



Public Service Commission

State of North Dakota

COMMISSIONERS

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Executive Secretary
Darrell Nitschke

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December 26, 2014

Dawn Voelsch
Tower Systems, Inc.
17226 447th Ave
Watertown, SD 57201-6474

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

Dear Ms. Voelsch:

Enclosed is a copy of a ND One-Call Complaint, with attachments, against Tower Systems, Inc., received by the North Dakota Public Service Commission on December 23, 2014, from Bruce Carlson, General Manager at Verendrye Electric Cooperative, Inc., of Velva, ND, Case Number PU-14-845. The location of the damage identified in the complaint is approximately 1/8 mile north of Velva, ND on west side of Highway 41.

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 January 9, 2015**, with your written account of the event, including the applicable One Call locate ticket number for work performed at the address indicated.

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

Please contact me at 701-328-3397 or at vschock@nd.gov with any questions regarding this correspondence.

Sincerely,

Victor Schock
Compliance and Competitive Markets Division

Enc: ND One-Call Complaint with attachments
c: Bruce Carlson with attachments



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 Verendrye Electric Cooperative, Inc./Bruce Carlson	Street Address 615 Hwy 52 W	City Velva	State and Zip Code ND 58790
Telephone and Cell Phone Number 701-338-2855	Email Address brucerc@verendrye.com		Date 12/18/2014
<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 Tower Systems, Inc.	Street Address 17226 447th Ave	City Watertown	State and Zip Code SD 57201-6474
Telephone and Cell Phone Number 605-886-0930	Email Address		

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 checked="" 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 type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____
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Location of Violation:
Hwy 41 N, Velva, ND 58790 - Approx 1/8 mile north of Velva on west side of Hwy 41

Date and Time of Violation:
12/17/2014 13:48

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.*

Contractor was digging a hole for a barricade post within 3 feet of VEC owned transformer serving the Verizon tower. The contractor dug through the 7200 volt underground power cable serving the transformer causing an outage to 13 VEC members. Breon, the foreman on site, admitted to not calling ND One Call for a locate request prior to this excavation. Breon's phone number is 605-881-8180.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: 1/0 25kv 7200 volt underground power cable owned by Verendrye Electric Cooperative, Inc.		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$508.36	Number of Customers Affected 13	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint <i>Bruce Carlson, VEC Gen Man</i>	Date <i>12/23/14</i>
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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

[Email to the Commission](#)

**CUSTOMER BILLING - SERVICE CALL**

SERVICE CALL/LABOR/EQUIPMENT/MATERIALS

DATE: **12/16/2014**

NAME:	Dawn Voelsch	JOB DESCRIPTION:	
ADDRESS:	Tower Systems	Repaired primary electric cable damaged by contractor	
CITY,ST,ZIP	PO Box 1474, Watertown, SD 57201	at Verizon Tower on north side of Velva, ND	
LOCATION:	MEMBER:	No located called in.	

LABOR	NAME	HRS R.T.	RATE	HRS O.T.	RATE	HRS D.T.	RATE	TOTAL
	Jesse S	1	\$ 38.59					\$ 38.59
	Brian S	2	\$ 38.59					\$ 77.18
	Blane K (IC)	2	\$ 40.09					\$ 80.18
	Dan K	1	\$ 47.64					\$ 47.64
								\$ -
								\$ -
								\$ -
								\$ -
	OVERHEAD CHARGES					RATE @	80%	\$ 194.87
							TOTAL	\$ 438.46

EQUIPMENT	UNIT	DESCRIPTION	HRS	RATE	MILES	RATE	TOTAL	
	41	Service truck			5	\$ 0.95	\$ 4.75	
							\$ -	
							\$ -	
							\$ -	
							\$ -	
							TOTAL	\$ 4.75

MATERIAL	VEC PART #	DESCRIPTION	QUANTITY	PRICE/UNIT	TAX	TOTAL	
	23040	Splice 1/0 260 mil	1	\$ 62.05	5.0%	\$ 65.15	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						TOTAL	\$ 65.15

GRAND TOTAL \$ 508.36

VEC EMPLOYEE	Jesse
DEPT HEAD	
TIMESHEET MATCH	
WAREHOUSE	Velva
W/O # OR ACCT #	415.3

CUSTOMER ACKNOWLEDGEMENT:
I hereby acknowledge that the above is a correct statement of service/materials I requested to be provided and agree to pay the charges upon receipt of a bill.

NOTES:	

Breon

Tower Systems

605-881-8180

P.O. Box 1474

17226 447th AVE.

WATERTOWN, 5720-6474





