDC) dispatched personnel to the town of Taylor to shut off gas to customers until the gas supply was restored by WBI at which time the LDC would reestablish gas service to the affected customers. Repairs to the WBI transmission line were completed at 11:55 PM MST at which time the gas was restored to the LDC. The LDC then proceeded to relight their customers. The last customer was relit at 6:00 PM MST on January 29, 2013. The cause of the incident by WBI's admission, was that their locate technician failed to locate the 2" lateral line as was required. The excavation contractor, Aevenia, was trenching for installation of an electrical mainline. WBI was called as soon as was reasonably possible by the excavator and WBI dispatched personnel to the damaged location. There were no injuries, explosions or fires as a result of the incident.

**Description of Event Continued**

The damaged area was secured and protected by the excavation contractor to protect the public and property as was necessary until WBI arrived on the scene. Kent Kahl of WBI admitted the error was on the part of WBI, and stated the contract excavator was not at fault as they had no knowledge of the location of the lateral line prior to the time it was hit. WBI had located and marked the Main transmission line in the area but that is not where the excavation was to take place. As of this date, I have not received an estimate of the costs incurred by the LDC or WBI.

According to North Dakota One-Call Excavation Notice System Chapter 49-23-04, the approximate horizontal location of the underground facilities is a strip of land two feet (90.6 centimeters) on either side of the underground facilities. WBI failed to follow this in regards to locating and marking the 2" lateral transmission line that was damaged.

**PART I - SIGNATURE**

Signature of Person Filing Complaint



Date

March 19, 2013

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**