



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](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

November 19, 2014

Jesse Holte  
Holte & Sons Excavating Inc.  
801 Jefferson Avenue  
Bismarck, ND 58504

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

Dear Mr. Holte:

Enclosed is a copy of a ND One-Call Complaint against Holte & Sons Excavating Inc., received by the North Dakota Public Service Commission on November 4, 2014, from North Dakota One Call, Case No. PU-14-772.

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 December 3, 2014, with your written response and any supporting documentation.**

Staff will review your response, the Complaint, and other available information to determine the next step in this matter. If staff concludes there was a violation of the One-Call law, a formal complaint may be filed with the Commission. If staff decides to proceed with a formal complaint, I will attempt to contact you in advance.

Please contact me at 701-328-4188 or at [jprescott@nd.gov](mailto:jprescott@nd.gov) with any questions regarding this correspondence.

Sincerely,

Julie Prescott  
Compliance and Competitive Markets Division

Enc: ND One-Call Complaint  
c: North Dakota One Call

2 PU-14-772 Filed: 11/19/2014 Pages: 8  
Letter enclosing North Dakota One Call Complaint



### 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 One Call Concepts, Inc / North Dakota One Call	Street Address 7223 Parkway Drive	City Hanover	State and Zip Code ND, 21076
Telephone and Cell Phone Number (410) 712-0082	Email Address jennejamison@occinc.com		Date 11/3/14
<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 HOLTE & SONS EXCAVATING INC	Street Address 801 JEFFERSON AVE	City BISMARCK	State and Zip Code ND, 58504
Telephone and Cell Phone Number 701-527-3482	Email Address holteexcavation@hotmail.com		

#### PART C – ALLEGED VIOLATION

Operator failed to provide or update the information provided to the notification center on a timely basis

Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation

Excavator failed to provide required information in excavation or location notice

Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation

Notification center failed to inform the excavator of the names of operators of underground facilities in the area

Operator failed to locate and mark underground facility within 48 hours

Excavation started prior to underground facility locate

Operator failed to mark underground facility within 24 inches horizontally

Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period

Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities

Excavator failed to maintain the markings during excavation

Other (identify the specific section of NDCC Chapter 49-23) Section 49-23-03

Location of Violation:

Date and Time of Violation:

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.*

An excavator licensed under this chapter shall participate in and share the costs of a statewide notification center on a per call basis.

#### PART D – DAMAGE

Fatalities	Injuries	In-patient Hospitalization
Underground facility type(s) and Operator(s) affected:		
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 <i>Jeanne Jamison</i>	Date 11/3/14
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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

**Statement**

ONE CALL CONCEPTS, INC.  
 7223 PARKWAY DR.  
 SUITE 210  
 HANOVER MD. 21076  
 (410) 712-0082

**Statement Date:** 10/23/2014  
**Customer** 17-0004878

HOLTE & SONS EXCAVATING INC  
 ATTN: JESSE HOLTE  
 801 JEFFERSON AVE  
 Bismarck, ND 58504

Date	Reference	Description	Charge	Credit	Balance
9/30/2013	3031264-IN		3.30		3.30
12/31/2013	3040946-IN		4.40		4.40
3/31/2014	4010586-IN		2.20		2.20
6/30/2014	4021363-IN		5.50		5.50
9/30/2014	4031439-IN		5.50		5.50

					Total:	20.90
Current	30 Days	60 Days	90 Days	120 Days	Balance Due	
5.50	0.00	0.00	5.50	9.90	20.90	

WE NOW ACCEPT E-CHECKS AND MASTERCARD/ DISCOVER PAYMENTS.  
 GO TO WWW.OCCINC.COM FOR MORE INFORMATION.

# North Dakota One Call

c/o One Call Concepts

7223 Parkway Drive, Suite 210

Hanover, MD 21076

877-879-0711

# INVOICE

INVOICE NO: 3-03-1264

DATE: October 11, 2013

HOLTE & SONS EXCAVATING INC  
ATTN: JESSE HOLTE  
801 JEFFERSON AVE  
BISMARCK ND 58504

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 4878 filed between July 1 and September 30, 2013	\$1.10	\$3.30
SUBTOTAL			\$3.30
TOTAL DUE			\$3.30

**Make all checks payable to: North Dakota One Call and remit to the address above.  
If you have any questions concerning this invoice, call: Chad Olson, 701-475-2942.**

**THANK YOU FOR YOUR BUSINESS!**

This invoice is sent under the authority of the North Dakota Century Code Chapter 49-23 regarding one-call and damage prevention in North Dakota. The charges are due and payable per Section 49-23-03 which specifies that, "An excavator licensed under this chapter shall participate in and share in the costs of a statewide notification center on a per call basis."

PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: HOLTE & SONS EXCAVATING INC

CALLER ID: 4878

*We are now accepting E-Checks and MasterCard / Discover payments.  
Please go to [www.occinc.com](http://www.occinc.com) for more information.*

INVOICE #: 3-03-1264

TOTAL: \$3.30

**North Dakota One Call**  
c/o One Call Concepts, Inc.  
7223 Parkway Dr, Ste 210  
Hanover, MD 21076

# North Dakota One Call

c/o One Call Concepts

7223 Parkway Drive, Suite 210  
Hanover, MD 21076

877-879-0711

# INVOICE

INVOICE NO: 3-04-0946

DATE: January 7, 2014

HOLTE & SONS EXCAVATING INC  
ATTN: JESSE HOLTE  
801 JEFFERSON AVE  
BISMARCK ND 58504

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
4	Locate requests filed for caller ID number 4878 filed between October 1 and December 31, 2013.	\$1.10	\$4.40
SUBTOTAL			\$4.40
TOTAL DUE			\$4.40

**Make all checks payable to: North Dakota One Call and remit to the address above.**  
If you have any questions concerning this invoice, call: Ryan Schmaltz, 701-751-1019.

**THANK YOU FOR YOUR BUSINESS!**

This invoice is sent under the authority of the North Dakota Century Code Chapter 49-23 regarding one-call and damage prevention in North Dakota. The charges are due and payable per Section 49-23-03 which specifies that, "An excavator licensed under this chapter shall participate in and share in the costs of a statewide notification center on a per call basis."

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Please remit payment to:

COMPANY: HOLTE & SONS EXCAVATING INC

CALLER ID: 4878



*We are now accepting E-Checks and MasterCard / Discover payments.  
Please go to [www.occinc.com](http://www.occinc.com) for more information.*

INVOICE #: 3-04-0946  
TOTAL: \$4.40

**North Dakota One Call**  
c/o One Call Concepts, Inc  
7223 Parkway Dr, Ste 210  
Hanover, MD 21076

# North Dakota One Call

c/o One Call Concepts

7223 Parkway Drive, Suite 210  
Hanover, MD 21076

877-879-0711

# INVOICE

INVOICE NO: 4010586

DATE: April 14, 2014

HOLTE & SONS EXCAVATING INC  
ATTN: JESSE HOLTE  
801 JEFFERSON AVE  
BISMARCK ND 58504

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
2	Locate requests filed for caller ID number 4878 filed between January 1 and March 31, 2014.	\$1.10	\$2.20
SUBTOTAL			\$2.20
TOTAL DUE			\$2.20

**Make all checks payable to: North Dakota One Call and remit to the address above.**  
**If you have any questions concerning this invoice, call: Ryan Schmaltz, 701-751-1019.**

**THANK YOU FOR YOUR BUSINESS!**

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PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

COMPANY: HOLTE & SONS EXCAVATING INC

Please remit payment to:

CALLER ID: 4878



*We are now accepting E-Checks and MasterCard / Discover payments.*  
*Please go to [www.occinc.com](http://www.occinc.com) for more information.*

INVOICE #: 4010586

TOTAL: \$2.20

**North Dakota One Call**  
c/o One Call Concepts, Inc.  
7223 Parkway Dr, Ste 210  
Hanover, MD 21076

# North Dakota One Call

c/o One Call Concepts

7223 Parkway Drive, Suite 210  
Hanover, MD 21076

877-879-0711

# INVOICE

INVOICE NO: 4021363

DATE: July 11, 2014

HOLTE & SONS EXCAVATING INC  
JESSE HOLTE  
801 JEFFERSON AVE  
BISMARCK, ND 58504

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
5	Locate requests filed for caller ID number 4878 filed between April 1 and June 30, 2014.	\$1.10	\$5.50
SUBTOTAL			\$5.50
TOTAL DUE			\$5.50

Make all checks payable to: North Dakota One Call and remit to the address above.  
If you have any questions concerning this invoice, call: Ryan Schmaltz, 701-751-1019.

THANK YOU FOR YOUR BUSINESS!

This invoice is sent under the authority of the North Dakota Century Code Chapter 49-23 regarding one-call and damage prevention in North Dakota. The charges are due and payable per Section 49-23-03 which specifies that, "An excavator licensed under this chapter shall participate in and share in the costs of a statewide notification center on a per call basis."

PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: HOLTE & SONS EXCAVATING INC



We are now accepting E-Checks and MasterCard / Discover payments. Please go to [www.occinc.com](http://www.occinc.com) for more information.

CALLER ID: 4878

INVOICE #: 4021363

TOTAL: \$5.50

**North Dakota One Call**  
c/o One Call Concepts, Inc.  
7223 Parkway Dr, Ste 210  
Hanover, MD 21076

# North Dakota One Call

c/o One Call Concepts  
7223 Parkway Drive, Suite 210  
Hanover, MD 21076

(701) 751-1019

# INVOICE

INVOICE NO: 4031439  
DATE: October 15, 2014

HOLTE & SONS EXCAVATING INC  
JESSE HOLTE  
801 JEFFERSON AVE  
BISMARCK, ND 58504

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
5	Locate requests filed for caller ID number 4878 filed between July 1 and September 30, 2014.	\$1.10	\$5.50
SUBTOTAL			\$5.50
TOTAL DUE			\$5.50

Make all checks payable to: North Dakota One Call and remit to the address above.  
If you have any questions concerning this invoice, call: Ryan Schmaltz, 701-751-1019.

THANK YOU FOR YOUR BUSINESS!

This invoice is sent under the authority of the North Dakota Century Code Chapter 49-23 regarding one-call and damage prevention in North Dakota. The charges are due and payable per Section 49-23-03 which specifies that, "An excavator licensed under this chapter shall participate in and share in the costs of a statewide notification center on a per call basis."

PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: HOLTE & SONS EXCAVATING INC

CALLER ID: 4878

INVOICE #: 4031439  
TOTAL: \$5.50

**NEW**

We are now accepting E-Checks and MasterCard / Discover payments. Please go to [www.occinc.com](http://www.occinc.com) for more information.

**North Dakota One Call**  
c/o One Call Concepts, Inc  
7223 Parkway Dr, Ste 210  
Hanover, MD 21076