

Memorandum

To: Commissioners Randy Christmann, Julie Fedorchak and Brian Kroshus

From: Victor Schock - Public Utility Analyst

VS

Date: June 21, 2017

Re: Denbury Onshore, LLC, Damage Prevention Enforcement

Case Nos. PU-16-243, PU-16-244, PU-16-245, PU-16-246, PU-16-249, PU-16-250, PU-16-251, PU-16-252, PU-16-253 and PU-16-254

I recommend the commission close the above captioned cases which are North Dakota One Call Damage Complaints submitted to the Commission by Ernst Trenching, Inc. (Ernst) on June 3, 2016. I will include a motion to close the cases on the June 27, 2017 agenda.

These ten cases all list Denbury Onshore, LLC (Denbury) as a respondent, alleging that Denbury did not locate and mark their underground facilities as required by North Dakota Century Code chapter 49-23.

During my investigation over the past year I attempted to get more concrete details from Ernst, Denbury, Kadrmass Lee & Jackson and Consolidated Telecom all of whom played a part in the incidents. After exhausting all possibilities and contacts, I have been unable to find sufficient evidence and witnesses to prove a violation by Denbury in any of these cases.

Due to the factors mentioned, staff sees no reason to further investigate and recommends that the commission close the above captioned cases.

4	PU-16-251 Memorandum	Filed: 6/21/2017	Pages: 1
3	PU-16-250 Memorandum	Filed: 6/21/2017	Pages: 1
3	PU-16-249 Memorandum	Filed: 6/21/2017	Pages: 1
4	PU-16-246 Memorandum	Filed: 6/21/2017	Pages: 1
4	PU-16-245 Memorandum	Filed: 6/21/2017	Pages: 1
4	PU-16-244 Memorandum	Filed: 6/21/2017	Pages: 1
4	PU-16-243 Memorandum	Filed: 6/21/2017	Pages: 1

4 **PU-16-254** Filed: 6/21/2017 Pages: 1
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4 **PU-16-253** Filed: 6/21/2017 Pages: 1
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4 **PU-16-252** Filed: 6/21/2017 Pages: 1
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