

Memorandum

To: Commissioners Kalk, Christmann and Fedorchak

From: Victor Schock Public Utility Analyst

Date: December 5, 2016

Re: ND One-Call Complaint
Case No. PU-16-255

On June 6, 2016, a ND One-Call Complaint was received from Steven Kilde with Continental Resources (Continental) alleging that Arthur Langved (Mr. Langved) violated North Dakota Century Code Chapter 49-23 One-Call Excavation Notice System law by failing to provide an excavation notice at least 48 hours before beginning an excavation.

Advocacy Staff (Staff) investigation found that on June 4, 2016 Mr. Langved was observed by Continental personnel using a bobcat mounted post hole digger to place new fence posts on his property. The investigation also found that Mr. Langved had not called in a location/excavation notice prior to his activity.

On October 26, 2016 Staff issued a letter of warning to Mr. Langved stating that staff believes his actions constitute a violation and further violations will likely result in enforcement actions and civil penalty.

Based on its investigation staff does not intend to file a formal complaint, and recommends that no further action be taken and the case be closed.