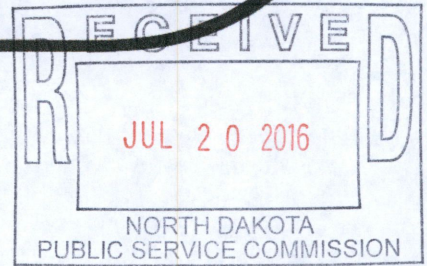


# **BIG HORN** **UNDERGROUND** *BLOOMER, WI*



Darrell

I'm responding on the one call ticket for the incident that happened on 6/29/16 in Jamestown, Nd. As you can see it was on the 21th day of ticket what I thought I had all day until I was informed it goes by the time on the ticket. So that's why my ticket expired. Upon getting that information we stopped all digging until I had updated tickets and resumed our work. I been digging in Jamestown all summer and called in about a hundred tickets and been compliant on everything. This was a mix up on my part and onetime thing.

Thank You

George LaBrie

*Big Horn Underground*

*P.O. Box 30*

*Bloomer, WI 54724*

*Office: 715-568-9585*

*Fax: 715-568-9586*

*Cell: 715-645-0585*

*georgelabrie@bighornunderground.com*

**3**    **PU-16-400**    Filed: 7/20/2016    Pages: 4  
**Response to North Dakota One Call Complaint**

Big Horn Underground, LLC  
George LaBrie

## George LaBrie

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**From:** nd@occinc.com  
**Sent:** Monday, June 06, 2016 10:58 AM  
**To:** George LaBrie  
**Subject:** Ticket: 16063760

### NORTH DAKOTA ONE-CALL

You can check that the ticket information and mapping location are correct, and that no work will take place outside the area indicated on the map, by [clicking on the TicketLINK](#). Should any changes be needed, you can use the 'Update' or 'Correct' Ticket functions on ITIC.

The map is ONLY used to determine which facility operators may have facilities in your dig area. The Utilities do NOT receive a copy of this map. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket.

The [TicketLINK](#) may also be used to view utility status, request a 'Relocate' or 'Cancel' a request. If you have any questions, call 563-884-7762.

#### Ticket Summary

**Request #** 16063760 **LORQ ROUTINE**  
**Work to Begin Date :** 6/08/16 11:00 AM CT **Original Call Date:** 6/06/16 10:54 AM CT

**Type of Work:** INSTALL FIBER OPTIC TELEPHONE LINES  
**County:** STUTSMAN **Place:** JAMESTOWN  
**Address:** 0 MULBERRY LN  
**Nearest Intersection:** 16TH ST SW  
**Township:** 140N **Rng:** 64W **Sect-Qtr:** 34  
**Caller Lat:** **Lon:** **Zone:** **Nad:**  
**Depth:** 4FT **Explosives:** N **Tunneling/Boring:** Y

#### Location of Work:

EXCAVATION SITE IS ON THE E SIDE OF THE ROAD. FROM THE INTERSECTION START MARKING RIGHT OF WAY TO RIGHT OF WAY GO NORTH TO 11TH ST SW

#### Remarks:

#### Caller Information

**Company:** BIG HORN UNDERGROUND **Fax:** (715)568-9586  
**Contact Name:** GEORGE LABRIE **Phone:** (715)568-9585  
**Address:** 521 MAIN ST  
BLOOMER, WI 54724  
**Alt. Contact:** GEORGE LABRIE ( CELL ) **Phone:** (715)645-0585  
**Contact Email:** georgelabrie@bighornunderground.com  
**Work Being Done For:** TELEPHONE COMPANY

#### Members Notified:

CABLE02 - CABLE SERVICES, IN (701)252-2225  
DCTEL01 - DAKOTA CENTRAL TEL (701)652-3184  
MDU22 - MONTANA DAKOTA UTI (701)252-4985  
NPE01 - NORTHERN PLAINS EL (406)728-9343

STUTMN01 - STUTSMAN RURAL WAT (701)252-7727  
STUTMN01 - STUTSMAN RURAL WAT (701)252-7727

**If there are any private underground facility operators in the excavation area, you should notify them directly.**

\* Per North Dakota Century Code, it is the responsibility of the ticket holder to remove all tangible marking material (ex - pin flags) upon completion of the excavation. Failure to comply is subject to penalties and fines up to \$25,000.



# 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 Montana Dakota Utilities/Eric Nihill	Street Address 701 12th Ave SE	City Jamestown	State and Zip Code ND 58401
Telephone and Cell Phone Number 701-252-9833 ext 6857	Email Address eric.nihill@mdu.com		Date 6/29/2016
<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 Big Horn Underground/George Labrie - President	Street Address 521 N. Main street	City Bloomer	State and Zip Code Wisconsin, 54724
Telephone and Cell Phone Number 715-668-9588 cell 715-845-0585	Email Address georgelabrie@bighornunderground.com		

## 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 checked="" 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) _____
<b>Location of Violation:</b> Intersection of Tootrot Road and 16th Street, Jamestown, ND
<b>Date and Time of Violation:</b> 6/29/16 - 3:15 PM
<b>Description (summarize the observations on which you rely to allege the violation) if more space is required, please provide the description on a separate page.</b>  Contractor spotted 2" plastic main initially. When they directional bored, they bored approximately 3 feet from where they spotted main and could not see the crossing and hit main. Upon further investigation, we found that the locates they had called in were past the 21 day dig period and were expired. Ticket number 16063691 that was provided to us by contractor, was expired at the time of the hit.

## PART D – DAMAGE

Fatalities none	Injuries none	In-patient Hospitalization none
Underground facility type(s) and Operator(s) affected: Natural gas - Montana Dakota Utilities		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$1000.00	Number of Customers Affected 0	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint Eric Nihill	Date 6/30/16
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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