



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

January 22, 2015

Brian Personne, Chief Operating Officer
Consolidated Telcom
P O Box 1408
Dickinson, ND 58602-1408

RE: Case Number PU-14-737
Public Service Commission
Consolidated Telcom
Damage Prevention Enforcement

Dear Mr. Personne:

At its regular meeting on January 21, 2015, the North Dakota Public Service Commission passed a motion to close the North Dakota One-Call Complaint submitted by Roger Rapp of Denny's Electric & Motor Repair, Inc. in Dickinson, ND, in the above referenced case. A copy of the motion is enclosed.

Sincerely,

Kathy Acker
Public Utilities Division

Enclosure

Cc: Roger Rapp
Denny's Electric & Motor Repair, Inc.
1661 I-94 Business Loop East
Dickinson, ND 58601

APPROVED

DATE: 1-21-15
[Signature]

MOTION

January 21, 2015

**Public Service Commission
Consolidated Telcom
Damage Prevention Enforcement**

Case No. PU-14-737

I move the Commission close Public Service Commission, Consolidated Telcom,
Damage Prevention Enforcement, Case No. PU-14-737.

JSP

Memorandum

To: Commissioner Julie Fedorchak
Commissioner Randy Christmann
Commissioner Brian P. Kalk

From: Julie Prescott, Public Utility Analyst

c: Patrick Fahn, Director, Compliance and Competitive Markets
Illona Jeffcoat-Sacco, General Counsel

Date: January 21, 2015

Re: Damage Prevention Enforcement, Case No. PU-14-737

On October 6, 2014, the Commission received a North Dakota One-Call Complaint form from Roger Rapp, Project Manager at Denny's Electric & Motor Repair, Inc. (Denny's) of Dickinson, North Dakota. The complaint claimed a violation by Consolidated Telcom (Consolidated) of Dickinson, North Dakota, of North Dakota Century Code chapter 49-23: One-Call Excavation Notice System.

In its complaint, Denny's stated that it provided an excavation notice (notice) to the North Dakota One Call Notification Center (Center) as part of a rural water line installation in Dunn County, as documented in North Dakota One Call Ticket No. 14094811 (Ticket). Denny's further stated that Consolidated failed to locate a fiber line at a point approximately three miles north of Halliday, North Dakota, within the area specified in the notice, which resulted in damage to the facility during an excavation performed on July 25, 2014, by Denny's.

Based on its investigation, Staff concluded that on July 1, 2014, Denny's provided a notice to the Center for work to begin on July 3, 2014. The Center assigned the Ticket to the notice. Under North Dakota Century Code section 49-23-04(3)(g), the expiration date for the Ticket was July 24, 2014.

Based on its investigation, Staff concluded that the excavation by Denny's on July 25, 2014, was not performed by the Ticket's expiration date of July 24, 2014.

Staff recommends that no further action be taken and the case be closed.