

Memorandum

To: Illona Jeffcoat-Sacco and Executive Secretary

From: Victor Schock Public Utility Analyst *VS*

Date: March 15, 2019

Re: ND One-Call Complaint
Case No. PU-18-347

On September 17, 2018, a ND One-Call Complaint was received from Donnie Gillett with Loenbro Pipeline, LLC (Loenbro) alleging that ONEOK Rockies Midstream (ONEOK) violated North Dakota Century Code Chapter 49-23 One-Call Excavation Notice System law by failing to failing to locate and mark underground facilities within 48 hours.

Staff investigation found that on September 10, 2018 Loenbro placed a ND One-Call excavation notice with a work to begin date of September 13, 2018, ticket 181245814 was assigned to the notice. On September 12, 2018 and September 13, 2018 ONEOK contacted Loenbro to discuss the timeframe for Loenbro's excavation. During the conversations it was agreed between the parties that the excavation would not begin for another several days and ONEOK could locate their line within that timeframe. On September 14, 2018 ONEOK located and marked its underground facilities in the excavation area.

Staff believes this agreement meets the 48 hour locate exemption in the law whereby lines must be located within the locate period or as agreed by the parties.

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