

Memorandum

To: Commissioners Christmann, Fedorchak and Kroshus

From: Victor Schock Public Utility Analyst

VS

Date: December 26, 2018

Re: ND One-Call Complaint
Case No. PU-18-334

On September 10, 2018, a ND One-Call Complaint was received from Mike Rynda alleging that Windsong Contracting, LLC [Respondent] (Windsong) violated North Dakota Century Code Chapter 49-23 One-Call Excavation Notice System law by failing to provide an excavation notice at least 48 hours before beginning an excavation.

Staff investigation found that on September 8, 2018 Mike Rynda was contacted by Stat Oil in regards to what they believed to be excavation on a parcel of property that did not have an active One-Call ticket. During the course of my investigation Mr, Rynda refused to provide further evidence or be a witness in the case. While I am skeptical of his motives I respected his wishes.

After Mr. Rynda refused further involvement, I reached out to Colette Bilquist with Stat Oil in Williston requesting any details they may have on the incident. Colette was unable to find anyone at Stat Oil to substantiate the original discussion with Mr. Rynda.

Based on the lack of evidence and witnesses to the alleged violation I do not believe there is sufficient evidence to prove a violation at this time.

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.

CC: Mike Dolbec