



Public Service Commission
State of North Dakota

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14 October 2014

Darrell Nitschke
Director of Administration / Executive Secretary
North Dakota Public Service Commission
600 E. Blvd. Ave. Dept. 408
Bismarck, ND 58505-0480

RE: Public Service Commission v.
Northern Excavating Co., Inc.
Damage Prevention Enforcement

Case Number PU-13-877
Case Number PU-13-878
Case Number PU-13-879
Case Number PU-13-880
Case Number PU-13-881
Case Number PU-13-882
Case Number PU-13-883

Dear Mr. Nitschke:

Enclosed for filing in each of the seven captioned cases as an ex parte communication, under North Dakota Century Code Section 28-32-37, is an e-mail from Commissioner Kalk specifying the content of a text message he received from Donna Lindberg, the spouse of Robert Lindberg, President of Northern Excavating Co.

Best regards,

[Handwritten signature of Illona A. Jeffcoat-Sacco]

Illona A. Jeffcoat-Sacco
General Counsel

Enclosure

cc/w encl.: Robert Lindberg
Mitch Armstrong, via electric mail at marmstrong@smithbakke.com
Wade Mann, via electronic mail at wmann@nd.gov

PU-13-883 Filed: 10/14/2014 Pages: 2
Letter enclosing e-mail from Commissioner Kalk re
ex parte communication

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17 PU-13-882 Filed: 10/14/2014 Pages: 2
Letter enclosing e-mail from Commissioner Kalk re
ex parte communication

17 PU-13-881 Filed: 10/14/2014 Pages: 2
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17 PU-13-877 Filed: 10/14/2014 Pages: 2
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ex parte communication

Jeffcoat-Sacco, Illona

From: Kalk, Brian P.
Sent: Monday, October 13, 2014 3:22 PM
To: Jeffcoat-Sacco, Illona
Cc: Christmann, Randel D.; Fedorchak, Julie L.; Eberl, Stacy L.; Schock, Victor F.; Fahn, Patrick J.; Hamre, John G.; Kalk, Brian P.
Subject: Illona - Please file this communication dealing with pending cases.

Illona,

At approximately 2pm today (Oct 13, 2014) I received a text message from Donna Lindberg (701.320.5967), spouse of Rob Lindberg and who is the owner of Northern Excavating. The information from the text was:

"Hi Brian. I just read on News Dakota that Robs Co Northern Excavating is facing fines for one call violations. I just talked to him and he said these calls were made and muss marked. Do you want to call him."

I think the word "muss" in her text is a typo but I wanted to make sure we filed the exact communication. I didn't respond to Mrs. Lindberg but would ask that you do and walk her through the PSC hearing process. Below are the cases that we will be hearing on Dec 5th.

PSC v Northern Excavating Co., Inc. (7-25-2013)
Damage Prevention Enforcement
PU-13-877

PSC v Northern Excavating Co., Inc. (8-2-2013)
Damage Prevention Enforcement
PU-13-878

PSC v Northern Excavating Co., Inc. (25 pair copper)
Damage Prevention Enforcement
PU-13-879

PSC v Northern Excavating Co., Inc. (144 Fiber Optic)
Damage Prevention Enforcement
PU-13-880

PSC v Northern Excavating Co., Inc. (9-17-2013)
Damage Prevention Enforcement
PU-13-881

PSC v Northern Excavating Co., Inc. (9-30-2013)
Damage Prevention Enforcement
PU-13-882

PSC v Northern Excavating Co., Inc. (75 pair 2nd time)
Damage Prevention Enforcement
PU-13-883

Brian P. Kalk PhD
U.S. Marine Corps (Retired)
Chairman, North Dakota Public Service Commission
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