



Public Service Commission

State of North Dakota

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September 16, 2014

Jeff Shaw, Project Manager
Envision Land & Development, LLC
115 Second Ave W
Williston, ND 58801

Re: One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23

Dear Mr. Shaw:

Enclosed is a copy of a One-Call Complaint, with attachments, against Envision Land & Development, LLC., received by the North Dakota Public Service Commission on August 22, 2014, from Bruce Carlson, General Manager at Verendrye Electric Cooperative, Inc., of Velva, ND, Case Number PU-14-702. The location of the damage identified in the complaint is approximately NE quadrant of intersection of 16th St SW and 37th Ave SW, Minot, ND.

We are sending you this information so that you are aware of the filing and have an opportunity to present any information you may have to assist us in processing this case. **Please respond to Darrell Nitschke, Executive Secretary, North Dakota Public Service Commission, by September 30, 2014**, with your written account of the event, including the applicable One Call locate ticket number for work performed at the address indicated.

Your response, the Third Party Damage complaint, and other available information will be reviewed to determine the next step in this matter. If staff concludes there was a violation of the One Call Law, may file a formal complaint. If Commission staff decides to proceed with a formal complaint, staff will attempt to contact you in advance.

Please contact me at 701-328-3397 or at vschock@nd.gov with any questions regarding this correspondence.

Sincerely,

Victor Schock
Compliance and Competitive Markets Division

Enc: Third Party Damage Complaint with attachments
c: Bruce Carlson with attachments



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 Verendrye Electric Cooperative, Inc.	Street Address 615 Highway 52 W	City Velva	State and Zip Code Nd 58790
Telephone and Cell Phone Number 701-338-2855	Email Address brucerc@verendrye.com		Date 8/25/2014
<input checked="" type="checkbox"/> 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 Envision Land & Development	Street Address 2200 6th Ave, Suite 523	City Seattle	State and Zip Code WA 98121
Telephone and Cell Phone Number Jeff Shaw -Project Manager, Office - 701-577-0019, Cell 520-404-3329		Email Address	

PART C – ALLEGED VIOLATION

<input type="checkbox"/> Operator failed to provide or update the information provided to the notification center on a timely basis <input checked="" type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input type="checkbox"/> Excavator failed to provide required information in excavation or location notice <input type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation <input type="checkbox"/> Notification center failed to inform the excavator of the names of operators of underground facilities in the area <input type="checkbox"/> Operator failed to locate and mark underground facility within 48 hours <input checked="" type="checkbox"/> Excavation started prior to underground facility locate <input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally <input type="checkbox"/> Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period <input type="checkbox"/> Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities <input type="checkbox"/> Excavator failed to maintain the markings during excavation <input type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____

Location of Violation:
NE quadrant of intersection of 16th St SW and 37th Ave SW, Minot, ND

Date and Time of Violation:
8/22/2014

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.*

Contractor was excavating within the utility easement on the east side of 16th St SW and north of 37th Ave SW for the construction of a new gas station/convenience store. They had scuffed one of three 500 mcm cables on Verendrye Electric's 12.5 kv circuit five coming from our South Minot Substation. No locate was found under the contractors name. ND One Call ticket number 14140158 was created by Advanced Project Solutions for that site on Thursday August 21, 2014. The contractor proceeded to dig the next day prior to the 48 hour window for the locates to be completed.

Since the cable was scuffed only, no outage had occurred and members were affected. Repairs were made on Saturday, August 23, 2014 by VEC crews.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: South Minot, Circuit 5, 500 mcm three phase feeder owned by Verendrye Electric Cooperative, Inc.		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$1302.36		Number of Customers Affected 0
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint <i>Carlson, Verendrye Manager</i>	Date 8/22/14
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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

[Email to the Commission](#)



Jeff Shaw
Project Manager
JShaw@EnvisionND.com

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Cell: 520.404.3329
Fax: 701.425.0570

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Envision Land and Development License # ENVISL D 931JL







