

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

<b>Public Service Commission Northern Excavating Co., Inc. (7-25-2013) Damage Prevention Enforcement</b>	<b>Case No. PU-13-877</b>
<b>Public Service Commission Northern Excavating Co., Inc. (8-2-2013) Damage Prevention Enforcement</b>	<b>Case No. PU-13-878</b>
<b>Public Service Commission Northern Excavating Co., Inc. (25 pair copper) Damage Prevention Enforcement</b>	<b>Case No. PU-13-879</b>
<b>Public Service Commission Northern Excavating Co., Inc. (144 Fiber Optic) Damage Prevention Enforcement</b>	<b>Case No. PU-13-880</b>
<b>Public Service Commission Northern Excavating Co., Inc. (9-17-2013) Damage Prevention Enforcement</b>	<b>Case No. PU-13-881</b>
<b>Public Service Commission Northern Excavating Co., Inc. (9-30-2013) Damage Prevention Enforcement</b>	<b>Case No. PU-13-882</b>
<b>Public Service Commission Northern Excavating Co., Inc. (75 pair 2nd time) Damage Prevention Enforcement</b>	<b>Case No. PU-13-883</b>

**NOTICE OF RESCHEDULED CONSOLIDATED HEARING**

**December 17, 2014**

On October 29, 2014, Public Service Commission Advocacy Staff filed formal complaints alleging violations of the North Dakota One-Call Law, North Dakota Century Code Chapter 49-23 (One Call Law), and requesting the Public Service Commission find Northern Excavating Co., Inc. in violation of 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 November 6, 2014, the Public Service Commission found the Complaints state *prima facie* cases and moved that the Complaints be served on the Respondent, Northern Excavating Co., Inc.

On October 8, 2014 the Commission issued a Notice of Hearing, consolidating the cases for hearing under North Dakota Administrative Code section 69-02-04-04, and scheduling the hearing for December 5, 2014.

On December 3, 2014 the Commission granted the request of the Respondent and continued the hearing.


The **Public Hearing** on these matters has been continued to **February 3, 2015 at 9:00 a.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 North Dakota Century Code Chapter 49-23, the North Dakota One-Call Law in any of the following cases: Case No. PU-13-877, Case No. PU-13-878, Case No. PU-13-879, Case No. PU-13-880, Case No. PU-13-881, Case No. PU-13-882, Case No. PU-13-883?
2. If a violation is found, should the Commission impose a civil penalty as requested in the complaint in the following amounts for each respective case: \$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, \$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**

  
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**Randy Christmann**  
Commissioner

  
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**Brian P. Kalk**  
Chairman

  
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**Julie Fedorchak**  
Commissioner