

Hamre, John G.

From: Hamre, John G.
Sent: Tuesday, April 07, 2015 2:01 PM
To: 'mike.bendele@outlook.com'
Cc: Schock, Victor F.
Subject: Re: Damage Prevention Enforcement Case No. PU-14-725
Attachments: Request for ALJ.pdf

Hi Mike,

Attached is a pdf copy of the request we made for an Administrative Law Judge to preside over the captioned damage prevention enforcement case (ND One-Call case).
We tried mailing it twice to the address shown on the Secretary of State website but it was sent back.

Best regards,
John

John G Hamre
North Dakota Public Service Commission
600 E Blvd Ave Dept 408
Bismarck, ND 58505-0480
701-328-4279



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

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

4 February 2015

Wade Mann, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re:
Public Service Commission v.
MBC Corp.
Damage Prevention Enforcement
PU-14-725

Dear Mr. Mann:

Enclosed is a request for an Administrative Law Judge in the captioned case. A Complaint has not yet been filed and a hearing has not yet been scheduled. When the Complaint is filed we will forward the Complaint to your office. We will also forward any Notice of Hearing issued.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

Illona A. Jeffcoat-Sacco
General Counsel

enclosures

c: w/encls. Mike Bendele, MBC Corp.
Lisa Kallberg, Xcel Energy



REQUEST FOR ADMINISTRATIVE LAW JUDGE--COMPLAINT
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17818 (Rev. 06-2007)

| | | |
|--|--|------------------------------------|
| Name of Agency, Board, or Commission North Dakota Public Service Commission | | |
| Name of Respondent(s) MBC Corp. | Address 4050 Grandview Dr., Suite 101, Grand Forks, ND 58201-7215 | Telephone Number (701) 740-6881 |
| PSC Case No. PU-14-725 | | |

The above named agency, board, or commission has taken administrative action pursuant to its authority found in North Dakota Century Code Chapter 49-23 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

| |
|--|
| The administrative action is more fully described as follows: Hearing to determine if Respondent violated N.D.C.C. Chapter 49-23, the North Dakota One-Call Law, and if a violation is found, should the Commission impose a civil penalty. |
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Has the respondent been provided a copy of the complaint? Yes No

Attached is a copy of the complaint, related documents and correspondence, and certificate, affidavit or admission of service. If the respondent has otherwise been notified about this administrative action, please explain in the comments section below.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

| | |
|--|------------------|
| Agency Contact Person(s) See attached | Telephone Number |
|--|------------------|

Representation [attorney (or other)] if known:

| | |
|------------------------|------------------|
| Agency See attached | Telephone Number |
| Party See attached | Telephone Number |
| Party See attached | Telephone Number |

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|---|
| Additional Comments A formal Complaint has not yet been filed and no Notice has been issued. When these are available we will forward them to your office. |
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(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

| | |
|---|------------------------------------|
| Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel | Date 2/3/2015 |
| Signature of Requesting Person x <i>Illona A. Jeffcoat-Sacco</i> | Telephone Number (701) 328-2407 |

Attachment
Request for ALJ
19 February 2015

Public Service Commission v.
MBC Corp.
Damage Prevention Enforcement
PU-14-725

| AGENCY | Address | Telephone Number |
|--|--|---|
| North Dakota Public Service Commission | 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480 | 701-328-2400 |
| Representation Illona A. Jeffcoat-Sacco PSC General Counsel & Commission Advisory Counsel | Address Same as above | Telephone Number 701-328-2407 |
| John Schuh Advocacy Staff Counsel (Pending Commission Motion) | Same as above | 701-328-2421 |
| PARTY MBC Corp. | Address 4050 Gardenview Dr. Suite 101 Grand Forks, ND 58201-7215 | Telephone Number 701-740-6881 |
| Contact Name: Dave Maszk | | |
| Representation To be determined | Address | Telephone Number |