



# 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 Key Contracting, Inc.	Street Address 245 7th Ave NE	City West Fargo	State and Zip Code ND 58078
Telephone and Cell Phone Number 701-238-8192	Email Address tmartin@keycontracting.com	Date 12/8/2015	
<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 Cable One	Street Address 1024 Page Drive	City Fargo	State and Zip Code ND 58103
Telephone and Cell Phone Number 701-461-7052	Email Address Scott.Peterson@CableOne.net		


## 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 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 checked="" 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: Veterans Blvd and 40st Avenue S, West Fargo, ND
Date and Time of Violation: 12/2/15 at approximately 1:00 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> Key Contracting was replacing power poles (removing old pole, reaming existing hole and inserting new pole) on Veterans Drive, just north of 40th Ave S on 12/2/15. Key Contracting wrapped approximately 110 feet of fiber optic cable around the bit used for reaming the holes on that date. Key Contracting was working pursuant to tickets 15215020, 15215058, 15215063, 15215077 and 15211981 when replacing poles in that area. Cable One indicated that the fiber optic line removed by Key Contracting had not been located or marked as of 12/2/15. Key Contracting has worked on that power line replacement since August 2015.

## PART D – DAMAGE

Fatalities None.	Injuries None.	In-patient Hospitalization None.
Underground facility type(s) and Operator(s) affected: Fiber optic. Cable One.		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ Unknown	Number of Customers Affected Unknown	
Other impact of event: Unknown.		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint Thomas P. Martin 	Date 12/7/15
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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