



Public Service Commission State of North Dakota

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April 27, 2015

Christopher Gladden
C Company General Contractors
PO BOX 2739
Williston, ND 58825

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

Dear Mr. Gladden:

Enclosed is a copy of a ND One-Call Complaint against C Company General Contractors, received by the North Dakota Public Service Commission on April 22, 2015, from Charles Columbus at Hess Corporation, of Tioga, ND, Case Number PU-15-155. The location of the incident identified in the complaint is approximately 1.3 miles west of the intersection of Highway 1804 and 105th Ave NW, near Tioga, ND.

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 May 11, 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
c: Charles Columbus

2 **PU-15-155** Filed: 4/27/2015 Pages: 2
Letter enclosing North Dakota One Call Complaint

Public Service Commission

Victor Schock



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 Hess Corporation / Charles Columbus	Street Address 10384 68th Street NW	City Tigona	State and Zip Code ND 58852
Telephone and Cell Phone Number 701-664-6401	Email Address ccolumbus@hess.com		Date 4/22/2015
<input 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 Christopher Gladden	Street Address PO Box 2739	City Williston	State and Zip Code ND 58825
Telephone and Cell Phone Number 907-347-4385	Email Address NA		

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 type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) <u>False Emergency One Call Ticket - NDCC Chapter 49-23-01.5</u>
Location of Violation: County: WILLIAMS Place: TIOGA
Date and Time of Violation: 4/22/15 9:15 AM
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> One Call ticket numbers 15039691 / 15039681 - we called the excavator and asked why these tickets were emergencies and he stated he didn't know but was told to do it. Type of Work: EMERGENCY REPAIR OF POTHOLE Work Being Done For: NESSON GAVIN Depth: OVER 10FT Explosives: N Tnling/Boring: Y Extent of Work: EXCAVATION SITE IS ON THE W SIDE OF THE ROAD. : TRAVEL WEST FROM INTERSECTION APPROX 1.3 MILES, TURN ONTO THE UNNAMED LEASE : ROAD FOR JANICE PAD BEGIN MARKING WHERE THE YELLOW RIGHT OF WAY STAKES ARE.

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 Charles Columbus	Date 4/22/2015
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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