



Public Service Commission
State of North Dakota

COMMISSIONERS

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June 7, 2017

Kent Blickensderfer
Centurylink Communications, LLC.
CT Corporation System
314 E Thayer Ave
Bismarck, ND 58501-4018

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

Dear Kent:

Enclosed is a copy of a ND One-Call Complaint, against Centurylink Communications, LLC, received by the North Dakota Public Service Commission on June 6, 2017, from Robin Ness at North Plains Utility Contracting, of Devils Lake, ND, Case Number PU-17-241. The location of the incident identified in the complaint is approximately 1130 Division Ave in Minto, ND.

I am sending you this information so that you are aware of the complaint and may respond with information concerning the complaint. **Please respond to Darrell Nitschke, Executive Secretary, North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480 by June 22, 2017**, with your written account of the event, including the applicable One Call locate ticket number for work performed at the address indicated.

Your response and the ND One-Call Complaint will be reviewed to determine whether there may be a violation of the One-Call Excavation Notice System law.

If I do not receive a response by the date noted, I will determine whether there was a violation, without your side of the story, based on the facts contained in this complaint. If I conclude a violation did occur I will file a formal complaint against Centurylink Communications, LLC with the Commission, which may result in a penalty up to \$25,000 per violation as approved by the North Dakota Legislative Assembly in 2013 under North Dakota Century Code Section 49-07-01.1.

Please contact me at 701-328-3397 or at vschock@nd.gov with any questions regarding this correspondence.

Sincerely,

Victor Schock
Public Utilities Division
North Dakota Public Service Commission
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

Enc: ND One-Call Complaint with attachments
c: Robin Ness

2 PU-17-241 Filed: 6/7/2017 Pages: 3
Letter enclosing ND One-Call Complaint

Public Service Commission
Victor Schock



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 NORTH PLAINS UTILITY CONTRACTING	Street Address PO BOX 611	City DEVILS LAKE	State and Zip Code ND 58301
Telephone and Cell Phone Number 701-662-6782 701-230-2650	Email Address mess@gondtc.com		Date 6/5/17
<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 CENTURY LINK	Street Address	City GRAND FORKS	State and Zip Code ND
Telephone and Cell Phone Number		Email Address	

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 checked="" 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: 1130 DIVISION AVE & 60TH ST NE, WALSH COUNTY, MINTO ND.
Date and Time of Violation: MAY 30, 2017
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> This locate #1704757 was called in on 5/23/17 at 3:47 PM and the due date on the ticket was 5/25/17 at 4:00 PM. When our employee's arrived there on 5/30/17 at approx. 9:00 AM there were no locates marked at the project. Our foreman tried contacting Summit Locating that does Century Links locates by phone first and left him a voice mess, and he never responded so later on he tried texting him and he didn't respond to that either. When a Rep. from the company we were working for showed up at the job site he contacted Century Link in Grand Forks and they said they would get a hold of the locator and send him out but again no one showed up. When the Rep. that we were doing the work for called Century Link again the person he talked to didn't want to help him at all and basically told our Rep he was wasting his time. This has been an on going problem with Century Link locator's either they don't have the locates done on time or there marking is off and you can't get a hold of them to come back. They never did show up to do these

PART D – DAMAGE

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

PART I – SIGNATURE

Signature of Person Filing Complaint	Date
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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

locates on this project. What usually ends up happening in these cases is when something does get cut we will end up getting a bill for a cable cut that we didn't even know about and this is usually 6 month to a year after the fact and we end up fighting with them for another 6 months proving that it wasn't our fault. This costs us time and money.