



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 post construction inc	Street Address 3005 valley st	City minot	State and Zip Code nd 58701
Telephone and Cell Phone Number 701-720-5386	Email Address postconstruction@art.com		Date 3/28/2018
<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 montana Dakots utility/ or locastng rep	Street Address	City	State and Zip Code
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 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 checked="" type="checkbox"/> Other (Identify the specific section of NDCC Chapter 49-23) <u>operator couldn't locate, and our crews broke 2 laterals</u>

Location of Violation:
summit drive minot nd

Date and Time of Violation:
8-21-2017, and 8-22-2017 mid morning both days

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.*
 post construction was hired to do a watermain replacement project, in 2017. a portion of project took place on summit drive, the area was located with number 17092276 originally and re marked with ave a when project moved that way. on august 21 post crews hit an old gas line service and notified mdu, who repaired while post crews remained on site and assisted, the stub line was never located and explained that it could not be, we encountered again the next day resulting in lost time and revenue for our company. we are seeking compensation for this lost time.

PART D – DAMAGE

Fatalities	Injuries	In-patient Hospitalization
Underground facility type(s) and Operator(s) affected: montana Dakots utilities		
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 conley post	Date 3/27/2018
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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