



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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September 16, 2014

Tim Hubbard  
T & A Turf and Irrigation, LLC  
7411 South 32<sup>nd</sup> St  
Lincoln, NE 68516

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

Dear Mr. Hubbard:

Enclosed is a copy of a One-Call Complaint, with attachments, against T & A Turf and Irrigation, 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 Minot Country Club Golf Course (under construction) Twp 155N Range 82W, sec 31-se,nw, 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](mailto: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 8/22/2014
<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 T&A Turf and Irrigation	Street Address 7411 South 32nd St.	City Lincoln	State and Zip Code NE 68516
Telephone and Cell Phone Number 402-805-4399, Tim Hubbard cell 713-301-1726			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 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: Minot Country Club Golf course (under construction) Twp 155N Rge 82W, sec 31-se,nw
Date and Time of Violation: 8/20/2014 10:08 am
Description (summarize the observations on which you rely to allege the violation) <i>If more space is required, please provide the description on a separate page.</i>  The excavator was installing an irrigation line with a trencher in the new Minot Country Club golf course that is being developed in southeast Minot, ND. The cable dig-in occurred at 10:08 am on Aug. 20, 2014. The excavator trenched through a 12.5kv 3 phase electrical feeder serving 621 members served by Verendrye's Southeast Minot Substation. Power was re-routed and restored at 11:13 am to all 621 members.  Permanent repairs were made immediately after the power was re-routed. The excavator admitted to digging without a valid locate request. The contact person for the contractor was Tim Hubbard, cell phone 713-301-1726.

## PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: Southeast Minot substation, circuit 4 500mcm three phase feeder owned by Verendrye Electric Cooperative, Inc.		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$3064.71	Number of Customers Affected 621	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

## PART E – SIGNATURE

Signature of Person Filing Complaint <i>David 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](#)







