



# 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 Capital Electric Cooperative/Paul Fitterer	Street Address 4111 State Street	City Bismarck	State and Zip Code ND 58503
Telephone and Cell Phone Number 701-223-1513 701-712-7912	Email Address paulf@capitalelec.com		Date 9/18/18
<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 NoDak Plumbing and Heating/Garyl Gartner	Street Address 2141 37th ST	City Mandan	State and Zip Code ND 58554
Telephone and Cell Phone Number 701-663-7085 701-220-7085		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 checked="" 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 checked="" 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 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: 4723 Marsh Hawk DR
Date and Time of Violation: 9/17/18 14:49
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>  Capital Electric Cooperative started receiving outage reports in the NW Bismarck area around 14:49. Garyl with NoDak plumbing and heating called and reported hitting an underground cable about 15:00. Crews arrived on site to find two primary underground cables hit opening up two circuit breakers in CEC's Horizon substation. ND one call ticket #18129246 was called in at 08:49 on 9/17/18 and cable was hit at 14:49 on 9/17/18 (approximately 8 hours after the call). CEC's operations supervisor talked to the operator on site and asked them if they knew they were digging before the locate cleared and the operator stated "I know what time we called it in you don't have to tell me". The operator also stated "I didn't think there was anything there". CEC crews re-routed power and had all outages restored within an hour.

## PART D – DAMAGE

Fatalities 0	Injuries 0	In-patient Hospitalization 0
Underground facility type(s) and Operator(s) affected: 15KV underground cable		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$4759.07 for repair and restoration. This does not include lost revenue.		Number of Customers Affected 370
Other impact of event: Numerous restaurants affected including McDonalds, Texas Roadhouse, Johnny Carino's to name a few. One gas station and several other businesses in this area also. City of Bismarck wastewater pump and Bismarck Fire Department station #3 were also out of power due to this dig in. Outage also included over 300 residential houses.		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint <i>Paul Fitterer, General Manager for Capital Electric Cooperative</i>	Date 9/20/18
<b>Submit</b>	

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