



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

Curtis Danks, Owner
C & J Construction
PO Box 536
New Town, ND 58763

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

Dear Mr. Danks:

Enclosed is a copy of a ND One-Call Complaint against C & J Construction, received by the North Dakota Public Service Commission on November 4, 2014, from North Dakota One Call, Case No. PU-14-775.

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

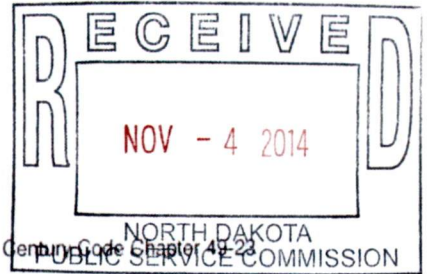
2 **PU-14-775** Filed: 11/19/2014 Pages: 10
Letter enclosing North Dakota One Call Complaint



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 MD 21076
Telephone and Cell Phone Number (410) 712-0082	Email Address jenniejamison@occonc.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 C & J CONSTRUCTION	Street Address P.O. BOX 296	City NEW TOWN	State and Zip Code ND 58763
Telephone and Cell Phone Number 701-627-3344 701-421-0154		Email Address CDANKS@YAHOO.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 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) <u>Section 49-23-03</u>
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 17-0006813

C & J CONSTRUCTION
 ATTN: CURTIS DANKS
 P.O. BOX 926
 New Town, ND 58763

Date	Reference	Description	Charge	Credit	Balance
12/31/2011	1040243-IN		3.90		3.90
3/31/2012	2010157-IN		5.10		5.10
6/30/2012	2020320-IN		3.75		3.75
12/31/2012	2040268-IN		3.75		3.75
6/30/2014	4020487-IN		2.20		2.20

Total: 18.70

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
0.00	0.00	0.00	2.20	16.50	18.70

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

800-422-1242

INVOICE

INVOICE NO: 11-04-0243

DATE: January 18, 2012

C & J CONSTRUCTION
ATTN: CURTIS DANKS
P.O. BOX 536
NEW TOWN ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 6813 filed between October 1 and December 31, 2011.	\$1.30	\$3.90
SUBTOTAL			\$3.90
TOTAL DUE			\$3.90

**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: C & J CONSTRUCTION

CALLER ID: 6813

INVOICE #: 11-04-0243

TOTAL: \$3.90

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

800-422-1242

INVOICE

INVOICE NO: 12-01-0157

DATE: April 11, 2012

C & J CONSTRUCTION
ATTN: CURTIS DANKS
P.O. BOX 536
NEW TOWN ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
2	Locate requests filed for caller ID number 6813 filed between January 1 and February 29, 2012.	\$1.30	\$ 2.60
2	Locate requests filed for caller ID number 6813 filed between March 1 and March 31, 2012.	\$1.25	\$ 2.50
SUBTOTAL			\$ 5.10
TOTAL DUE			\$ 5.10

**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: C & J CONSTRUCTION

CALLER ID: 6813
INVOICE #: 12-01-0157
TOTAL: \$ 5.10

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

877-779-0711

INVOICE

INVOICE NO: 12-02-0320
DATE: July 18, 2012

C & J CONSTRUCTION
ATTN: CURTIS DANKS
P.O. BOX 536
NEW TOWN ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 6813 filed between April 1 and June 30, 2012.	\$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: C & J CONSTRUCTION

CALLER ID: 6813

INVOICE #: 12-02-0320
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: 12-04-0268
DATE: January 8, 2013

C & J CONSTRUCTION
ATTN: CURTIS DANKS
P.O. BOX 536
NEW TOWN ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3	Locate requests filed for caller ID number 6813 filed between October 1 and December 31, 2012.	\$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: C & J CONSTRUCTION

CALLER ID: 6813



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

INVOICE #: 12-04-0268
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: 4020487
DATE July 11, 2014

C & J CONSTRUCTION
CURTIS DANKS
P O. BOX 926
NEW TOWN, ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
2	Locate requests filed for caller ID number 6813 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!

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: C & J CONSTRUCTION

CALLER ID: 6813

NEW

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

INVOICE #: 4020487
TOTAL: \$2.20

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 17-0012881

C & J CONSTRUCTION
 CURTIS DANKS
 P.O. BOX 926
 New Town, ND 58763

Date	Reference	Description	Charge	Credit	Balance
6/30/2009	9020208-IN		5.20		5.20
12/31/2009	9040166-IN		3.90		3.90

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
0.00	0.00	0.00	0.00	9.10	9.10

Total: 9.10

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

800-422-1242

INVOICE

INVOICE NO: 09-02-0208

DATE: July 10, 2009

CNJ CONSTRUCTION
ATTN: CURTIS DANKS
PO BOX 536
NEW TOWN ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
4	Locate requests filed for caller ID number 12881 filed between April 1 and June 30, 2009.	\$1.30	\$5.20
SUBTOTAL			\$5.20
TOTAL DUE			\$5.20

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

THANK YOU FOR YOUR BUSINESS!

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PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

COMPANY: CNJ CONSTRUCTION
CONTACT: CURTIS DANKS
CALLER ID: 12881

INVOICE #: 09-02-0208
TOTAL: \$5.20