



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



April 14, 2014

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

To whom it may concern;

In response to the request at the bottom of the Third Party Damage Complaint form, SFN 59067 (11-12), regarding my authority to file a complaint on behalf of a company, please refer to the following information.

As the District Gas Superintendent for the Williston District of Montana-Dakota Utilities, I am “responsible for construction, operation, and maintenance of the gas transmission and distribution systems; and providing safe, reliable, economic service to our customers.” This includes responding to any problems found with excavators working in vicinity with our natural gas system.

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

Sincerely

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



THIRD PARTY DAMAGE COMPLAINT

Public Service Commission
SFN 59067 (11-12)

PART A – WHO IS SUBMITTING THIS COMPLAINT

Information Being Submitted By <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Company*	Company/Organization Montana-Dakota Utilities Co.	Person Filing Information Paul Riely	Position District Gas Superintendent	
Address of Person Filing Information PO Box 1406	City Williston	State ND	Zip Code 58802	
Telephone Number 701-572-1614	Email Address paul.riely@mdu.com	Date 25 February 2014		

PART B – WHO ALLEGEDLY VIOLATED THE ONE-CALL REGULATIONS

Name of Excavator Plote Construction		Telephone Number 701-577-9000		
Address 14025 Bennett Loop	City Williston	State ND	Zip Code 58801	
Name of Entity for Which Excavation Was Performed Sterling Construction Corporation		Telephone Number		
Address 3900 Edison Lakes Parkway, Suite 201	City Mishawaka	State IN	Zip Code 46546-2008	

PART C – TIME AND LOCATION OF THE EVENT

Date and Time of Event 2/18/14, 1500 hours	Address of the Excavation and/or Damage 621 E 42nd St			
County Williams	City Williston	State ND	Zip Code 58801	

PART D – FACILITY INVOLVED

Type of Facility Involved Gas Distribution Main Line	Operator of Facility and Contact Person (if known) Montana-Dakota Utilities Co., Paul Riely			
Address 220 2nd Ave East	City Williston	State ND	Zip Code 58801	
Telephone Number 701-572-1614	Email Address (if known) paul.riely@mdu.com			
Brief Description of Facility Involved loop fed 2" PE medium pressure natural gas distribution main line				

PART E – DAMAGE (if applicable)

Fatalities None	Injuries none	Length of Hospitalization, If Applicable na
Estimated Value of Property Damage: \$ \$1051.41		Number of Customers Affected 0
Damaged Within <input type="checkbox"/> Public Property <input checked="" type="checkbox"/> Private Property		Photos of Damaged Facility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If yes, please include copies)

PART F – EXCAVATION

Was a locate requested from North Dakota One-Call?	
<input checked="" type="checkbox"/> Yes Locate Ticket Number <input type="checkbox"/> No <input type="checkbox"/> Unknown	Start Date on Ticket 11/26/2013
Did excavator wait until the start date/time on the ticket before commencing excavation?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A	
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A	

PART G – MARKING

Were facilities marked?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A
Were utility/facility marks visible in the area of excavation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A
Were the utility/facilities marked correctly?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A
Was the marking complete prior to the start time on the ticket?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A
Did the excavator pre-mark with white paint?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> N/A
Was the facility marked accurately within 24 inches horizontally?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A
Did the excavator use reasonable care to maintain locate marks for the life of project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> N/A

PART H – DESCRIPTION OF EVENT

<p>Description of Event</p> <p>On or about 1100 hours on 18 February 2014, Clay Pagdett an equipment operator with Plote Construction started to excavate in the area of our natural gas distribution system. This was the same operator with the same company who had damaged the same line a couple weeks earlier. I was notified by phone at 1532 hours on 18 February by the developer, that the contractor had again damaged our distribution main. A gas crew was immediately dispatched to the scene to repair the damage. The following is a statement of what he saw when he arrived on scene "I arrived on location and seen that the operator was working less than 50' from blowing gas. I ask the operator to dig a bell hole for us to squeeze off the 2" line. After squeezing the line I seen that the line had been hit not once but four times and the operator kept on working in the blowing gas. I than called my supervisor . When he arrived he took pictures. I made my repairs and left."</p>

Description of Event Continued

When I arrived on scene, I looked at the multiple damages and photographed the damages for our records. The following is an explanation of the type and location of the damages: The first damage was to a repair coupling located on the East side of the excavation, the coupling was damaged, but no gas loss took place. The second damage was to a second repair coupling 3 feet to the east. The coupling was severely damaged, but no gas loss took place. The third damage was to the gas main 10 feet to the east of the second. This damage caused a gas release through an approximate 2" diameter hole. The fourth damage was two feet from the third, with gas loss from a 2" diameter hole. The fifth damage was to the gas main about 15 feet from the fourth damage. This damage caused a gas release through a 1/2" x 3' crack in the plastic main. The operator continued to dig in the vicinity of the gas release, the entire time, even during the repair of the gas main. When MDU's gas crew foreman talked with the equipment operator, the operator had a very nonchalant attitude about the damage, and gave off a do not care attitude. It was very apparent, that they did not follow the 2' had dig zone during this project. That afternoon I left a message with the Project manager for Plote Construction, Maurice Schurger. I also left a message with Larry Plote, the ND Division Manager. I was able to speak with Maurice on 19 February 2014 at 0940 hours. During the conversation he would not admit any fault, and appeared to attempt to push the blame back on the utility. I have not yet received a return call from Larry Plote.

PART 1 - SIGNATURE

Signature of Person Filing Complaint <i>Paul W. King</i>	Date <i>4/16/14</i>
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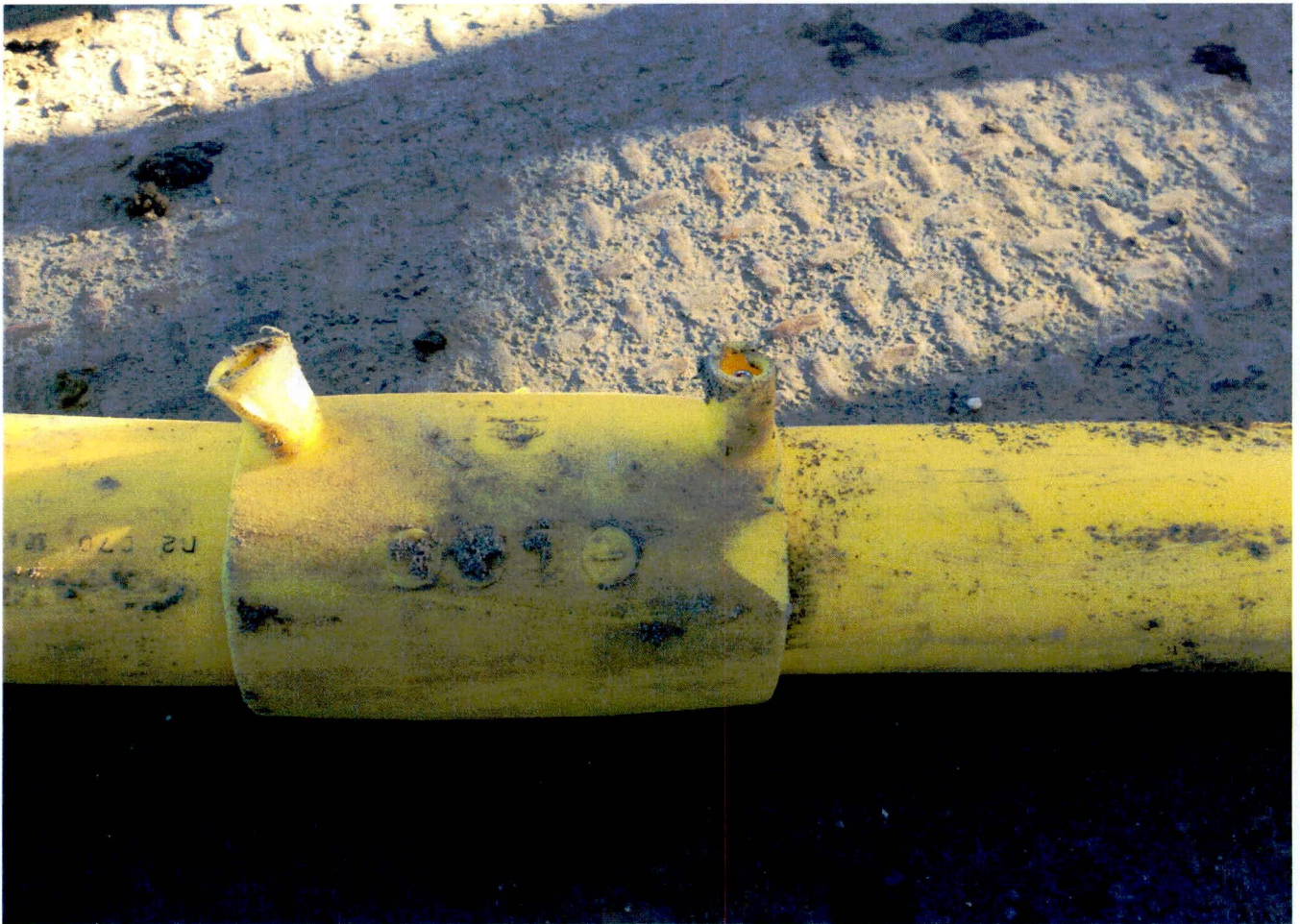
Please include additional documents and photos, if applicable.

***If you are filing on behalf of a company, please provide information supporting your authority to file this complaint.**

Send Completed, Original Complaint To:
 Public Service Commission
 600 E Boulevard Ave Dept 408
 Bismarck ND 58505-0480
 Telephone: (701) 328-2400

Email to the Commission

Damage 1



Damage 2



Damage 3





Damage 4

Damage # 5

