

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Phoenix Construction
Damage Prevention Enforcement**

Case No. PU-15-166

NOTICE OF HEARING

August 17, 2016

On April 24, 2015 the City of Bismarck Public Works filed a Third Party Damage Complaint alleging a violation of North Dakota Century Code Chapter 49-23 by Phoenix Construction (Phoenix).

On April 28, 2015 Public Service Commission Staff mailed a letter to Phoenix enclosing a copy of the North Dakota One Call Complaint and asking for a response to the Complaint.

On March 1, 2016, Public Service Commission Advocacy Staff filed a formal complaint (Complaint) alleging a violation of the North Dakota One-Call law, North Dakota Century Code Chapter 49-23.

On March 9, 2016 the Public Service Commission found the Complaint states a prima facie case and directed that the Complaint be served on the Respondent, Phoenix Construction.

On March 21, 2016 the Complaint was served on the Respondent, Phoenix Construction.

On March 28, 2016 Phoenix filed an Answer to the Complaint.

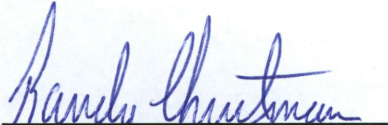
A **public hearing** on this matter will be held on **October 18, 2016 at 8:30 AM CDT** in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The issues to be considered are:

1. Whether Phoenix Construction violated N.D.C.C. Chapter 49-23.
2. If a violation is found, whether the Commission should impose a civil penalty, and if so, in what amount.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or 877-245-6685 (toll free in North Dakota), or Relay North Dakota 1-800-366-6888 TTY.

If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
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Commissioner