



Public Service Commission

State of North Dakota

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Darrell Nitschke

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December 29, 2015

Ryan Minnerath
Central Specialties, Inc.
6325 County Road 87 SW
Alexandria, MN 56308-5361

Re: One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23

Dear Mr. Minnerath:

Enclosed is a copy of a ND One-Call Complaint, with attachments, against Central Specialties, Inc., received by the North Dakota Public Service Commission on December 23, 2015, from Kent Kahl, at WBI Energy, of Bismarck, ND, Case Number PU-15-799. The location of the damage identified in the complaint is approximately Highway 85 Right of Way, 5 miles south of Williston, ND.

I am sending you this information so that you are aware of the Complaint and have an opportunity to present any information you may have to assist us in processing this case. **Please respond to Darrell Nitschke, Executive Secretary, North Dakota Public Service Commission, by January 13, 2016**, with your written account of the event, including the applicable One Call locate ticket number for work performed at the address indicated.

I will review your response, the ND One-Call Complaint, and other available information to determine the next step in this matter. If I conclude there was a violation of the One Call law, I may file a formal complaint with the Commission. If I decide to proceed with a formal complaint, I will attempt to contact you in advance.

Please contact me at 701-328-3397 or at vschock@nd.gov with any questions regarding this correspondence.

Sincerely,

Victor Schock
Compliance and Competitive Markets Division

Enc: ND One-Call Complaint with attachments
c: Kent Kahl with attachments

-Info-Public Service Commission

From: Schock, Victor F.
Sent: Wednesday, December 23, 2015 2:09 PM
To: -Info-Public Service Commission
Subject: FW: WBI Energy complaint against Central Specialties
Attachments: ND-one-call-complaint-Central Specialties.pdf

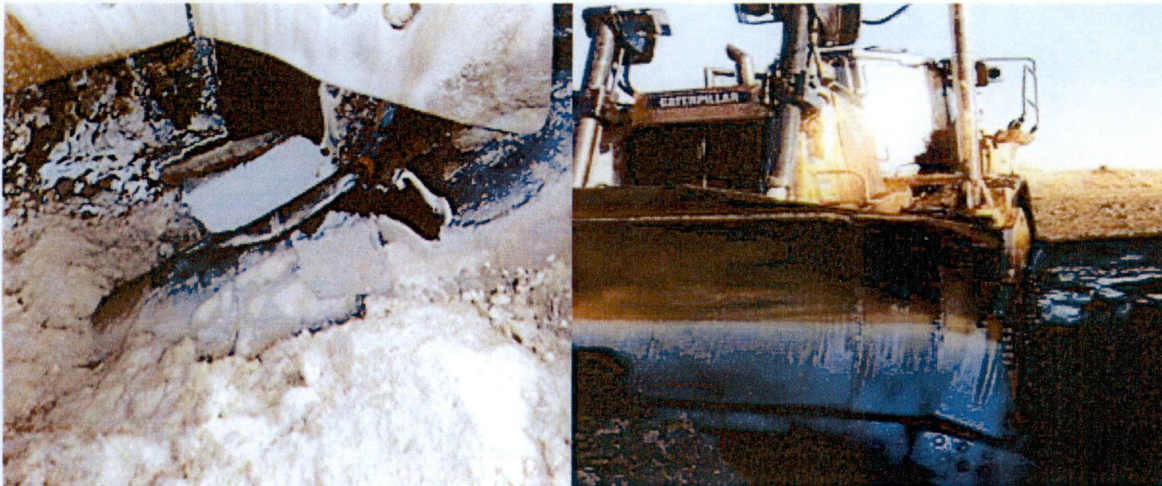
Please docket as a new Damage complaint case.

Thanks,
Victor Schock

From: Kahl, Kent [<mailto:Kent.Kahl@WBIEnergy.com>]
Sent: Wednesday, December 23, 2015 1:57 PM
To: Schock, Victor F.
Cc: Seifert, Keith; Dempewolf, Marc
Subject: WBI Energy complaint against Central Specialties

Victor,

Please find attached the complaint WBI is filing against Central Specialties for the damage sustained 11-3-14 when Central Specialties hit our high pressure natural gas pipeline south of Williston, ND. I have also attached two pictures of the damage. If you have any questions regarding this, please don't hesitate to contact me.



Regards,

Kent Kahl
WBI Energy Transmission
Pipeline Engineering and Integrity
Office: (406) 359-7222
Cell: (406) 939-2215
Fax: (406) 359-7244

1 **PU-15-799** Filed: 12/23/2015 Pages: 3
North Dakota One Call Complaint

kent.kahl@wbienergy.com

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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 WBI Energy / Kent Kahl	Street Address 1250 West Century Avenue	City Bismarck	State and Zip Code ND 58506
Telephone and Cell Phone Number 406-359-7222 / 406-939-2215	Email Address Kent.Kahl@wbienergy.com		Date 12/23/15
<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 Central Specialties / Ryan Minnerath	Street Address 6325 Cty Rd 87	City Alexandria	State and Zip Code MN 56308
Telephone and Cell Phone Number 320-762-7289 / 320 304-0989	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 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 checked="" 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: Hwy 85 right of way, 5 miles south of Williston
Date and Time of Violation: November 3rd, 2014 @ 13:43 CT
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> Central Specialties was operating a D-8 dozer performing leveling/grading work in the existing highway right-of-way adjacent to North Dakota State Highway 85 approximately 5 miles south of Williston, ND. The D-8 struck and punctured WBI Energy's (WBI) 12" steel, high pressure, natural gas transmission line. This work was being performed for the Highway 85 reconstruction project that has been ongoing in the area. The last locate request by Central Specialties for the area of work involved was put in on 10/2/14 and located on 10/6/14 by WBI, NTMS ticket no. 14179562. The locate ticket 14179562 expired on 10/27/14; therefore, the excavation work being performed did not have a valid one-call ticket.

PART D – DAMAGE

Fatalities NA	Injuries NA	In-patient Hospitalization NA
Underground facility type(s) and Operator(s) affected: Steel natural gas transmission pipeline.		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$41,261.50	Number of Customers Affected 3	
Other impact of event: Several WBI personnel were involved with repairing the damaged pipeline and returning it to service. During the repair, the pipeline had to be taken out of service so the damaged section could be removed and replaced. Highway 85 was also closed for several hours during the repair process which required highway personnel and local emergency responders.		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint Kent Kahl	Date 12/23/2015
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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

Email to the Commission