



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 Polar Communications/Tim Olson | Street Address 110 4th Street East | City Park River | State and Zip Code ND, 58270 |
| Telephone and Cell Phone Number 701-284-7221 | Email Address tolson@polar.net | | Date 2-7-2018 |
| <input 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 Red Lake Builders/Gordon Jallen | Street Address PO Box 250, Hwy 59 So | City Red Lake | State and Zip Code MN, 56671 |
| Telephone and Cell Phone Number 218-679-3891 | Email Address rblldr@paulbunyan.net | | |

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 checked="" 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:
North of Hwy 59, west of establishment 375 Hwy 59, along flood control levee, Pembina, ND

Date and Time of Violation:
July 10th, 2015

Description (summarize the observations on which you rely to allege the violation) *If more space is required, please provide the description on a separate page.*

The damage to our fiber was on July 10th, 2015, Red Lake Builders claims they were covered with locate ticket (15045325). This locate ticket transmit date was 4-28-2015, this is the only locate ticket that was submitted by Red Lake Builders for this location. They did not have a valid locate ticket for the July 10th, 2015 damage.

PART D – DAMAGE

| | | |
|--|-----------------------------------|------------------------------------|
| Fatalities None | Injuries None | In-patient Hospitalization None |
| Underground facility type(s) and Operator(s) affected: Buried Fiber Optic Cable - 4 Fiber | | |
| Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$1,581.12 | 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 | Date 2-7-18 |
|--|----------------|

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