

# Memorandum

To: Commissioners Kalk, Christmann and Fedorchak

From: Victor Schock, Public Utility Analyst

Date: September 9, 2015

Re: ND One-Call Complaints  
Case Nos. PU-15-308, PU-15-309, PU-15-310 & PU-15-311

On June 8, 2015, four ND One-Call Complaints were received from Erin Hayes with Midcontinent Communications (Midcontinent) alleging that Montana-Dakota Utilities (MDU) violated North Dakota Century Code Chapter 49-23 One-Call Excavation Notice System law by failing to locate and mark underground facilities within 48 hours.

On June 18, 2015, staff sent copies of the complaints to MDU requesting a response.

As of the date of this memo, no response has been received from MDU.

Also on June 18, 2015 staff requested further details from Midcontinent as there is not sufficient evidence in the complaints to find violations.

Midcontinent provided no additional evidence or a witness, citing their mutual agreement with MDU that the situation was resolved to their satisfaction.

Based on its investigation staff does not intend to file formal complaints, and recommends that no further action be taken and the cases be closed.