



Public Service Commission  
State of North Dakota

COMMISSIONERS

Randy Christmann  
Julie Fedorchak  
Brian Kroshus

Executive Secretary  
Darrell Nitschke

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

August 15, 2018

Bradley Carstensen  
Carstensen Contracting, inc.  
PO BOX 754  
Pipestone, MN 56164-0754

Re: ND One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23

Dear Bradley:

Enclosed is a copy of a ND One-Call Complaint, with attachments, against Carstensen Contracting, Inc., received by the North Dakota Public Service Commission on August 14, 2018, from Richard Chaska, at ONEOK Rockies Midstream, of Sidney, MT, Case Number PU-18-305. The location of the incident identified in the complaint is approximately the intersection of 140<sup>th</sup> Avenue NW and US HWY 85 near, Williston, ND.

I am sending you this information so that you are aware of the complaint and may respond with information concerning the complaint. **Please respond to Darrell Nitschke, Executive Secretary, North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480 by August 30, 2018**, with your written account of the event, including the applicable One Call locate ticket number for work performed at the address indicated.

Your response and the ND One-Call Complaint will be reviewed to determine whether there may be a violation of the One-Call Excavation Notice System law.

If I do not receive a response by the date noted, I will determine whether there was a violation, without your side of the story, based on the facts contained in this complaint. If I conclude a violation did occur I will file a formal complaint against Carstensen Contracting, Inc. with the Commission, which may result in a penalty up to \$25,000 per violation as approved by the North Dakota Legislative Assembly in 2013 under North Dakota Century Code Section 49-07-01.1.

Please contact me at 701-328-3397 or at [vschock@nd.gov](mailto:vschock@nd.gov) with any questions regarding this correspondence.

Sincerely,

Victor Schock  
Public Utilities Division  
North Dakota Public Service Commission  
600 E Boulevard Ave, Dept 408  
Bismarck, ND 58505-0480

Enc: ND One-Call Complaint with attachments  
c: Richard Chaska with attachments

2 PU-18-305 Filed: 8/15/2018 Pages: 7  
Letter enclosing North Dakota One-Call Complaint

Public Service Commission  
Victor Schock



# 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 Oneok Rockies Midstream, LLC Rich Chaska	Street Address 896 25th St. SE	City Sidney	State and Zip Code MT 59270
Telephone and Cell Phone Number 406-433-8716 office 701-770-3440 Cell	Email Address richard.chaska@oneok.com		Date 8/14/18
<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 Carstensen Contracting	Street Address 1507 7th St. SE	City Pipestone	State and Zip Code MN 56164
Telephone and Cell Phone Number 507-825-2027	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 checked="" 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>Excavator operated mechanical equipment within 24" of marked pipeline and hit pipeline.</u>
Location of Violation: 140th and Hwy 85 near Williston, ND
Date and Time of Violation: 6/23/18
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>  Gas control called me about a possible line hit. I called the contractor and was told by them that they had scratched our abandoned line by the new district 8 school on 140th. I drove out and confirmed which line was scratched and it is the abandoned 8 inch poly. I could not detect any gas fumes present but could not get to pipe because bucket of excavator was in the air above trench. I lowered my sniffer down in trench with a rope and could not pickup anything. I have sent pictures and as they will show it happened on the school property.

## PART D – DAMAGE

Fatalities N/A	Injuries N/A	In-patient Hospitalization N/A
Underground facility type(s) and Operator(s) affected: Idle 8" Poly Pipeline owned by Oneok Rockies Midstream, LLC		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ N/A	Number of Customers Affected N/A	
Other impact of event: N/A		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint Richard Chaska Oneok Rockies Midstream, LLC	Date 8/14/18
---	-----------------

**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









Ticket No: 18056626  
Call Date: 06/08/18 11:10 am  
Login Date: 06/13/18 12:01 am

LORQ ROUTINE  
Op: iaandre  
Op: iaandre

CTIONS

Attachment

FORMATION

Company Name: CARSTENSEN'S CONTRACTING  
Contact Name: ANDREW HUBBELL  
Contact: ANDREW HUBBELL  
Address: 1507 7TH ST SE PIPESTONE, MN 56164  
Email Address: ahubbell@ccimn.net

Fax Phone: 507-825-2027  
Phone: 507-215-0002  
Alt. Phone: 507-215-0002

INFORMATION

Type of Work: INSTALLATION OF RURAL WATER MAIN  
Being Done For: CARSTENSEN'S CONTRACTING  
Depth: 8-30FT  
Lining/Boring: Y

Explosives: N  
White Lining: PROJECT STAKING

LOCATION

