



### 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 Hess Corporation	Person Filing Information Charles Columbus	Position Supervisor
Address of Person Filing Information 10384 68th Street NW	City Tioga	State ND	Zip Code 58852
Telephone Number 701-664-6401	Email Address ccolumbus@hess.com	Date 5-31-2013	

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

Name of Excavator NCC - Jason Hill		Telephone Number 701-705-0193	
Address 111 Railroad Avenue	City Ray	State ND	Zip Code 58849
Name of Entity for Which Excavation Was Performed NCC		Telephone Number 701-705-0193	
Address same as above	City	State	Zip Code

#### PART C - TIME AND LOCATION OF THE EVENT

Date and Time of Event 5-28-2013 / 9:30am	Address of the Excavation and/or Damage 112 NW Ave and 90th Street NW		
County	City Upland Twnshp	State ND	Zip Code

#### PART D - FACILITY INVOLVED

Type of Facility Involved	Operator of Facility and Contact Person (if known) Hess Corporation - Jerry Howard		
Address 112 NW Ave and 90th Street NW	City upland twshp	State ND	Zip Code
Telephone Number 813-326-4101	Email Address (if known) jrhoward@goldenfieldservices.com		
Brief Description of Facility Involved Excavator was told by Hess line locator that NCC would need to hand dig and hydrovac to expose Hess line before crossing and a Hess representative would have to be on location at time of crossing. NCC stated they would do so and when Hess representative returned NCC had completed the line crossing and backfilled the trench. Hess is concerned that there is the possibility that a line may have been nick, scraped, dented or the required spacing distance between lines is not correct. NCC violated ND Underground Laws by not hand digging or exposing the line before crossing. NCC knowingly and willfully violated Hess encroachment procedures. Hess is asking the commission to respond favorably to this complaint and have NCC at their expense expose the line crossing to verify that no damage occurred. The commission is well aware of the seriousness of this offence that any small damage to the coating of the line could cause injury in the future after corrosion has occurred. Thank you			

**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 <b>13049563 - 5/20/2013</b>
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 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 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 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A

**PART H – DESCRIPTION OF EVENT**

<p><b>Description of Event</b></p> <p>Excavator was told by Hess line locator that NCC would need to hand dig and hydrovac to expose Hess line before crossing and a Hess representative would have to be on location at time of crossing. NCC stated they would do so and when Hess representative returned NCC had completed the line crossing and backfilled the trench. Hess is concerned that there is the possibility that a line may have been nick, scraped, dented or the required spacing distance between lines is not correct. NCC violated ND Underground Laws by not hand digging or exposing the line before crossing. NCC knowingly and willfully violated Hess encroachment procedures. Hess is asking the commission to respond favorably to this complaint and have NCC at their expense expose the line crossing to verify that no damage occurred. The commission is well aware of the seriousness of this offence that any small damage to the coating of the line could cause injury after corrosion has occurred. Thank you</p>
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**Description of Event Continued**

[Empty box for description of event]

**PART I – SIGNATURE**

Signature of Person Filing Complaint Charles Columbus	Date 6-03-2013
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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**