



Public Service Commission

State of North Dakota

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MAY 7, 2014

Dan Olson
Aevenia, Inc.
3030 24th Ave S
Moorhead, MN 56560-5933

CASE GS-14-123

Re: Third Party Damage Complaint

Dear Mr. Olson:

Enclosed is a copy of a Third Party Damage Complaint against AEVENIA, INC. (AEVENIA), received by the North Dakota Public Service Commission (Commission) on March 18, 2014, from WHITING OIL AND GAS (WHITING). The location of the damage was at Whiting Iverson 44-11H and 44-112H, in the county of Mountrail, in North Dakota.

Please respond to the Third Party Complaint by **May 27, 2014**, with your written account of the event. Your response, the complaint, and other available information will be reviewed to determine whether Commission staff will file a formal complaint.

Your response should also address the following criteria used to determine the amount of civil penalty, if any, to be recommended by Commission staff as part of a formal complaint:

- a) The nature, circumstances, and severity of the complaint;
- b) The degree of suspected fault on the part of AEVENIA;
- c) AEVENIA's history of prior violations or complaints;
- d) AEVENIA's ability to pay;
- e) Any good faith effort by AEVENIA in attempting to achieve compliance; and
- f) The effect the penalty may have on AEVENIA's ability to continue in business.

North Dakota Century Code section 49-07-01.1 provides for a civil penalty not to exceed twenty five thousand dollars for violations of the One Call law.

Please send or e-mail written response to the Commission at the address above or call me at 701-220-5779.

Best regards,

Aaron A Morman
Pipeline Safety Inspector/Program Manager

C. Rich Brierle, Whiting