



# 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<br>City of Zap   | Street Address<br>121 main st           | City<br>Zap | State and Zip Code<br>ND 58580 |
| Telephone and Cell Phone Number<br>701-948-2256   | Email Address<br>bwinters1979@gmail.com |             | Date<br>09/18/2015             |
| <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<br>Kollman construction/Todd Kollman | Street Address<br>14 3rd Ave SW                  | City<br>Hazen | State and Zip Code<br>ND 58545 |
| Telephone and Cell Phone Number<br>701-425-2509     | Email Address<br>kollmanconstruction@hotmail.com |               |                                |

## PART C – ALLEGED VIOLATION

|  |
|--|
| <input type="checkbox"/> Operator failed to provide or update the information provided to the notification center on a timely basis<br><input checked="" type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation<br><input checked="" type="checkbox"/> Excavator failed to provide required information in excavation or location notice<br><input type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation<br><input type="checkbox"/> Notification center failed to inform the excavator of the names of operators of underground facilities in the area<br><input type="checkbox"/> Operator failed to locate and mark underground facility within 48 hours<br><input checked="" type="checkbox"/> Excavation started prior to underground facility locate<br><input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally<br><input type="checkbox"/> Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period<br><input type="checkbox"/> Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities<br><input type="checkbox"/> Excavator failed to maintain the markings during excavation<br><input type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____ |
| Location of Violation:<br>2nd ave w Zap ND 58580   |
| Date and Time of Violation:<br>09/18/2015 around 9:30 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><br><br>Contractor failed to provide thier own ND onecall ticket was using landowners ticket did not wait for legal dig time and struck city water main disrupting service to residents on street. the ticket the contractor was using was ticket number 15168613 for Steve Stefansky, the contractor Todd Kollman with Kollman construction did not have his own ticket.   |

## PART D – DAMAGE

|  |                                   |                                    |
|--|-----------------------------------|------------------------------------|
| Fatalities<br>None   | Injuries<br>None                  | In-patient Hospitalization<br>None |
| Underground facility type(s) and Operator(s) affected:<br>City Water Main                  |                                   |                                    |
| Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$<br>5000 or less | Number of Customers Affected<br>8 |                                    |
| Other impact of event:   |                                   |                                    |
| Please attach photos of Event Area or Damaged Facility                                     |                                   |                                    |

## PART I – SIGNATURE

|  |                    |
|--|--------------------|
| Signature of Person Filing Complaint<br>Benjamin Winters City Water Commissioner | Date<br>09/18/2015 |
|--|--------------------|

Send Completed, Original Complaint To:  
 Public Service Commission  
 600 E Boulevard Ave Dept 408  
 Bismarck ND 58505-0480  
 Telephone: (701) 328-2400



