



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

April 10, 2015

Stutsman County Law Enforcement Center
205 6th St SE
Jamestown, ND 58401
Attn: April

Dear April,

By way of this letter we are asking the Stutsman County Law Enforcement Center to serve the enclosed documents on Robert L. Lindberg. Please serve the two documents enumerated below on Mr. Lindberg as soon as possible, but no later than May 8, 2015.

Notice of Rescheduled Consolidated Hearing – GS-13-884, GS-13-885, GS-14-230
Notice of Rescheduled Consolidated Hearing – GS-13-886, GS-14-229, PU-14-671

The Secretary of State lists the physical address as:

Robert L. Lindberg
End of 5th St NW
NW City Limits Box 1108
Jamestown, ND 58401

Commission records show the company address is:

Northern Excavating Co., Inc.
3420 82nd Ave SE
Jamestown, ND 58402-1108
701-252-5967

We have enclosed a duplicate copy of the documents for your records as well as a check for \$30.00 made out to the Stutsman County Law Enforcement Center for service of the documents.

If you have any questions, please feel free to contact me at 701-328-4077.

Best regards,

Patrick Fahn
Compliance and Competitive Markets

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Northern Excavating Co., Inc. (9-13-13 11:00 a.m.)
Damage Prevention Enforcement

Case No. GS-13-884

Public Service Commission
Northern Excavating Co., Inc. (10-1-13 11:40 a.m.)
Damage Prevention Enforcement

Case No. GS-13-885

Public Service Commission
Northern Excavating Co., Inc. (04-30-14 1:45 p.m.)
Damage Prevention Enforcement

Case No. GS-14-230

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Amy Haugen deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **10th day of April, 2015**, she deposited in the United States Mail, at Bismarck, North Dakota, by regular mail, with postage fully prepaid, securely sealed and containing a photocopy of:

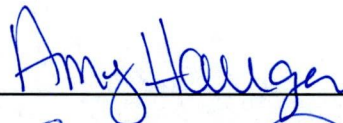
Notice of Rescheduled Consolidated Hearing


The envelope was addressed as follows:

Robert L. Lindberg
End of 5th Street NW
NW City Limits Box 1108
Jamestown, ND 58401

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **10th day of April, 2015**.

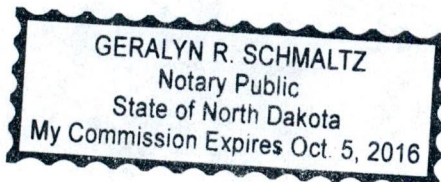




Notary Public

SEAL

Affidavit of Service
April 10, 2015
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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Northern Excavating Co., Inc. (9-13-13 11:00 a.m.)
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Case No. GS-13-884

**Public Service Commission
Northern Excavating Co., Inc. (10-1-13 11:40 a.m.)
Damage Prevention Enforcement**

Case No. GS-13-885

**Public Service Commission
Northern Excavating Co., Inc. (04-30-14 1:45 p.m.)
Damage Prevention Enforcement**

Case No. GS-14-230

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 \$5000 in Case No. GS-13-884, \$5500 in Case No. GS-13-885, and \$7500 in Case No. GS-14-230.

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-13-884, GS-13-885, and GS-14-230 for hearing under North Dakota Administrative Code section 69-02-04-04, and scheduled the hearing for February 3, 2015 at 3:00 p.m.

On February 3, 2015, with the consent of the parties, the Administrative Law Judge continued the hearing on the captioned three cases.

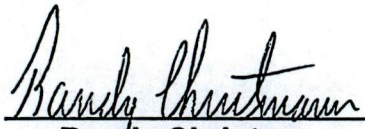
The **Public Hearing** on these matters has been continued to **June 30, 2015 at 8:30 a.m. CST** in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The issues to be considered are:

1. Has Northern Excavating Co., Inc. violated North Dakota Century Code Chapter 49-23, the North Dakota One-Call Law in Case No. GS-13-884, Case No. GS-13-885, and/or Case No. GS-14-230?
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:


\$5000 in Case No. GS-13-884, \$5500 in Case No. GS-13-885, and \$7500 in Case No. GS-14-230?

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

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 pm)
Damage Prevention Enforcement

Case No. PU-14-671

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Amy Haugen deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **10th day of April, 2015**, she deposited in the United States Mail, at Bismarck, North Dakota, by regular mail, with postage fully prepaid, securely sealed and containing a photocopy of:

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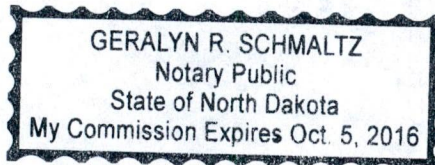
Robert L. Lindberg
End of 5th Street NW
NW City Limits Box 1108
Jamestown, ND 58401

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **10th day of April, 2015**.

Amy Haugen
Gerald R. Schmaltz
Notary Public

SEAL





Affidavit of Service
April 10, 2015
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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