



# 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 Xcel Energy / Lisa Kallberg	Street Address 825 Rice St	City St. Paul	State and Zip Code MN 55372
Telephone and Cell Phone Number 651-229-2282	Email Address elisabeth.m.kallberg@xcelenergy.com		Date 11-30-15
<input checked="" 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 Precision Dirtworks	Street Address 1935 4th Ave NW	City West Fargo	State and Zip Code ND 58078
Telephone and Cell Phone Number 701-238-1753	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 <input checked="" type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input type="checkbox"/> Excavator failed to provide required information in excavation or location notice <input type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation <input type="checkbox"/> Notification center failed to inform the excavator of the names of operators of underground facilities in the area <input type="checkbox"/> Operator failed to locate and mark underground facility within 48 hours <input type="checkbox"/> Excavation started prior to underground facility locate <input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally <input type="checkbox"/> Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period <input type="checkbox"/> Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities <input type="checkbox"/> Excavator failed to maintain the markings during excavation <input type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____
Location of Violation: 721 1st St N Fargo, ND
Date and Time of Violation: July 23, 2015 9:48 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>  Precision Dirtworks failed to provide notification to the ND One Call Center prior to excavating.

## PART D – DAMAGE

Fatalities 0	Injuries 0	In-patient Hospitalization 0
Underground facility type(s) and Operator(s) affected: 2 inch natural gas main		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$3278	Number of Customers Affected 1	
Other impact of event: none		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint Lisa Kallberg	Date 11-30-15
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Send Completed, Original Complaint To:  
 Public Service Commission  
 600 E Boulevard Ave Dept 408  
 Bismarck ND 58505-0480  
 Telephone: (701) 328-2400

W.O.1222810903



# Damage Investigation Form

Damage Date:	<u>7/23/2015</u>	Date Notified:	<u>7/23/2015</u>	Date Investigated:	<u>7/23/2015</u>
Address:	<u>721 1st St. N</u>	City:	<u>Fargo</u>	Notified by:	<u>Xcel</u>
Excavator:	<u>Precision Dirtworks</u>	Ticket #:	<u>N/A</u>	Damage Ticket:	
Locator:	<u>N/A</u>	Locate Date:	<u>N/A</u>	Work Type:	<u>Water line</u>
Facility Damaged:	<u>2" Plastic Gas Main</u>	Equipment Used:	<u>Excavator</u>		

Description of site and facility indicators: \_\_\_\_\_

Utility representative on-site?	<u>Y</u>	Y/N	Excavator on-site?	<u>Y</u>	Y/N
Name of representative:	<u>Mark</u>		Excavator name:	<u>Travis Anderson</u>	

**Cause of damage and circumstances:**

Precision Dirtworks was doing some digging when they damaged a gas main. The contractor did not have a valid North Dakota One Call ticket.

**Preventative Actions (Only fill out for at-fault damages)**

What was the excavators determination on liability and why? \_\_\_\_\_

Recommendation of Liability: Precision Dirtworks

Investigator:	<u>Joey Kouba</u>	Date:	<u>7/23/2015</u>
Supervisor:	<u>Kiley Perala</u>	Date:	<u>7/28/2015</u>
Managers Concurrence:	<u>Jason Ponciano</u>	Date:	<u>7/28/2015</u>

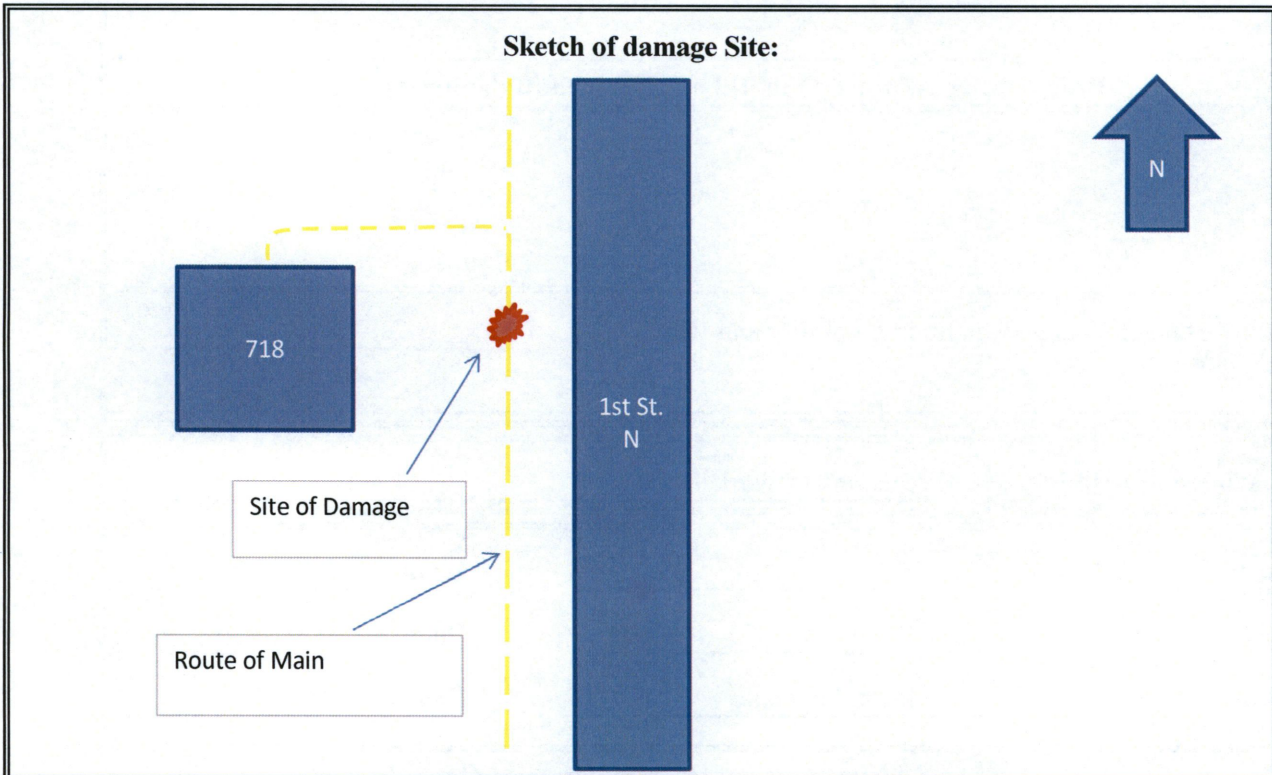
## Specific Locate Information

Mark all that apply (X)

<input type="checkbox"/>	The line was marked accurately. <i>Within tolerance by Inches</i> _____	*End Of Questions
<input type="checkbox"/>	The damaged facility is abandoned. *End of Questions*	
<input checked="" type="checkbox"/>	Excavator did not have a valid ticket. Or outside of their "Dig Area". *End of Questions	
<input type="checkbox"/>	<b>The line should have been marked, but was unmarked.</b>	
<input type="checkbox"/>	The marks were destroyed by:      Excavation _____ Weather _____ Other _____	
<input type="checkbox"/>	The line was unmarked but previously located.	
<input type="checkbox"/>	The excavation was out of the dig area.	
<input type="checkbox"/>	The dig area was established by a verbal exchange.	
<input type="checkbox"/>	If so, is the dig area well documented?      Yes _____ No _____	
<input type="checkbox"/>	The unmarked facility was on provided maps?      Yes _____ No _____	
<input type="checkbox"/>	The excavator knew there were unmarked lines.	
<input type="checkbox"/>	Did the excavator have any of the utilities exposed?      Yes _____ No <input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>The line should have been marked, but was mismarked.</b>	
<input type="checkbox"/>	The damage occurred on a project.	
<input type="checkbox"/>	The cutting edge was within 24" of the damaged line.	
<input type="checkbox"/>	The cutting edge was within 18" of the damaged line. <b>(For South Dakota use only)</b>	
<input type="checkbox"/>	Was the tracer wire present with the facility?      Yes _____ No _____	
<input checked="" type="checkbox"/>	Pictures of the damage were taken.      _____	Locate Pictures or Sketch Available.
<input type="checkbox"/>	How deep was the damaged facility? _____	
<input type="checkbox"/>	There was a visual indicator of the facility from the dig area.	
<input type="checkbox"/>	Distance to visual indicator? _____	
<input type="checkbox"/>	How far was the closest remaining mark to the damage? _____	

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_



\*\*This document is not for third party use\*\*





2015. 7. 23 9:20