



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

Ron Foster
Ron Foster
PO Box 1399
New Town, ND 58763-1399

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

Dear Mr. Foster:

Enclosed is a copy of a ND One-Call Complaint against Ron Foster (contractor), received by the North Dakota Public Service Commission on November 4, 2014, from North Dakota One Call, Case No. PU-14-799.

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

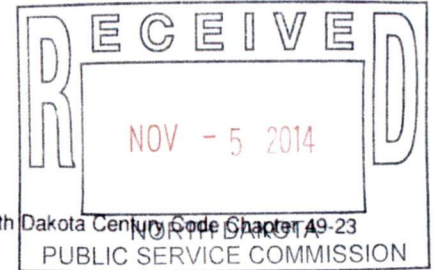
2 **PU-14-799** Filed: 11/19/2014 Pages: 8
Letter enclosing North Dakota One Call Complaint



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 jenniejamison@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 RON FOSTER CONSTRUCTION	Street Address P O BOX 1399	City NEW TOWN	State and Zip Code ND, 58763
Telephone and Cell Phone Number 435-994-1212	Email Address ronfoster1@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>Jennie 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 17-0021432

RON FOSTER CONSTRUCTION
 RON FOSTER
 P.O. BOX 1399
 New Town, ND 58763

Date	Reference	Description	Charge	Credit	Balance
6/30/2013	3022053-IN		8.80		8.8
9/30/2013	3032449-IN		24.20		24.2
12/31/2013	3041838-IN		4.40		4.4
6/30/2014	4022671-IN		12.10		12.1
9/30/2014	4032858-IN		8.80		8.8

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
8.80	0.00	0.00	12.10	37.40	58.30

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: 13-02-2053

DATE: July 11, 2013

RON FOSTER
ATTN: JESSE MAYERS
3821 N 200 W
HYDE PARK UT 84318

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
8	Locate requests filed for caller ID number 21432 filed between April 1 and June 30, 2013.	\$1.10	\$8.80
SUBTOTAL			\$8.80
TOTAL DUE			\$8.80

PAST DUE

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: RON FOSTER

CALLER ID: 21432

INVOICE #: 13-02-2053

TOTAL: \$8.80



*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

North Dakota One Call

c/o One Call Concepts

7223 Parkway Drive, Suite 210

Hanover, MD 21076

877-879-0711

INVOICE

INVOICE NO: 3-03-2449

DATE: October 11, 2013

RON FOSTER
ATTN: RON FOSTER
3821 N 200 W
HYDE PARK UT 84318

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
22	Locate requests filed for caller ID number 21432 filed between July 1 and September 30, 2013	\$1.10	\$24.20
SUBTOTAL			\$24.20
TOTAL DUE			\$24.20

PAST DUE

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.

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PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: RON FOSTER

CALLER ID: 21432

INVOICE #: 3-03-2449

TOTAL: \$24.20



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

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c/o One Call Concepts

7223 Parkway Drive, Suite 210

Hanover, MD 21076

877-879-0711

INVOICE

INVOICE NO: 3-04-1838

DATE: January 7, 2014

RON FOSTER CONSTRUCTION
ATTN: EDDIE BARRIGAN
3821 N 200 TH W
HYDE PARK UT 84318

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
4	Locate requests filed for caller ID number 21432 filed between October 1 and December 31, 2013.	\$1.10	\$4.40
SUBTOTAL			\$4.40
TOTAL DUE			\$4.40

PAST DUE

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: RON FOSTER CONSTRUCTION

CALLER ID: 21432



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

INVOICE #: 3-04-1838
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: 4022671

DATE: July 11, 2014

RON FOSTER CONSTRUCTION
RON FOSTER
P.O. BOX 1399
NEW TOWN, ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
11	Locate requests filed for caller ID number 21432 filed between April 1 and June 30, 2014.	\$1.10	\$12.10
SUBTOTAL			\$12.10
TOTAL DUE			\$12.10

Make all checks payable to: North Dakota One Call and remit to the address above.
If you have any questions concerning this invoice, call: 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: RON FOSTER CONSTRUCTION

CALLER ID: 21432

INVOICE #: 4022671

TOTAL: \$12.10



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

North Dakota One Call

c/o One Call Concepts

7223 Parkway Drive, Suite 210

Hanover, MD 21076

(701) 751-1019

INVOICE

INVOICE NO: 4032858

DATE: October 15, 2014

RON FOSTER CONSTRUCTION

RON

P.O. BOX 1399

NEW TOWN, ND 58763

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
8	Locate requests filed for caller ID number 21432 filed between July 1 and September 30, 2014.	\$1.10	\$8.80
SUBTOTAL			\$8.80
TOTAL DUE			\$8.80

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: RON FOSTER CONSTRUCTION

CALLER ID: 21432

INVOICE #: 4032858

TOTAL: \$8.80



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