

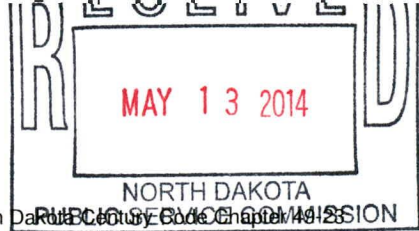


ND ONE-CALL COMPLAINT

Public Service Commission

SFN 59067 (1-14)

To allege a violation of the One-Call Excavation Notice System Law: North Dakota Century Code Chapter 49-23



PART A - WHO IS SUBMITTING THIS COMPLAINT (COMPLAINANT)

Company/Person LARRY NOVAK	Street Address 14461 37th ST NW	City ALEXANDER	State and Zip Code ND 58831
Telephone and Cell Phone Number 701 572 3060 701 770 7370	Email Address COYOTE@RUGGEDWEST.COM		Date 5-13-14

Complainant is willing and able to testify on the complaint if matter goes to formal hearing

PART B - WHO VIOLATED THE ONE-CALL REGULATIONS (RESPONDENT)

Company/Person DIAMOND RESOURCES	Street Address 602 115th W	City WYNDSTON	State and Zip Code ND 58801
Telephone and Cell Phone Number CONTACT STEVE 701-572-4533 CELL 231-4999354	Email Address STEVE@HERHEAD@DIAMONDND.COM		

PART C - ALLEGED VIOLATION

Operator failed to provide or update the information provided to the notification center on a timely basis

Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation

Excavator failed to provide required information in excavation or location notice

Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation

Notification center failed to inform the excavator of the names of operators of underground facilities in the area

Operator failed to locate and mark underground facility within 48 hours

Excavation started prior to underground facility locate

Operator failed to mark underground facility within 24 inches horizontally

Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period

Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities

Excavator failed to maintain the markings during excavation

Other (identify the specific section of NDCC Chapter 49-23) **49-2305 FAILURE TO ASSUME OWNERSHIP OF Flags TO REMOVE THEM.**

Location of Violation: **SEC 31 152-701 & SEC 25 152-102**

Date and Time of Violation: **5-13-14**

Description (summarize the observations on which you rely to allege the violation) If more space is required, please provide the description on a separate page. **SARUPE TO PICK UP FLAGS**

PART D - DAMAGE

Fatalities	Injuries	In-patient Hospitalization
Underground facility type(s) and Operator(s) affected:		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$		Number of Customers Affected
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

PART I - SIGNATURE

Signature of Person Filing Complaint Larry Novak	Date 5-13-14
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Send Completed, Original Complaint To:
 Public Service Commission
 600 E Boulevard Ave Dept 408
 Bismarck ND 58505-0480
 Telephone: (701) 328-2400