

# Memorandum

**To:** Commissioner Julie Fedorchak  
Commissioner Randy Christmann  
Commissioner Brian P. Kalk

**From:** Julie Prescott, Public Utility Analyst

**Date:** June 17, 2015

**Re:** Case No. PU-15-206, Modern Fenceworks L.L.C., Damage Prevention Enforcement

On May 11, 2015, the Commission received a North Dakota One-Call Complaint form from Jennie Jamison, Bookkeeper at One Call Concepts, Inc. (OCCI) of Hanover, Maryland. The complaint indicated a violation by Modern Fenceworks L.L.C. (Modern Fenceworks) of New Salem, North Dakota, of North Dakota Century Code chapter 49-23: One-Call Excavation Notice System. In her complaint, Jamison states that OCCI provided utility locate services for Modern Fenceworks in 2013 and 2014 for which compensation has not been received by OCCI in the amount of \$47.30.

According to information obtained from the Secretary of State's Office by Commission staff, Modern Fenceworks was involuntarily dissolved in 2014. Jamison was notified by Commission staff of Modern Fenceworks' current business status, and responded via email on June 9, 2015, indicating that OCCI will "write off" the balance owed by OCCI by Modern Fenceworks and that OCCI no longer wishes to pursue Commission action on the complaint.

Staff recommends that no further action be taken and the case be closed.