



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

Ronnie Lund
Lund Excavating
6810 Highway 40
Tioga, ND 58852-9403

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

Dear Mr. Lund:

Enclosed is a copy of a ND One-Call Complaint against Lund Excavating, received by the North Dakota Public Service Commission on November 4, 2014, from North Dakota One Call, Case No. PU-14-803.

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-14-803 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 MD, 21076
Telephone and Cell Phone Number (410) 712-0082	Email Address jennejamison@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 LUND EXCAVATING	Street Address 6810 HWY 40	City TIOGA	State and Zip Code ND, 58852
Telephone and Cell Phone Number 701-664-2424, 701-641-3419		Email Address bardger5617@yahoo.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 17-0002332

LUND EXCAVATING
 ATTN: RONNIE LUND
 6810 HWY 40
 Tioga, ND 58852

Date	Reference	Description	Charge	Credit	Balance
12/31/2012	2041058-IN		1.25		1.
3/31/2013	3010506-IN		2.50		2.
6/30/2013	3021384-IN		4.40		4.
9/30/2013	3031665-IN		2.20		2.
9/30/2014	4031909-IN		1.10		1.

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
1.10	0.00	0.00	0.00	10.35	11.4

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: 12-04-1058

DATE: January 8, 2013

LUND EXCAVATING
ATTN: RONNIE LUND
6810 HWY 40
TIOGA ND 58852

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Locate requests filed for caller ID number 2332 filed between October 1 and December 31, 2012.	\$1.25	\$1.25
SUBTOTAL			\$1.25
TOTAL DUE			\$1.25

**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: LUND EXCAVATING

CALLER ID: 2332



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

INVOICE #: 12-04-1058

TOTAL: \$1.25

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: 13-01-0506

DATE: April 4, 2013

LUND EXCAVATING
ATTN: RONNIE LUND
6810 HWY 40
TIOGA, ND 58852

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
2	Locate requests filed for caller ID number 2332 filed between January 1 and March 31, 2013.	\$1.25	\$2.50
		SUBTOTAL	\$2.50
		TOTAL DUE	\$2.50

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

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PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: LUND EXCAVATING



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

CALLER ID: 2332

INVOICE #: 13-01-0506

TOTAL: \$2.50

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

877-879-0711

INVOICE

INVOICE NO: 13-02-1384

DATE: July 11, 2013

LUND EXCAVATING
ATTN: RONNIE LUND
6810 HWY 40
TIOGA ND 58852

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
4	Locate requests filed for caller ID number 2332 filed between April 1 and June 30, 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: Chad Olson, 701-475-2942.

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PLEASE ENCLOSE THIS PORTION WITH YOUR REMITTANCE

Please remit payment to:

COMPANY: LUND EXCAVATING

CALLER ID: 2332



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

INVOICE # 13-02-1384
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: 3-03-1665

DATE: October 11, 2013

LUND EXCAVATING
ATTN: RONNIE LUND
6810 HWY 40
TIOGA ND 58852

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
2	Locate requests filed for caller ID number 2332 filed between July 1 and September 30, 2013.	\$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: 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: LUND EXCAVATING

CALLER ID: 2332



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

INVOICE #: 3-03-1665
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

(701) 751-1019

INVOICE

INVOICE NO: 4031908

DATE: October 15, 2014

LUND EXCAVATING
STEVE LUND
5260 133RD AVE
ENDERLIN, ND 58027

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Locate requests filed for caller ID number 5443 filed between July 1 and September 30, 2014.	\$1.10	\$1.10
SUBTOTAL			\$1.10
TOTAL DUE			\$1.10

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!

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: LUND EXCAVATING

CALLER ID: 5443

INVOICE #: 4031908

TOTAL: \$1.10



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