



# 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>Montana Dakota Utilities  | Street Address<br>PO Box 1457            | City<br>Bismarck | State and Zip Code<br>ND 58502 |
| Telephone and Cell Phone Number<br>701-224-5814   | Email Address<br>micheal.schoepp@mdu.com |                  | Date<br>11/4/15                |
| <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>Guthmiller Earthmovers Inc    | Street Address<br>305 2nd Ave s | City<br>Cleveland | State and Zip Code<br>ND 58424 |
| Telephone and Cell Phone Number<br>701-763-6200 | Email Address                   |                   |                                |

## 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 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 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>Central Sales Inc. 4000 Highway 281 SE Jamestown, ND 58401   |
| Date and Time of Violation:<br>11/3/15 at 4:45 PM  |
| 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>3/4 inch natural gas service line was damaged. Gas was blowing. No locates were called in prior to digging. Contractor was using large scraper digging down about 2 feet.   |

## PART D – DAMAGE

|   |                                   |                                   |
|---|-----------------------------------|-----------------------------------|
| Fatalities<br>n/a   | Injuries<br>n/a                   | In-patient Hospitalization<br>n/a |
| Underground facility type(s) and Operator(s) affected:<br>natural gas / MDU           |                                   |                                   |
| Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$<br>1000.00 | Number of Customers Affected<br>1 |                                   |
| Other impact of event:  |                                   |                                   |
| Please attach photos of Event Area or Damaged Facility                                |                                   |                                   |

## PART I – SIGNATURE

|  |                 |
|--|-----------------|
| Signature of Person Filing Complaint<br>Mike Schoepp | Date<br>11/4/15 |
|--|-----------------|

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