



ND ONE-CALL COMPLAINT

Public Service Commission

SFN 59067 (1-14)

To allege a violation of the One-Call Excavation Notice System Law: North Dakota Century Code Chapter 49-23



PART A – WHO IS SUBMITTING THIS COMPLAINT (COMPLAINANT)

Company/Person Montana-Dakota Utilities Co.	Street Address 220 2nd Ave E	City Williston	State and Zip Code ND, 58801
Telephone and Cell Phone Number 701-572-1614/701-516-4357	Email Address paul.rieley@mdu.com		Date 12 May 2014
<input checked="" type="checkbox"/> Complainant is willing and able to testify on the complaint if matter goes to formal hearing			

PART B – WHO VIOLATED THE ONE-CALL REGULATIONS (RESPONDENT)

Company/Person Northern Excavating Co., Inc	Street Address 3420 82nd Ave SE, BOX 1108	City Jamestown	State and Zip Code ND, 58102
Telephone and Cell Phone Number 701-252-5967	Email Address		

PART C – ALLEGED VIOLATION

<input type="checkbox"/> Operator failed to provide or update the information provided to the notification center on a timely basis <input type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input type="checkbox"/> Excavator failed to provide required information in excavation or location notice <input type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation <input type="checkbox"/> Notification center failed to inform the excavator of the names of operators of underground facilities in the area <input type="checkbox"/> Operator failed to locate and mark underground facility within 48 hours <input type="checkbox"/> Excavation started prior to underground facility locate <input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally <input type="checkbox"/> Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period <input checked="" type="checkbox"/> Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities <input type="checkbox"/> Excavator failed to maintain the markings during excavation <input type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____
Location of Violation: 309' East of 2nd Street East on Central Avenue
Date and Time of Violation: On or about 8:57 a.m. on 6 May 2014
Description (summarize the observations on which you rely to allege the violation) <i>If more space is required, please provide the description on a separate page.</i> On or about the above time and date, Jody Mitteider operator for the above named company was digging on Central Avenue in Ross, ND under locate ticket 14038256. During the excavation he struck a 1" natural gas distribution main causing the interruption of service to two commercial customers for a period of around 2 hours. Ross Public Works Director, Bobby Seibel, indicated he told them a line was present and located, but they dug through it regardless of the warning. See attached photos, and description of photos.

PART D – DAMAGE

Fatalities 0	Injuries 0	In-patient Hospitalization 0
Underground facility type(s) and Operator(s) affected: Caused shutdown of Laundromat and one other commercial customer.		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ 1168.85	Number of Customers Affected 2	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint <i>Paul W Rieley</i>	Date <i>5/12/2014</i>
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Send Completed, Original Complaint To:
Public Service Commission
600 E Boulevard Ave Dept 408

52 PU-14-671 Filed 06/30/2015 Pages: 8
Exhibit B11
Public Service Commission

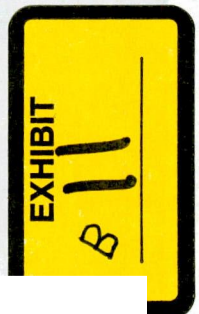
55 GS-14-230 Filed 06/30/2015 Pages: 8
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MONTANA-DAKOTA

UTILITIES CO.

A Division of MDU Resources Group, Inc.

220 2nd Ave East
P.O. Box 1407
Williston, ND 58802-1406
(701) 572-2152

May 12, 2014

Public Service Commission
600 E Blvd. Ave. Dept. 408
Bismarck, ND 58505-0480

Pictures of May 6, 2014 Damage in Ross, North Dakota.

1. Photo from ELM (Contract Locating Company) of extent of work with arrow noting a locating whisker, and the white house as a landmark.
2. Replication of photo 1, at time of damage with white house as landmark.
3. Photo of locate mark by damage spoil pile.
4. Another locate mark
5. Wider view of construction area, including cones shown in picture 3.
6. Photo of damage

If you have any questions, feel free to contact me.

Sincerely

Paul Riely
District Gas Superintendent
(701) 572-1614
paul.riely@mdu.com

①

Whisker



5-2-14

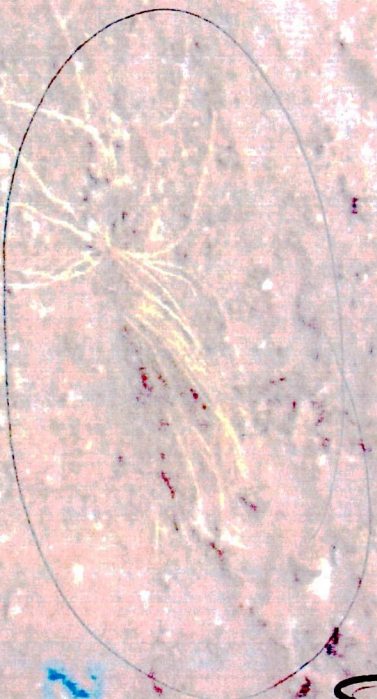
2

5-6-14

5-6-14



④



Whisker

5-6-14

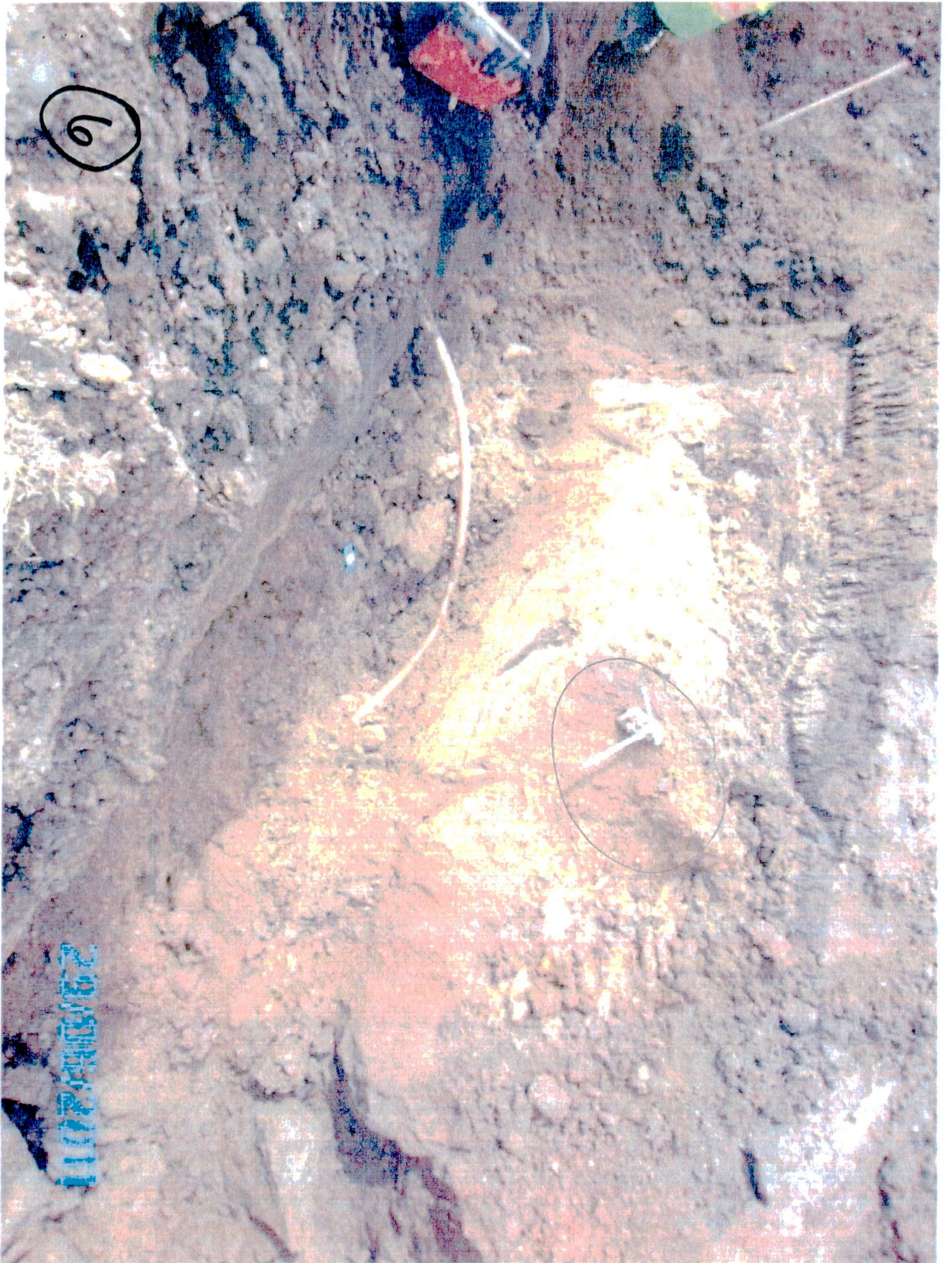
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23/06/2011



6

Small white object circled in black.

Blue ruler markings.