



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 david willgoths/ sumit utility	Street Address 401 oakland ave s	City fargo	State and Zip Code nd 58103
Telephone and Cell Phone Number 701-200-2489	Email Address		Date 8/30/2017
<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 kph/ patrick hockett	Street Address po box 25	City kindred	State and Zip Code nd 58051
Telephone and Cell Phone Number 701-238-6790	Email Address		

PART C – ALLEGED VIOLATION

<input checked="" 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 checked="" type="checkbox"/> Excavator failed to provide required information in excavation or location notice <input checked="" type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation <input checked="" 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 checked="" type="checkbox"/> Excavation started prior to underground facility locate <input checked="" 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 checked="" type="checkbox"/> Excavator failed to maintain the markings during excavation <input checked="" type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____
Location of Violation: 1st ave e, west fargo
Date and Time of Violation: summer 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> contractor is calling in respot tickets at a rate of 2 a week now for an 8 block locate which takes us 16 man hours to locate, they are clearly abusing the system because at this point it is easier to keep calling in tickets on this free service rather than respect the marks or stake the locations of utilities, they have been responsible for multiple damages of several utilities some spots more then once or twice. they even on one occassion pulled all the locate flags, because he 'wanted new marks' and we took pix of the pile of flags left by the job trailer.

PART D – DAMAGE

Fatalities	Injuries	In-patient Hospitalization
Underground facility type(s) and Operator(s) affected: century link, midco, xcel energy gas...damages		
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 D. Willgoths	Date 8/30/2017
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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