

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Northern Excavating Co., Inc. (10-9-13 17:15 p.m.)
Damage Prevention Enforcement

Case No. GS-13-886

Public Service Commission
Northern Excavating Co., Inc. (4-fiber 2nd time)
Damage Prevention Enforcement

Case No. PU-14-134

Public Service Commission
Northern Excavating Co., Inc. (05-06-14 8:57 a.m.)
Damage Prevention Enforcement

Case No. GS-14-229

Public Service Commission
Northern Excavating Co., Inc. (5-28-14 3:30 pm)
Damage Prevention Enforcement

Case No. PU-14-671

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

- 12 PU-14-671 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission
- 15 GS-14-229 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission
- 14 PU-14-134 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission
- 14 GS-13-886 Filed 12/19/2014 Pages: 4
Affidavit of Service, Cert. & Reg. Mail – Notice of Consolidated Hearing
Public Service Commission

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.

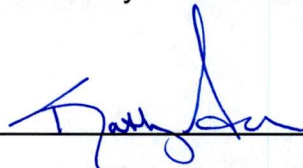
The envelopes were addressed as follows:

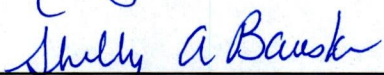
Mitchell D. Armstrong
Special Assistant Attorney General
122 East Broadway Avenue
Bismarck, ND 58502

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.

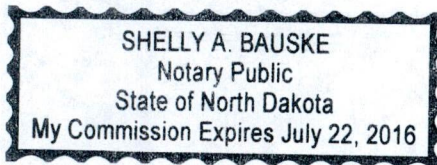
Subscribed and sworn to before me
this **19th** day of **December, 2014**.





Notary Public

SEAL



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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Case No. PU-14-671

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 \$5500 in Case No. GS-13-886, \$5500 in Case No. PU-14-134, \$6500 in Case No. GS-14-229, and \$7500 in Case No. PU-14-671.

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.

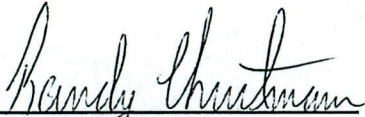
A **public hearing** on these matters will be held commencing on **February 3, 2015 at 1:00 p.m. CST** in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The issues to be considered are:

1. Has Northern Excavating Co., Inc. violated N.D.C.C. Chapter 49-23, the North Dakota One-Call law in Case No. GS-13-886, in Case No. PU-14-134, in Case No. GS-14-229, and/or in Case No. PU-14-671?

2. If a violation is found, should the Commission impose a civil penalty in the amount of \$5500 in Case No. GS-13-886, \$5500 in Case No. PU-14-134, \$6500 in Case No. GS-14-229, and \$7500 in Case No. PU-14-671?

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