



Public Service Commission

State of North Dakota

COMMISSIONERS

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Executive Secretary
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Fax: 701-328-2410
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August 31, 2018

Jason Randall
Northern Improvement Company
PO BOX 2846
Fargo, ND 58108-2846

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

Dear Jason:

Enclosed is a copy of a ND One-Call Complaint, against Northern Improvement Company, with attachments, received by the North Dakota Public Service Commission on August 29, 2018, from Scott MacLean, at Montana Dakota Utilities, of Dickinson, ND, Case Number PU-18-313. The location of the damage identified in the complaint is 126 8th St SE , Dickinson, 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 September 17, 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 Northern Improvement Company 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 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: Scott MacLean with attachments

2 PU-18-313 Filed: 8/31/2018 Pages: 12
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 MDU - Scott MacLean	Street Address 1133 W. Broadway	City Dickinson	State and Zip Code ND 58601
Telephone and Cell Phone Number 701-456-7104 701-290-2472	Email Address scott.maclean@mdu.com		Date 08/29/2018
<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 Northern Improvement Co.	Street Address 4000 12th Ave N	City Fargo	State and Zip Code ND 58102
Telephone and Cell Phone Number 701-227-1225	Email Address mikramer@nfcnd.com		

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 type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23): _____
Location of Violation: 126 8th St SE Dickinson, ND 58601
Date and Time of Violation: 08/24/2018
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> Excavator for street project was digging soft spots out for compaction. Backhoe ripped out a 3/4" steel natural gas service line affecting one customer. Police and fire were on scene and there was a forced road closure on 8th St SE. Service line was clearly marked by contract locator. No attempt to find service line and pulled the service so hard that it separated on both sides. Backhoe operator and supervisor admitted fault for the damage.

PART D – DAMAGE

Fatalities none	Injuries none	In-patient Hospitalization none
Underground facility type(s) and Operator(s) affected: 3/4" Steel natural gas service line		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$4000.00	Number of Customers Affected 1	
Other impact of event: Road closure on an already street project		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint <i>R. Scott MacLean</i>	Date 08/29/2018
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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

REPORT OF DAMAGE TO COMPANY-OWNED PROPERTY

(NOTE: Please refer to the bottom of this form before proceeding with completion.)

Part A

Owner of Property: MDU District: DICKINSON Town: Dickinson, ND
Time of Damage: 1:13 PM Date of Damage: 8/24/2018
Name of Location Where Damage Occurred: 126 8th St. SE
Location of Damaged Property: _____
Rural Location: _____
Estimated Amount of Loss: pending First Responder Order No. (If applicable): MDUG-20180824-21435
CC&B Account # (If Applicable): _____ MDU Service Order No. (If applicable): MDUG-20180827-20993
If damaged meter, meter number: _____ Additional Work Order (If applicable): _____
Type of meter: _____

Description and Cause of Loss or Damage

Contractor was removing street top soil to due back fill and hit 1" gas service to 126 SE. 8th. St Gas. service was located, failed to pot hole to expose service.

Part B

Did Loss or Damage Originate on our Premises? (If no, Explain): N
MDU facilities located in street right of way.

If an Explosion, did a Fire Ensur? _____ (How was Fire Extinguished?)

If Electrical Property is Involved, Fill in the Following Supplemental Data:

Type of Equipment Involved: _____
Damage caused by Electrical Arcing, Short Circuit or Other Failure, Give Approximate Cause

If Electrical, Did a Fire Ensur? _____

Part C

If damage was caused by excavation, was location of our facilities requested prior to digging?
Location requested by: _____ Time: _____ Date: _____
Line Locate Number: 18105868
Company property located on: _____
Damage notification by: _____ Time: _____ Date: _____
Was damager a subcontractor: _____ If yes, for whom: _____

Who to bill for damages:

Name of who to Bill: Northern Improvement Name of Equipment Operator: Jason randall
Address of who to Bill: _____ Type of equipment: trackhoe
Operator's Address: _____
Phone # of who to Bill: _____ Operator's Phone #: 512-229-8051
Name of Insurer: _____
Insurance Policy #: _____ Was a Police Report made: N If yes, please attach report

**MONTANA-DAKOTA UTILITIES/GREAT PLAINS NATURAL GAS
GAS LEAK AND REPAIR REPORT**

Reason For Report:

District: DICKINSON Date: August 24, 2018
Address: 126 SE 8th St. Town: Dickinson, ND
First Responder(s): Ron Kleinsasser
Leak Classification: I
Date Leak Repair Person was Dispatched: 8/24/2018 Time: 1:13 PM
Date Leak Repair Person Responded: 8/24/2018 Time: _____
From What Location (Town) did Leak Respond Person Leave: Dickinson

Type of Line:

Location: Map #: _____ Block Number: _____ Lot Number: _____
If Rural Service Line: _____ Transmission Line Number: _____ Line Name: _____
Survey Location: _____ Premise ID #: 8557221063 On Federal Land (Y/N): N
Describe Specific Location: _____
Pipe Size: 1 Length Exposed: _____
Type of Pipe: Steel If steel, is it cathodically protected? (Y/N): Y Pipe/Wire to Soil: _____
Soil Conditions: _____
Original Installation Date: 1976 Operating Pressure: 15#

Kinds of Leak:

Description of Leak: _____
Method of Repair: Replaced damaged portion of s/l
Date Repaired: 8/24/2018 S.O. #: MDUG-20180827-20993 Date of follow up (if required): _____
If a DOT Reportable Leak: _____ Date and Time of Telephone report: _____
To whom was leak reported: _____

Remarks:

Signed: R. Kleinssaser/Ryan Berger

Signed: _____



First Responder Report - MDUG-20180824-21435



First Responder Report Review



Location Start	Dickinson	
Leak Class	1	▼
Report Reason	EXCAVATION DAMAGE WITH LEAK	▼
Facility Location	PUBLIC - CITY STREET	▼
Facility Type	DISTRIBUTION MAIN	▼
Material Type	STEEL	▼
Police/Fire on Site	NO	▼
Gas Ignite	NO	▼



Leak Description	CONTRACTOR HIT 1" SERVICE LINE TO 125 SE 8TH. ST.	
Company Procedure Feedback		
Number of Customers Interrupted	1	
Customers Interrupted Hours	2	
Customers Interrupted Minutes	0	
Excavator Type	CONTRACTOR	▼
Equipment Operator Name	JASON RANDALL	



Equipment Type	BACKHOE/TRACKHOE	▼
Work Type	ROAD WORK	▼
Locate Requested	YES	▼
Locate Ticket Number	18105868	
Located By	CONTRACT LOCATOR	▼
Facility Marks Visible	YES	▼
Facility Marked	YES	▼
Damage Root Cause	EXCAVATOR FAILED TO MAINTAIN CLEARANCE AFTER VERIFYING MAR...	▼
Excavator Experienced Downtime		▼



Involves Cross Bore	NO	▼
Excavator Name	JASON RANDALL	
Excavator Address	NORTHERN IMPROVMENT	
Excavator Phone Number	512-229-8051	

Suggested Links

- [Leak Asset - PCAD-MDUG-201...](#)
- [First Responder - PCAD-MDUG](#)
- [Dirt Report - PCAD-MDUG-2011](#)
- [Damage Report - PCAD-MDUG](#)
- [Emergency Report - PCAD-MDI](#)
- [Show in PCAD](#)

NUMBER

Supervisor On Site

Insurer Name

Action Taken w/
Excavator

Additional Witness
Info

WILL BE BILLED!

Update

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GAS MATERIALS MAP

Street Address:	126 SE 8th St.	Town:	Dickinson, ND	369
Subdivision Name:		Block:		Lot:
Work Order Numbers:	MDUG-20180827-20993	Work Performed		
Premise ID #:	8557221063			
Service Point ID #:	8557221004			
Date Completed:				
Service Property Units:				
Main Property Units:				
Type of Work:	repair s/l			
Retirement Vintage Date:				

PROPERTY UNIT INFO - REQUIRED

Service PU's	+	-		Plastic Main PU's	+	-		Steel Main PU's	+	-	
3/4" (Less than 2")			3801107	1.5" or Less			3761001	1.5" or Less			3760001
2" & 2.5"			3801109	2" & 2.5"			3761002	2" & 2.5"			3760002
4"			3801113	3"			3761003	3"			3760003
				4"			3761004	4"			3760004
								6"			3760006

Installation Method (Circle): Trenched - Plowed - Bored



Main to Property Line = _____

Property Line to Riser = _____











