



ND ONE-CALL COMPLAINT

Public Service Commission

SFN 59067 (5-17)

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 Ryan Olson, Northwest Communications Coop	Street Address 111 Railroad Ave	City Ray	State and Zip Code ND 58849
Telephone and Cell Phone Number 701-568-3331 701-641-0132	Email Address ryano@nccray.com		Date 5/22/17
<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 William Clifford, Murfy Pipe and Civil	Street Address 518 16th ST SW	City Minot	State and Zip Code ND 58701
Telephone and Cell Phone Number 719-252-6555	Email Address william.clifford@mpcgroup.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 checked="" 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 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: T159 R97 S 32NW
Date and Time of Violation: 5/11/17 12:48PM
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> NCC facilities were damaged at the above time and date, by William Clifford of Murphy Pipe and Civil while attempting to make repairs on a previously installed rural water shut-off and meter pit. I visited the site and met with excavator, and asked him for his one-call ticket number, he replied he didn't have one. I told him he needed to have a ticket to legally dig and he replied that he thought he knew where the line was at.

PART D – DAMAGE

Fatalities 0	Injuries 0	In-patient Hospitalization 0
Underground facility type(s) and Operator(s) affected: NCC Fiber Optic Cable		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$1020	Number of Customers Affected 1	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint Ryan Olson	Date 5/22/17
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Submit

If the "Submit" function is not working properly, please print the completed form and then either **email to** ndpsc@nd.gov, **fax to** 701-328-2410 or **send to** Public Service Commission, 600 E Boulevard Ave Dept 408, Bismarck ND 58505-0480.

Telephone: (701) 328-2400

1 **PU-17-221** Filed: 5/23/2017 Pages: 3
North Dakota One-Call Complaint

Northwest Communications Cooperative, a Cooperative Association
Ryan Olson

2017-05-11 12:48:30

South Driveway



-Info-Public Service Commission

From: Ryan Olson <ryano@nccray.com>
Sent: Monday, May 22, 2017 5:17 PM
To: -Info-Public Service Commission
Subject: Northwest Communications Coop One-Call Complaint
Attachments: 20170511.174818.SouthDriveway.mp4; ND-one-call-complaint-form-fillable.pdf

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Dear Sirs: Attached please find a completed one-call complaint form for an incident on 5/11/17. I have attached our customers surveillance video showing the excavator surveying the damaged cable with no marks around it. No facility locate was ever requested by the excavator, despite his equipment being on site for at least one day before excavating. The form did not submit correctly nor save with the check boxes visible so I am emailing it with explanation. Again, no locate was ever requested, and I am willing to testify if needed.

Sincerely,

Ryan Olson
NCC

Ryan Olson
OSP Supervisor
701-568-3331

