



Public Service Commission
State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

28 July 2014

Wade Mann, Director
Office of Administrative Hearings
2911 North 14th Street - Ste 303
Bismarck, ND 58503

Re: Public Service Commission v. Selland Construction, Inc.
Damage Prevention Enforcement
GS-13-802

Dear Mr. Mann:

Enclosed is a request for an Administrative Law Judge in the captioned case. On 10 July 2014, the Commission found the Complaint states a *prima facie* case and served it on Selland Construction, Inc. on 14 July 2014. A hearing has not yet been scheduled, but when a Notice of Hearing is issued we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,


Illona A. Jeffcoat-Sacco
General Counsel

enclosure
c: w/encl. Jason Gaul, VP, Selland Construction, Inc.



REQUEST FOR ADMINISTRATIVE LAW JUDGE--COMPLAINT
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17818 (Rev. 06-2007)

Name of Agency, Board, or Commission North Dakota Public Service Commission		
Name of Respondent(s) Selland Construction, Inc.	Address PO Box 119, Wenatchee, WA 98807-0119	Telephone Number (509) 662-7119

The above named agency, board, or commission has taken administrative action pursuant to its authority found in N.D.C.C. Ch. 28-32, 49-07, 49-23 & N.D.A.C. 69-02 (North Dakota Century Code and/or North Dakota Administrative Code).

The administrative action is more fully described as follows: Formal complaint alleging Selland Construction, Inc. violated N.D.C.C. Chapter 49-23, North Dakota One-Call Law and requesting a civil penalty.

Has the respondent been provided a copy of the complaint? Yes No

Attached is a copy of the complaint, related documents and correspondence, and certificate, affidavit or admission of service. If the respondent has otherwise been notified about this administrative action, please explain in the comments section below.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Agency Contact Person(s) See attached	Telephone Number
--	------------------

Representation [attorney (or other)] if known:

Agency See attached	Telephone Number
Party	Telephone Number
Party	Telephone Number

Additional Comments A hearing has not yet been scheduled but when a Notice of Hearing is issued we will forward it to your office.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	7/28/2014
Signature of Requesting Person x <i>Illona A. Jeffcoat-Sacco</i>	Telephone Number (701) 328-2407

Attachment
Request for ALJ
28 July 2014

Public Service Commission v. Selland Construction, Inc.
Damage Prevention Enforcement
GS-13-802

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Illona A. Jeffcoat-Sacco PSC Advisory Staff Counsel	Address Same as above	Telephone Number 701-328-2407
Representation Mitch Armstrong Smith Bakke Porsborg Schweigert & Armstrong Advocacy Staff Counsel	Address Smith Bakke Porsborg Schweigert & Armstrong 122 E. Broadway Ave. Bismarck, ND 58501	Telephone Number 701-258-0630
PARTY Jason Gaul Selland Construction, Inc.	Address PO Box 119 Wenatchee, WA 98807-0119	Telephone Number 509-662-7119
Representation To be determined	Address	Telephone Number