



I1 - Interview with Tom's Backhoe Service – Tom Thompson on 2-4-14

Called Tom's Backhoe Service (Tom's) to inform them that the PSC would be sending out a Consent Order form prepared for the Damage Prevention Case # GS-13-712. This case involved Tom's and the operator who sent in the 3rd Party Damage Complaint, Montana-Dakota Utilities (MDU).

I informed Tom Thompson(Tom) of the \$500.00 civil penalty that was associated with the damage that occurred at the excavation site referred to in this case.

I informed Tom that Tom's Backhoe Service has the right to request a hearing if they disagree with the Consent Order being sent to them.

Tom told me that the gas line that was damaged was too shallow and that there would have been no damage if the gas line had been installed to the proper legal depth.

He also informed me that this particular gas line had been cut on two other occasions Tom admitted that the bucket on the backhoe performing the excavation work was what caused a rock to be pushed into the gas line which caused the leak to occur.

Tom was very vocal in admitting his dislike of the situation. He called the operator a bunch of arrogant S.O.B.'s and that if it came to him having to pay a civil penalty, the gloves would come off and he would go after the operator. I did not ask what Tom meant by that statement.

Aaron Morman
NDPSC
2-5-14

12 – Interview with Montana-Dakota Utilities Co. – Dawn Roness – 2-4-14

In regards to Damage Prevention Case #13-712 involving Tom's Backhoe Service (Tom's). I called Dawn Roness (Dawn) of Montana-Utilities Co. (MDU) to get more information from them in regards to the damage that occurred in this case in Minot, ND with Tom's damaging a gas line at the address stated in the 3rd Party Damage Complaint submitted to the North Dakota Public Service Commission (Commission).

Dawn went to the scene where the gas line was damaged. When she got to the scene, she talked to MDU's first responder and they noticed that Tom Thompson (Tom) of Tom's, had evidently gotten off the backhoe they were using to perform the excavation and taped the damaged part of the gas line when the damage occurred and prior to MDU arriving at the scene.

MDU squeezed off the line so the leaking of gas would stop and they could repair the line. Dawn stated that Tom was very upset when she arrived and she also stated that this is the third time that Tom's has damaged their gas lines in Minot and MDU is tired of getting their lines damaged by Tom's. She stated that Tom is always trying to blame someone else when they have hit the lines and he is always in a hurry.

Aaron Morman
NDPSC
2-5-14

13-Interview with Tom's Backhoe Service –Tom Thompson 2-5-14

In regards to Damage Prevention Case # 13-712.

I called Tom's Backhoe Service (Tom's) to follow up on the conversation we had on 2-4-14 in regards to the Consent Order (Order) the PSC would like to send Tom's for review and return to the PSC.

I informed Tom Thompson (Tom) that the \$500.00 Civil Penalty proposed by the PSC would not change because of the fact that damage had occurred at the address noted in the 3rd Party Damage Complaint report we had gotten from the operator, Montana-Dakota Utilities, Co. (MDU).

I also advised Tom again of the right of Tom's to request a hearing.

He was very vocal in the fact that he felt he should not be held responsible for damages that occurred to the gas line referred to in this case because of improper depth of cover on the gas line and the fact that the operator was doing an inadequate job of covering the gas line to the proper amount of cover.

Tom said this was total bull**** and that he was going to get his lawyers involved because at a hearing the PSC would be the judge and jury.

He refused to sign the Order and said he wants a Hearing. I told Tom the PSC would be in touch.

Aaron Morman
NDPSC
2-5-14