

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Northern Excavating Co., Inc. (9-13-13 11:00 a.m.)
Damage Prevention Enforcement**

Case No. GS-13-884

**Public Service Commission
Northern Excavating Co., Inc. (10-1-13 11:40 a.m.)
Damage Prevention Enforcement**

Case No. GS-13-885

**Public Service Commission
Northern Excavating Co., Inc. (04-30-14 1:45 p.m.)
Damage Prevention Enforcement**

Case No. GS-14-230

AFFIDAVIT OF SERVICE BY CERTIFIED & REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Kathy Acker deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **19th** day of **December, 2014**, she deposited in the United States Mail, at Bismarck, North Dakota, one envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Notice of Consolidated Hearing

The envelope was addressed as follows:

Robert L. Lindberg
Northern Excavating Co., Inc.
P O Box 1108
Jamestown, ND 58402

Cert. No. 7012 1640 0002 4650 0961

Kathy Acker further deposes and says that on the **19th** day of **December, 2014**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, containing a photocopy of the same.

- 15 GS-14-230 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission
- 14 GS-13-885 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission
- 14 GS-13-884 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission

Affidavit of Service
Page 2
December 19, 2014

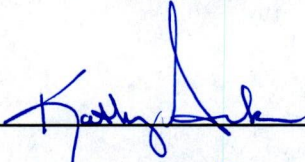
The envelopes were addressed as follows:

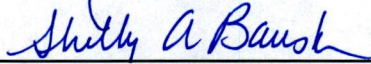
Mitchell D. Armstrong
Special Assistant Attorney General
122 East Broadway Avenue
Bismarck, ND 58502

Paul Riely
Montana-Dakota Utilities Co.
District Gas Superintendent
121 8th Ave West
Williston, ND 58801

Each address shown is the respective addressee's last reasonably ascertainable post office address.

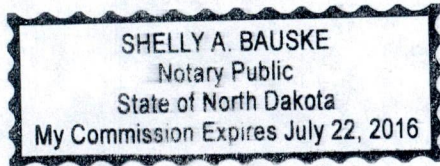
Subscribed and sworn to before me
this 19th day of **December, 2014**.





Notary Public

SEAL



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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Case No. GS-14-230

NOTICE OF CONSOLIDATED HEARING

December 17, 2014

On October 29, 2014, Public Service Commission Advocacy Staff filed formal complaints (Complaints) 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 \$5000 in Case No. GS-13-884, \$5500 in Case No. GS-13-885 and \$7500 in Case No. GS-14-230.

On November 6, 2014, the Public Service Commission ordered the Complaints state prima facie cases and that the Complaints be served on the Respondent, Northern Excavating Co., Inc.

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 will hold a consolidated hearing on the seven cases under North Dakota Administrative Code section 69-02-04-04.

A **public hearing** on these matters will be held commencing on **February 3, 2015 at 3:00 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. GS-13-884, in Case No. GS-13-885, and/or in Case No. GS-14-230?
2. If a violation is found, should the Commission impose a civil penalty in the amount of \$5000 in Case No. GS-13-884, \$5500 in Case No. GS-13-885 and \$7500 in Case No. GS-14-230?

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