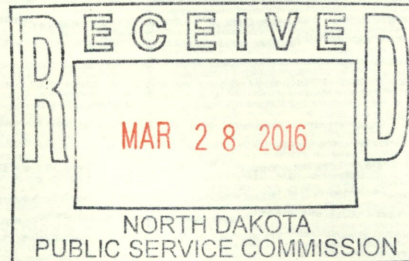


PHOENIX CONSTRUCTION, INC

P.O. BOX 1871
BISMARCK, ND 58502-1871
(701) 222-1416



Public Service Commission
VS
Phoenix Construction

March 24, 2016

Case No
PU-15-166

Doug Unruh (DBA Phoenix Const.) Answer to Complaint.

I can not afford an attorney to answer this complaint so I hope this will be a sufficient answer. I will admit we did not call One-Call to locate, all I can offer is the reason we did not. In talking with the owner he said a few years back he had the property located and since he knew where the water and sewer were located and the power lines were over head and we were not going close to lot lines. We made a bad decision to start excavating.

Since there was a lot of rubble buried in the excavation we did not know we had hit any kind of pipe so we did not knowingly bury the pipe back up.

The owner has held back \$38,000.00 and this has caused financial hardship.

If the penalty is imposed on Phoenix Construction it would push me over the edge and I would have no option but to file bankruptcy.