



**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 CenturyLink	Person Filing Information Joe Shepherd	Position Area Plant Supervisor	
Address of Person Filing Information 1101 16th Street NE		City Mandan	State ND	Zip Code 58554
Telephone Number 701-222-7244	Email Address joe.shepherd@centurylink.com		Date 04/02/2013	

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

Name of Excavator Ernest Tormaschy		Telephone Number 701-225-2439	
Address 10223 Highway 10	City Gladstone	State ND	Zip Code 58630-9530
Name of Entity for Which Excavation Was Performed Same as above		Telephone Number	
Address	City	State	Zip Code

**PART C – DATE AND LOCATION OF THE EVENT**

Date of Event 03/30/2013	Address of the Excavation and/or Damage Green River rest area I-94 mile marker 70.5		
County Stark	City Gladstone	State ND	Zip Code 58630

**PART D – FACILITY INVOLVED**

Type of Facility Involved Fiber Optics	Operator of Facility and Contact Person (if known) Centurylink/ Joe Shepherd		
Address 1101 16th Street NE	City Mandan	State ND	Zip Code 58554
Telephone Number 701-222-7244	Email Address (if known) joe.shepherd@centurylink.com		
Brief Description of Facility Involved Main fiber optic cable and copper cable between Bismarck and Dickinson, ND. Involved the cities of Dickinson, Belfield, Fairfield and Medora North Dakota. This included 911 and cell phone sites for 14 hours. Centurylink has a temporary fix but need to do a permanent fix that includes replacing 700' feet of fiber cable and boring the Green River to get the splice out of the river bottom. The total cost could exceed \$50,000.			

**PART E – DAMAGE (if applicable)**

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

**PART F – EXCAVATION**

Was a locate requested from North Dakota One-Call?	
<input checked="" type="checkbox"/> Yes    Locate Ticket Number <input type="checkbox"/> No <input type="checkbox"/> Unknown	Start Date on Ticket <span style="border: 1px solid black; padding: 2px;">03/30/2013</span>
Did excavator wait until the start date/time on the ticket before commencing excavation?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A	
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A	

**PART G – MARKING**

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

**PART H – DESCRIPTION OF EVENT**

Description of Event  Land owner removed 6' of dirt along the Green River without calling for locates. They cut the facilities and didn't call to report the damage. Took our employees several hours to locate the damage.
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Description of Event Continued

[Empty box for Description of Event Continued]

**PART I – SIGNATURE**

Signature of Person Filing Complaint Joe Shepherd	Date 04/02/2013
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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**