



# MONTANA-DAKOTA

UTILITIES CO.

A Division of MDU Resources Group, Inc.

220 2<sup>nd</sup> 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 1/30/13, 1300hrs	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: \$ \$445.31		Number of Customers Affected 0
Damaged Within <input type="checkbox"/> Public Property <input checked="" type="checkbox"/> Private Property		Photos of Damaged Facility <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, please include copies)

**PART F – EXCAVATION**

Was a locate requested from North Dakota One-Call?		Start Date on Ticket
<input checked="" type="checkbox"/> Yes    Locate Ticket Number		11/26/2013
<input type="checkbox"/> No		
<input type="checkbox"/> Unknown		
Did excavator wait until the start date/time on the ticket before commencing excavation?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Were utility/facility marks visible in the area of excavation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown	<input type="checkbox"/> N/A
Were the utility/facilities marked correctly?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" 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**

<b>Description of Event</b>
<p>On or about 1300 hours on the 30th of December 2013, Plote Construction equipment operator Clay Padgett struck a loop fed 2" PE medium pressure natural gas distribution main line causing a release in gas. The gas release was for approximately 30 minutes, until the MDU gas construction crew were able to arrive, and stop the flow of gas on both sides of the excavation. Because the main was loop fed, in a development under construction no customers were interrupted. The contractor provided locate ticket number 13069002, which expired in July. Upon further investigation, a additional locate ticket, number 13210962 was also found. This ticket had a start date of 26 November, meaning this ticket was also expired during the excavation. The operator left as soon as our crew arrived on scene. Had to explain to the general about expired locates. Locates were called in later that day, for the location. (numbers 14006255, 14006256)</p>

Description of Event Continued

**PART I – SIGNATURE**

Signature of Person Filing Complaint

*Paul W. Kelly*

Date

*4-16-14*

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**