

October 21, 2013

Public Service Commission
State of North Dakota
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480



Attn: Mr. Aaron Morman

RE: Case GS-13-802

Mr. Morman,

We have reviewed the complaint from MDU. Selland is very aware of the seriousness of hitting and damaging utilities as we have been actively installing dry and wet utilities since 1957.

Safety is very important to Selland and we take great pride in corrective action.

In regards to the complaint, we believe it is very important for the Public Utility Commission to understand the following:

- 1) Nature of the complaint. Selland was constructing a new subdivision with new wet and dry utilities. Selland was responsible for the excavation and backfill of common trench for gas, electrical, cable, and street lights. When installing the conduits, Selland broke the non-active gas line in the common trench on three separate occasions and was repaired by MDU.
- 2) Severeness of the complaint. Unfortunately we broke the MDU gas line when installing the crossing utilities, however the facts are the MDU gas line was not active, not live, and it was a new line being installed by Selland under our Project. We understand the severe nature if the line was a live line however this was not the case. Selland does not dis warrant MDU's complaint however the nature and severity needs to be put in context as the line was inactive and part of our new project line installation for our project in a common trench.
- 3) Corrective action. At the time of the incidents, Selland employed our Superintendent Ryan Smith who was the immediate supervisor of the Project. Once it was discovered that he did not report the incident, Selland terminated his employment.

Since the complaint, Selland has installed what is known as Phase 2 of the dry utilities with a different Superintendent in place. Selland was very proactive in having a pre-dig meeting with all utility companies in attendance to go over any concerns parties may have as well as stating what to do if a utility were to be struck. The installation went very well and there were no issues with the installation indicating Selland's responsiveness and understanding of the seriousness of the situation. As stated above, Selland has been in business a long time and we pride ourselves as a quality Contractor.

Please feel free to contact me so I can answer any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Gaul', with a stylized flourish extending to the right.

Jason Gaul
Vice President
Selland Construction, Inc