



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 B&G Oilfield Services / Lyric Rembrandt | Street Address 4814 Sunset Blvd | City Williston | State and Zip Code North Dakota, 58801 |
| Telephone and Cell Phone Number 312.852.2653 | Email Address lyric.rembrandt@bgoilfieldservices.net | | Date 11.13.17 |
| <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 JMAC Resources | Street Address 121 48th Ave SW | City Williston | State and Zip Code North Dakota, 58801 |
| Telephone and Cell Phone Number 701.774.8511 | Email Address info@jmacresources.com | | |

PART C – ALLEGED VIOLATION

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| <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 checked="" 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: Oasis Right-of-way by intersection of Highway 1806 and 38th St NW |
| Date and Time of Violation: 11.13.17, 11:30 a.m. |
| 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> Operator began excavating work site while I was locating utilities. Ticket was not closed, "work to begin date" is 11.15.17. I had marked one line and was in the process of marking another when operator began to excavate over the line I had just marked. Stopped the operator and asked for his 1-Call ticket number. Operator called his foreman and stated that his ticket number was 17156397, the ticket I was currently working on. I explained to the operator that he would need to cease all excavation procedures until I had finished. |

PART D – DAMAGE

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|--|----------|------------------------------|
| 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 Lyric Rembrandt | Date 11.13.17 |
|---|------------------|

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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