



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	Street Address	City	State and Zip Code
Telephone and Cell Phone Number	Email Address		Date
<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	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 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:
Date and Time of Violation:
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>

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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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

Description (summarize the observations on which you rely to allege the violation)

April 3 @ 8:35am While driving the right-of-way (ROW), activity was noticed and Enbridge (operator of North Dakota Pipeline Company LLC) stopped to investigate. One cement pad had been installed and was covered while curing. A skidsteer operator was completing excavation for a second cement pad; other workers were preparing rebar. Enbridge told the skidsteer operator that there was no one-call issued for this work and that they were in close proximity to a high pressure crude oil pipeline. The operator stated they were only excavating to 18" for the cement pads and were advised by the landowner that there was nothing where they were installing the pads. Enbridge advised the need for a one-call so that Enbridge and other utilities could provide proper information. At this time their work was in excess of 20ft away from the pipeline; Enbridge marked the line, and took preliminary pictures.

April 3 @ 12:51pm one-call ticket 18012506 was created by Gateway Building Solutions for the work. April 4 @ 8:30am Enbridge revisited the site to inquire on a timeline for removal of dirt piles on top of the pipeline. Contractor (Gateway) on-site stated he was given Enbridge's contact information by Enbridge's Lands department and once a plan is in place the contractor will contact Enbridge to be on-site for that work. Contractor also stated that work on the first concrete pad had begun last week; sometime during March 26-March 30, 2018.

First Pad location is: NW Lat 48.240706 Lon -101.099873 NE Lat 48.240711 Lon -101.099744 Distance from pipeline: 20ft

Second Pad location is: NW Lat 48.240703 Lon -101.099657 NE Lat 48.240729 Lon -101.099307 Distance from pipeline: 27ft



Legend:

- Pipeline with Girth Weld Location
- Rail Road ROW
- Dirt Piles
- Cement Pads