

5 June 2017

Darrell Nitscke,
 Executive Secretary
 North Dakota Public Service Commission
 600 East Boulevard, Dept 408
 Bismarck, North Dakota, 58505-0480



Dear Mr Nitscke,

**ND One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23
 ND One-Call Complaint**

We refer to Victor Shock's letter dated 24 May 2017.

Thank you for bringing this complaint to our attention. Murphy Pipe & Civil, LLC (MPC) prides itself on performing its work in a safe, responsible manner.

MPC completed emergency repair works at T159N R97W S32 NW1/4 near Alamo, North Dakota on its South Crosby project for the Western Area Water Services Authority on May 11th 2017. On May 10th 2017 the client advised MPC that a meter pit at Dennis Jacobson's property had become blocked and needed to be urgently rectified to ensure water delivery to the property. MPC dispatched its Superintendent to investigate on May 11th 2017. An inspection revealed that an excavation would be required to remedy to issue with the meter pit.

MPC has a comprehensive procedure relating to excavations. Where an excavation is required MPC's procedure requires the following before any excavation occurs:

1. Request locate services through One Call 811/Online and through operators that do not participate in OneCall Services (such as Kinder Morgan/Hiland, West Dakota Water)—Create a Locate Ticket
2. Assign risk once utilities are identified in the ticket according the chart below.

Risk Level	Utility	ROW Markings to be Verified by:
High	Gas, Crude, Salt Water, Process water	Front End Planner <u>and</u> Superintendent
Medium	Electric, Domestic Water	Supervisor
Low	Fiber optic/copper telecom	Employee/Operator

3. Validate responses from asset owners for positive responses.
4. Verify ROW Markings in field per table above.

Positive service location is only achieved once the required 48 hours (or other required timing) has elapsed, we have positive responses from all asset owners on the ticket, and the ROW markings have been verified as described in the table above.

All information related to each Locate ticket is then consolidated for MPC's files.

Regrettably in this instance the correct procedure was not followed. This was however, an isolated incident. MPC have diligently followed the above procedure prior, and subsequent, to this incident. This can be demonstrated by the attached locate ticket issued to MPC's Superintendent on May 6th 2017 for another location on the same project.

Once the damage to the existing underground service became apparent the asset owner was notified and attended the scene to commence repairing the damaged cable. MPC assisted the asset owner in further excavating the area under the asset owner's supervision to further expose the cable to complete the remedial work on the cable. The cable was repaired prior to the end of that day's shift.

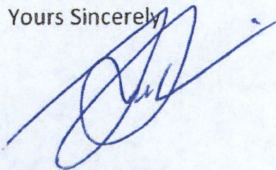
Post incident MPC has identified and implemented the following corrective actions to ensure an incident like this does not occur again in the future:

1. Tool box talk was held and attended to by Sean McElligott, Project Manager, at which time MPC's "Positive Service Location Procedure" requirements were reiterated.
2. All employees were required to indicate and sign that they understand all aspects of the procedure.
3. All light vehicles and excavating machinery have a copy of the Positive Service Location Procedure inside the unit which is to be incorporated into the Take 5 prior to any excavation or ground engaging works are carried out.

MPC acknowledges this unfortunate incident, but reiterates that it has adequate procedures in place in relation to excavation works and is being proactive in ensuring that these procedures are adhered.

If you have any questions or queries in regards to the above please do not hesitate to contact me at Tony.O'Sullivan@mpcgroup.com.au.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Tony O'Sullivan", written over a horizontal line.

Tony O'Sullivan
Chief Operating Officer
Murphy Pipe & Civil, LLC



Positive Service Location Procedure

Key Elements:

Front End Planner required competencies

1. Trained on ONECall requirements in State that the project is in.
2. Knowledge of online ticket system
3. Competent in Goggle Earth shape files, etc.
4. Time management
5. Recordkeeping

Front End Planning must be this individual's first priority due to the risks to Health and Safety and the effect on project scheduling.

Methodology

All existing services within the boundary of the ROW are required to be located prior to excavation activity. All operators and foreman will be notified of the services in the vicinity of their excavation site to eliminate the risk of damaging them.

Front-End Planner Typical Sequence:

1. Request locate services through One Call 811/Online and through operators that do not participate in OneCall Services (such as Kinder Morgan/Hiland, West Dakota Water, etc..??)—
Create a Locate Ticket
2. Assign risk once utilities are identified in the ticket according the chart below.

Risk based approach

Risk Level	Utility	ROW Markings to be Verified by:
High	Gas, Crude, Salt Water, Process water	Front End Planner <u>and</u> Superintendent
Medium	Electric, Domestic Water	Supervisor
Low	Fiber optic/copper telecom	Employee/Operator

3. Validate responses from asset owners for positive responses
4. Verify ROW Markings in field per table above.

Positive service location is only achieved once the required 48 hours (or other required timing) has elapsed AND we have positive responses from all asset owners on the ticket AND the ROW markings have been verified as described in the table above.

5. Consolidate all information related to each Locate ticket for files. (e-mails, ONECall correspondence, etc.)

For complex or difficult locates, formal meetings with the asset owners and the client may be required and crossing permits may need to be utilized to eliminate the risks (these can be schedule via the ONECall 811 system).

Uncontrolled copy

July 12, 2016



If no agreements can be reached and/or ALL assets are not positively identified no excavation/ground breaking will be done. Options to relocate ROW with client/landowners should be discussed to find a safe path for the project to continue.

APWA UNIFORM COLOR CODE	
WHITE :	Proposed Excavation
PINK :	Temporary Survey Markings
RED :	Electric Power Lines, Cables, Conduit and Lighting Cables
YELLOW :	Gas, Oil, Steam, Petroleum or Gaseous Materials
ORANGE :	Communication, Alarm or Signal Lines, Cables or Conduit
BLUE:	Potable Water
PURPLE :	Reclaimed Water, Irrigation and Slurry Lines
GREEN:	Sewer and Drain Lines

**KNOW
THE COLOR CODE!**

William Clifford

From: nd@occinc.com
Sent: Saturday, May 06, 2017 9:51 AM
To: William Clifford
Subject: Ticket: 17034566

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 # 17034566 **LORQ ROUTINE**
Work to Begin Date : 5/10/17 7:00 AM CT **Original Call Date:** 5/06/17 10:16 AM CT
Type of Work: REPAIR OF WATER SERVICE LINE
County: WILLIAMS **Place:** HAZEL TWP
Address: 0 118TH AVE NW
Nearest Intersection: 82ND ST NW
Township: 159N **Rng:** 97W **Sect-Qtr:** 17
Caller Lat: **Lon:** **Zone:** **Nad:**
Depth: 8FT **Explosives:** N **Tunneling/Boring:** N

Location of Work:

EXCAVATION SITE IS ON THE W SIDE OF THE ROAD. FROM THE INTERSECTION OF 118TH AVE NW AND 82ND ST NW GO S ON 118TH AVE NW AT NW FOR 1/2MI TO THE FARMSTEAD ON THE W SIDE OF THE ROAD. GO TO THE REAR OF THE HOME TO THE WATER METER. MARK A 50FT RADIUS OF THE WATER METER LOCATED AT THAT POINT. NOTE: CONTACT WILLIAM ON SITE IF LOCATORS HAVE ADDITIONAL QUESTIONS

Remarks:

Caller Information

Company: MURPHY TYPE CIVIL **Fax:**
Contact Name: WILLIAM CLIFFORD **Phone:** (719)252-6555
Address: 518 16TH ST SW
MINOT, ND 58701 **Phone:** (719)252-6555
Alt. Contact: WILLIAM CLIFFORD
Contact Email: william.clifford@mpcgroup.com
Work Being Done For: MURPHY TYPE CIVIL

Members Notified:

NWCOMM01 - NORTHWEST COMMUNIC *made* (701)568-3331
WMSRW01 - WILLIAMS RURAL WAT (701)774-8915

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