



Public Service Commission

State of North Dakota

COMMISSIONERS

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October 13, 2014

Curtis Keazer
R.J. Corman Derailment Services, LLC
4780 Underpass Ave
Billings, MT 59101

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

Dear Mr. Keazer:

Enclosed is a copy of a ND One-Call Complaint, against R.J.Corman Derailment Services, LLC, received by the North Dakota Public Service Commission on October 10, 2014, from Jeremy Finnie at Enbridge Pipelines, LLC, of Grand Forks, ND, Case Number GS-14-740. The location of the incident identified in the complaint is approximately near BNSF railroad right of way near York, ND.

I am sending you this information so that you are aware of the Complaint 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 October 27, 2014**, with your written account of the event, including the applicable One Call locate ticket number for work performed at the address indicated.

I will review your response, the ND One-Call Complaint, and other available information to determine the next step in this matter. If I conclude there was a violation of the One Call law, I may file a formal complaint with the Commission. If I decide to proceed with a formal complaint, I 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: ND One-Call Complaint
c: Jeremy Finnie



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 Enbridge, Operator of NDPL LLC/Jeremy Finnie	Street Address 2715 Valley Circle	City Grand Forks	State and Zip Code ND 58203
Telephone and Cell Phone Number 701-746-9772 701-739-1900	Email Address jeremy.finnie@enbridge.com		Date 07/11/2014
<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 R.J. Corman Derailment Services, LLC/Curtis Keazer	Street Address 4780 Underpass Ave	City Billings	State and Zip Code MT 59101
Telephone and Cell Phone Number 406-256-6446 859-304-2237	Email Address Curtis.Keazer@rjccorman.com		

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 checked="" 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: York, ND
Date and Time of Violation: 05/25/2014 Approximately 9:00 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 above party was working for BNSF on railroad right of way when two pieces of heavy equipment(track hoe & side boom) became stuck on the adjacent Enbridge/NDPL right of way. The two pieces of equipment were stuck several feet into the ground. Once the equipment became stuck, they failed to utilize the One Call System. Enbridge personnel had been working in the area and arrived on site after spotting the working crews from Highway 2. The above party was told numerous times by Enbridge personnel to use the One Call System for an emergency locate request before digging/pulling out the stuck equipment, however no call was made. One piece of equipment was stuck in the ground less than two feet from the pipeline. Enbridge personnel stayed on site until the equipment was removed safely.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: High Pressure Crude Oil Pipeline Right of Way/Enbridge, Operator of North Dakota Pipeline Co. LLC		
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 Jeremy Finnie	Date 07/11/2014
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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