

**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. (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 p.m.)
Damage Prevention Enforcement**

Case No. PU-14-671

NOTICE OF RESCHEDULED CONSOLIDATED HEARING

April 8, 2015

On October 29, 2014, Public Service Commission Advocacy Staff filed formal complaints alleging violations of the North Dakota One-Call Law, North Dakota Century Code Chapter 49-23 (One Call Law), and requesting the Public Service Commission find Northern Excavating Co., Inc. in violation of 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 found the Complaints state *prima facie* cases and moved the Complaints be served on the Respondent, Northern Excavating Co., Inc.

On December 17, 2014, the Commission issued a Notice of Hearing, consolidating cases GS-13-886, PU-14-134, GS-14-229 and PU-14-671 for hearing under North Dakota Administrative Code section 69-02-04-04, and scheduled the hearing for February 3, 2015 at 1:00 p.m.

On February 3, 2015, with the consent of the parties, the Administrative Law Judge separated PU-14-134 from the consolidated cases, and it was heard February 3, 2015. The Commission continued the remaining three cases, GS-13-886, GS-14-229 and PU-14-671.

The **Public Hearing** on the captioned three cases has been continued to **June 30, 2015 at 8:30 a.m. CST, following the commencement of consolidated cases GS-13-884, GS-13-885, and GS-14-230** located in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The issues to be considered are:

24 GS-14-229 Filed 04/08/2015 Pages: 2
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23 GS-13-886 Filed 04/08/2015 Pages: 2
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21 PU-14-671 Filed 04/08/2015 Pages: 2
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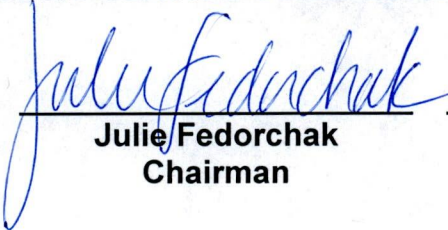
1. Has Northern Excavating Co., Inc. violated North Dakota Century Code Chapter 49-23, the North Dakota One-Call Law in Case No. GS-13-886, Case No. GS-14-229, and/or Case No. PU-14-671?
2. If a violation is found, should the Commission impose a civil penalty as requested in the complaint in the following amounts for each respective case: \$5500 in Case No. GS-13-886, \$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



Julie Fedorchak
Chairman



Brian Kalk
Commissioner