



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

November 19, 2014

David Hammond
Hammond Excavating
PO Box 144
Abercrombie, ND 58001

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

Dear Mr. Hammond:

Enclosed is a copy of a ND One-Call Complaint against Hammond Excavating, received by the North Dakota Public Service Commission on November 4, 2014, from North Dakota One Call, Case No. PU-14-774.

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 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-14-774 Filed: 11/19/2014 Pages: 15
Letter enclosing North Dakota One Call Complaint

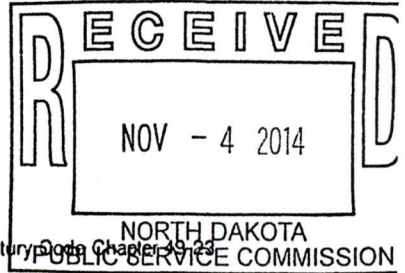


ND ONE-CALL COMPLAINT

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 HAMMOND EXCAVATING	Street Address P.O. BOX 144	City ABERCROMBIE	State and Zip Code ND. 58001
Telephone and Cell Phone Number 701-553-9153, 701-640-2351		Email Address hammaxc@rrt.net	

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 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 checked="" type="checkbox"/> 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) <i>If more space is required, please provide the description on a separate page.</i> 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 	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

Statement Date: 10/23/2014

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

Customer 17-0001093

HAMMOND EXCAVATING
 DAVID HAMMOND
 P.O. BOX 144
 Abercrombie, ND 58001

Date	Reference	Description	Charge	Credit	Balance
6/30/2012	2020868-IN		15.00		15.00
9/30/2012	2030911-IN		18.75		18.75
12/31/2012	2040734-IN		6.25		6.25
3/31/2013	3010375-IN		3.75		3.75
6/30/2013	3020981-IN		18.70		18.70
9/30/2013	3031173-IN		9.90		9.90
12/31/2013	3040882-IN		3.30		3.30
3/31/2014	4010548-IN		3.30		3.30
6/30/2014	4021279-IN		6.60		6.60
9/30/2014	4031349-IN		4.40		4.40

Total: 89.95

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
4.40	0.00	0.00	6.60	78.95	89.95

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

877-779-0711

INVOICE

INVOICE NO: 12-02-0868
DATE: July 18, 2012

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
12	Locate requests filed for caller ID number 1093 filed between April 1 and June 30, 2012.	\$1.25	\$15.00
SUBTOTAL			\$15.00
TOTAL DUE			\$15.00

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: HAMMOND EXCAVATING

CALLER ID: 1093

INVOICE #: 12-02-0868
TOTAL: \$15.00

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: 12-03-0911
DATE: October 10, 2012

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
15	Locate requests filed for caller ID number 1093 filed between July 1 and September 30, 2012.	\$1.25	\$18.75
SUBTOTAL			\$18.75
TOTAL DUE			\$18.75

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!

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PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: HAMMOND EXCAVATING

CALLER ID: 1093

INVOICE #: 12-03-0911
TOTAL: \$18.75

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: 12-04-0734
DATE: January 8, 2013

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
5	Locate requests filed for caller ID number 1093 filed between October 1 and December 31, 2012.	\$1.25	\$6.25
SUBTOTAL			\$6.25
TOTAL DUE			\$6.25

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: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments.
Please go to www.occinc.com for more information.

INVOICE #: 12-04-0734
TOTAL: \$6.25

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: 13-01-0375
DATE: April 4, 2013

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 1093 filed between January 1 and March 31, 2013.	\$1.25	\$3.75
SUBTOTAL			\$3.75
TOTAL DUE			\$3.75

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: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments.
Please go to www.occinc.com for more information.

INVOICE #: 13-01-0375
TOTAL: \$3.75

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: 13-02-0981
DATE: July 11, 2013

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
17	Locate requests filed for caller ID number 1093 filed between April 1 and June 30, 2013.	\$1.10	\$18.70
SUBTOTAL			\$18.70
TOTAL DUE			\$18.70

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: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments.
Please go to www.occinc.com for more information.

INVOICE #: 13-02-0981
TOTAL: \$18.70

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: 3-03-1173
DATE: October 11, 2013

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
9	Locate requests filed for caller ID number 1093 filed between July 1 and September 30, 2013.	\$1.10	\$9.90
SUBTOTAL			\$9.90
TOTAL DUE			\$9.90

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: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments.
Please go to www.occinc.com for more information.

INVOICE #: 3-03-1173
TOTAL: \$9.90

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: 3-04-0882

DATE: January 7, 2014

HAMMOND EXCAVATING
ATTN: DAVID HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 1093 filed between October 1 and December 31, 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: 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

COMPANY: HAMMOND EXCAVATING

Please remit payment to:

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments.
Please go to www.occinc.com for more information.

INVOICE #: 3-04-0882

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: 4010548
DATE: April 14, 2014

HAMMOND EXCAVATING
ATTN: CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 1093 filed between January 1 and March 31, 2014.	\$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: 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: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments.
Please go to www.occinc.com for more information.

INVOICE #: 4010548
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: 4021279
DATE: July 11, 2014

HAMMOND EXCAVATING
DAVID HAMMOND
P.O. BOX 144
ABERCROMBIE, ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
6	Locate requests filed for caller ID number 1093 filed between April 1 and June 30, 2014.	\$1.10	\$6.60
SUBTOTAL			\$6.60
TOTAL DUE			\$6.60

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: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments. Please go to www.occinc.com for more information.

INVOICE #: 4021279
TOTAL: \$6.60

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: 4031349
DATE: October 15, 2014

HAMMOND EXCAVATING
DAVID HAMMOND
P.O. BOX 144
ABERCROMBIE, ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
4	Locate requests filed for caller ID number 1093 filed between July 1 and September 30, 2014.	\$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."

PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: HAMMOND EXCAVATING

CALLER ID: 1093



We are now accepting E-Checks and MasterCard / Discover payments. Please go to www.occinc.com for more information.

INVOICE #: 4031349
TOTAL: \$4.40

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

Statement

Statement Date: 10/23/2014

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

Customer 17-0026339

HAMMOND EXCAVATING
 CASEY HAMMOND
 P.O. BOX 144
 Abercrombie, ND 58001

Date	Reference	Description	Charge	Credit	Balance
6/30/2014	4021278-IN		2.20		2.20

Total: 2.20

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
0.00	0.00	0.00	2.20	0.00	2.20

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: 4021278
DATE: July 11, 2014

HAMMOND EXCAVATING
CASEY HAMMOND
P.O. BOX 144
ABERCROMBIE, ND 58001

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
2	Locate requests filed for caller ID number 26339 filed between April 1 and June 30, 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

Please remit payment to:

COMPANY: HAMMOND EXCAVATING

CALLER ID: 26339

INVOICE #: 4021278
TOTAL: \$2.20



We are now accepting E-Checks and MasterCard / Discover payments. Please go to www.occinc.com for more information.

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