

# Memorandum

To: Illona Jeffcoat-Sacco and Interim Executive Secretary

From: Victor Schock Public Utility Analyst



Date: May 17, 2019, 2019

Re: ND One-Call Complaint  
Case No. PU-18-310

On August 27, 2018, a ND One-Call Complaint was received from Aaron Weisenberger (Aaron) alleging that Garrison Rural Water District (GRWD) violated North Dakota Century Code Chapter 49-23 One-Call Excavation Notice System law by failing to locate and mark underground facilities within 48 hours.

Staff investigation found that on June 28, 2017 Sue Schlehr placed a ND One-Call excavation notice with a work to begin date of June 30, 2017, ticket 17071521 was assigned to the notice. Aaron's complaint claimed that GRWD did not mark their underground facilities in the location of the excavation notice.

GRWD's October 2, 2018 response to the complaint asserted that the employee who was conducting locates at the time of this excavation notice is no longer employed by GRWD so they are unable to verify if their lines were in fact marked.

Further investigation did not yield any definitive evidence that would prove a violation occurred. Additionally, Aaron was not willing to be a witness in the event we would hold a formal hearing on the matter.

Based on its investigation staff does not intend to file a formal complaint, recommends that no further action be taken and the case be closed.