

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Public Service Commission **Case No. PU-13-877**
Northern Excavating Co., Inc. (7-25-2013)
Damage Prevention Enforcement

Public Service Commission **Case No. PU-13-878**
Northern Excavating Co., Inc. (8-2-2013)
Damage Prevention Enforcement

Public Service Commission **Case No. PU-13-879**
Northern Excavating Co., Inc. (25 pair copper)
Damage Prevention Enforcement

Public Service Commission **Case No. PU-13-880**
Northern Excavating Co., Inc. (144 Fiber Optic)
Damage Prevention Enforcement

Public Service Commission **Case No. PU-13-881**
Northern Excavating Co., Inc. (9-17-2013)
Damage Prevention Enforcement

Public Service Commission **Case No. PU-13-882**
Northern Excavating Co., Inc. (9-30-2013)
Damage Prevention Enforcement

Public Service Commission **Case No. PU-13-883**
Northern Excavating Co., Inc. (75 pair 2nd time)
Damage Prevention Enforcement

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **14th** day of **October, 2014**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, containing a photocopy of:

				18	PU-13-880	Filed: 10/14/2014	Pages: 4
						Affidavit of Service, Reg. Mail – Notice	
18	PU-13-883	Filed: 10/14/2014	Pages: 4	18	PU-13-879	Filed: 10/14/2014	Pages: 4
		Affidavit of Service, Reg. Mail – Notice				Affidavit of Service, Reg. Mail – Notice	
18	PU-13-882	Filed: 10/14/2014	Pages: 4	18	PU-13-878	Filed: 10/14/2014	Pages: 4
		Affidavit of Service, Reg. Mail – Notice				Affidavit of Service, Reg. Mail – Notice	
18	PU-13-881	Filed: 10/14/2014	Pages: 4	18	PU-13-877	Filed: 10/14/2014	Pages: 4
		Affidavit of Service, Reg. Mail – Notice				Affidavit of Service, Reg. Mail – Notice	

Notice of Consolidated Hearing

Affidavit of Service by Regular Mail
Page 2
October 14, 2014

The envelope was addressed as follows:

Shane Hart
Assistant General Manager
Reservation Telephone Cooperative
PO Box 68
Parshall ND 58770-0068

The address shown is the respective addressee's last reasonably ascertainable mailing address.

Shelly A Bauske

Subscribed and sworn to before me
this 14th day of **October, 2014**.

Charlene A Magstadt
Notary Public

SEAL



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NOTICE OF CONSOLIDATED HEARING

October 8, 2014

On August 25, 2014, Public Service Commission Advocacy Staff filed a formal complaint (Complaint) alleging violations of the North Dakota One-Call law, N.D.C.C. Chapter 49-23, and requesting the Commission find Northern Excavating Co., Inc. responsible for violating the One Call law and impose a penalty of \$1000 in Case No. PU-13-877, \$1000 in Case No. PU-13-878, \$1500 in Case No. PU-13-879, \$3000 in Case No. PU-13-880, \$3000 in Case No. PU-13-881, \$3500 in Case No. PU-13-882, and \$4000 in Case No. PU-13-883.

On September 2, 2014, the Public Service Commission found the Complaint states a prima facie case and directed that the Complaint be served on the Respondent, Northern Excavating Co., Inc.

16	PU-13-883	Filed 10/08/2014	Pages: 2	16	PU-13-881	Filed 10/08/2014	Pages: 2	16	PU-13-879	Filed 10/08/2014	Pages: 2
	Notice of Consolidated Hearing				Notice of Consolidated Hearing				Notice of Consolidated Hearing		
	Public Service Commission				Public Service Commission			16	PU-13-878	Filed 10/08/2014	Pages: 2
									Notice of Consolidated Hearing		
16	PU-13-882	Filed 10/08/2014	Pages: 2	16	PU-13-880	Filed 10/08/2014	Pages: 2	16	PU-13-877	Filed 10/08/2014	Pages: 2
	Notice of Consolidated Hearing				Notice of Consolidated Hearing				Notice of Consolidated Hearing		

Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, the Commission has consolidated the seven cases under North Dakota Administrative Code section 69-02-04-04.

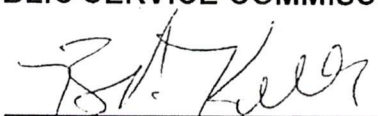
A **public hearing** on these matters will be held commencing on **December 5, 2014 at 1:30 p.m. CST** in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The issues to be considered are:

1. Has Northern Excavating Co., Inc. violated N.D.C.C. Chapter 49-23, the North Dakota One-Call law in Case No. PU-13-877, in Case No. PU-13-878, in Case No. PU-13-879, in Case No. PU-13-880, in Case No. PU-13-881, in Case No. PU-13-882, and/or in Case No. PU-13-883?
2. If a violation is found, should the Commission impose a civil penalty in the amount of \$1000 in Case No. PU-13-877, \$1000 in Case No. PU-13-878, \$1500 in Case No. PU-13-879, \$3000 in Case No. PU-13-880, \$3000 in Case No. PU-13-881, \$3500 in Case No. PU-13-882, and/or \$4000 in Case No. PU-13-883?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or 877-245-6685 (toll free in North Dakota), or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Brian P. Kalk
Chairman


Julie Fedorchak
Commissioner