



# 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 Montana-Dakota Utilities/ 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 8/15/2017 11/13/18
<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 Northern Improvement	Street Address 4000 - 12th Ave N	City Fargo	State and Zip Code ND 58102-2910
Telephone and Cell Phone Number 701-277-1225	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 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: SE corner of the intersection of 3rd St. E and 5th Ave. E
Date and Time of Violation: 07/31/2017 3:30pm
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>  Northern Improvement was excavating (large trackhoe) asphalt in intersection and installing concrete handicap approaches on the corners at a depth of almost 2' without exposing steel gas distribution line. Fire and Police were on scene until MDU - Gas Crew could get gas shut down. Gas was clearly marked and exactly where gas was. There are supporting documents along with pictures to support claim. E.L.M. locating would also be able to provide pictures of the finished locate. There was no attempt to hand dig or hydrovac gas facility. Trackhoe pulled apart pipe at two 90's and distribution line had to be rerouted from under the new handicap approach because of the damage.

## PART D – DAMAGE

Fatalities 0	Injuries 0	In-patient Hospitalization 0
Underground facility type(s) and Operator(s) affected: Natural Gas Distribution		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ 3000.00	Number of Customers Affected 1	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint R. Scott MacLean	Date 08/15/2017 11/13/18
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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



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Telephone: (701) 328-2400

# GAS CONSTRUCTION ORDER

Revision 5.04

Date Received:  

<b>Address</b>				<b>District</b>		<b>Town, ST</b>		<b>Zip</b>	<b>Date Created:</b>	7/31/2017		
3RD St E and 5th Ave E				DICKINSON		Dickinson, ND		58601	<b>Sewer (Y/N):</b>	Y		
<b>County</b>		<b>Township</b>		<b>Range</b>		<b>Section</b>		<b>1/4</b>	<b>1/4 1/4</b>	<b>Block</b>	<b>Lot</b>	
Stark												
<b>Subdivision Name</b>				<b>Nearest Cross Street</b>		<b>District Code</b>		<b>Inspection Rpt (Y/N):</b>			Y	
				5th Ave E		153		<b>Damage Rpt (Y/N):</b>			Y	
<b>Type of Permit</b>				<b>Permit #</b>		<b>Cost Center</b>		<b>OneLine</b>		<b>Joint Trench? (Y/N):</b>		N
										<b>Multiple Meters? (Y/N):</b>		N
<b>Name</b>				<b>Work #</b>		<b>Cell/Home #</b>		<b>Eng./EA/Operations:</b>				gabriel kihiro
Customer: MDU						701-290-2472		<b>Foreman/Serviceman:</b>				R Berger
<b>Contractor:</b>								<b>Date Completed:</b>				August 1, 2017
<b>Developer:</b>								<b>Installation Method:</b>				MDU Trench
<b>Other:</b>								<b>1st &amp; 2nd Ticket #:</b>				

<b>Order Number</b>	<b>Order Type</b>	<b>Accounting Code</b>	<b>Premise ID #</b>	<b>Comments/Instructions</b>
			<b>Service Pt ID #</b>	
WO 246999	PowerPlan CAPITAL PROJECT	28870	NA	Repair 2" steel main - Billable to Northern Improvement
			NA	
MDUG-20170731-23908	G-REPMN G-REPAIR GAS MAIN	.28870	NA	For DOT purposes only. Material to be charged out manually from material tab.
			NA	

### GAS RECAP DATA

	<b>Pipe Size</b>	<b>Material Type</b>	<b>Material Length (-) footages for Retirement</b>
Gas Main:			
Gas Main:			
Gas Main:	2"	Steel	
Gas Service:			
Gas Service:			
<b>Work Performed:</b>		Repair 2" steel main, billable to Northern Improvement	
<b>Farm Tap (Y/N):</b>	N		
<b>City Limits (In/Out):</b>	Inside		

**BILLABLE:** Yes / No Y

# GAS MATERIALS MAP

Street Address:	3RD St E and 5th Ave E	Town:	Dickinson, ND	369
Subdivision Name:		Block:		Lot:
Work Order Numbers:	MDUG-20170731-23908	<b>Work Performed</b> Repair 2" steel main, billable to Northern Improvement		
Premise ID #:	NA			
Service Point ID #:	NA			
Date Completed:	August 1, 2017			
Service Property Units:				
Main Property Units:				
Type of Work:	Repair main			
Retirement Vintage Date:	1956			

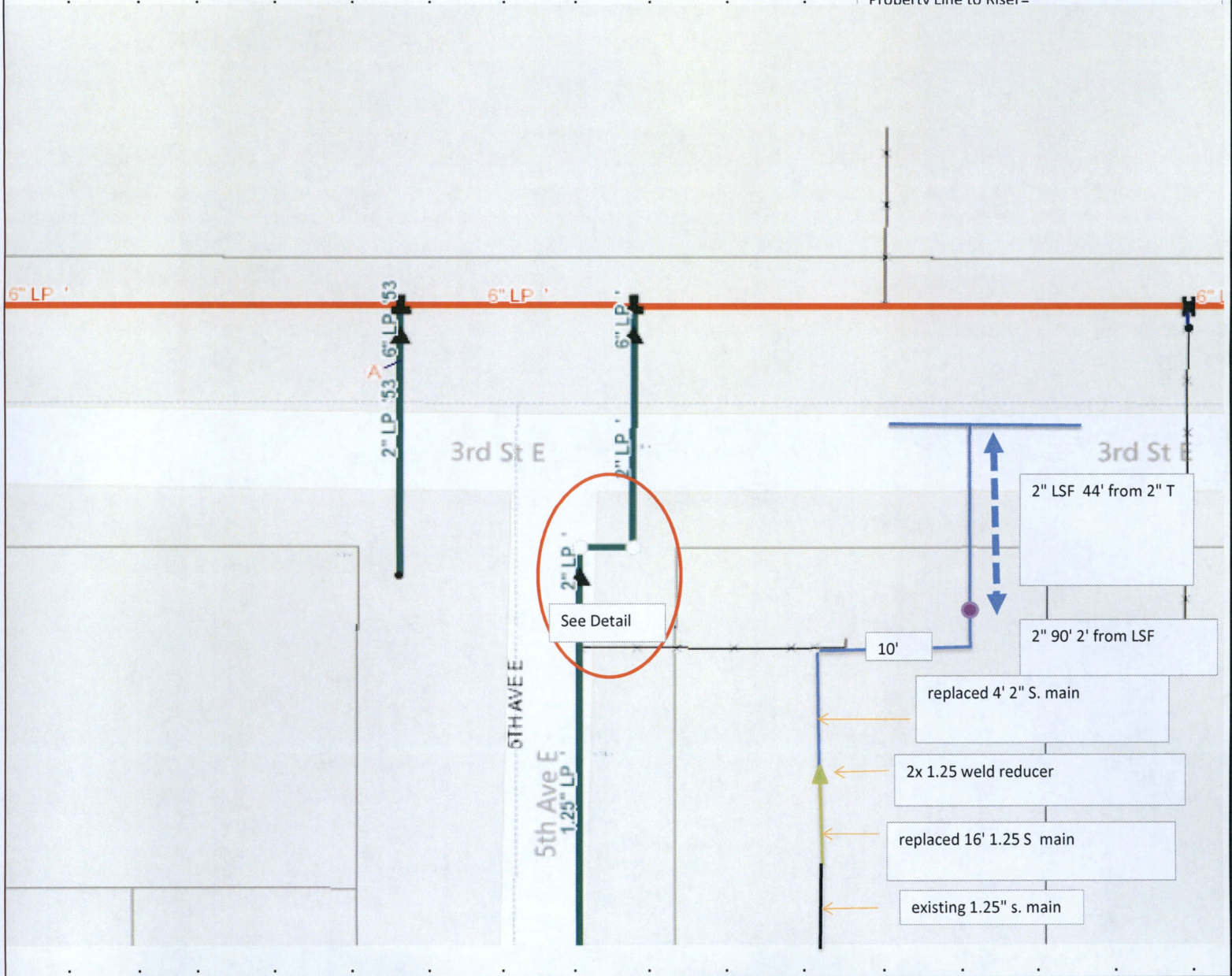
### PROPERTY UNIT INFO - REQUIRED

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	16	30	3760001
2" & 2.5"			3801109	2" & 2.5"			3761002	2" & 2.5"	14		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 = \_\_\_\_\_





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

**Reason For Report:**

District: DICKINSON Date: August 1, 2017  
Address: 3RD St E and 5th Ave E Town: Dickinson, ND  
First Responder(s): Chase Monson  
Leak Classification: I  
Date Leak Repair Person was Dispatched: 7/31/2017 Time: 3:30pm  
Date Leak Repair Person Responded: 7/31/2017 Time: 3:30pm  
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 #: NA On Federal Land (Y/N): N  
Describe Specific Location: \_\_\_\_\_  
Pipe Size: 2, 1.25 Length Exposed: 20'  
Type of Pipe: Steel If steel, is it cathodically protected? (Y/N): Y Pipe/Wire to Soil: -.9  
Soil Conditions: sandy  
Original Installation Date: 1956 Operating Pressure: LP

**Kinds of Leak:**

Description of Leak: excavator ripped apart 1.25 dresser 90  
Method of Repair: Replaced portion of gas main  
Date Repaired: 8/1/2017 S.O. #: MDUG-20170731-23908 Date of follow up (if required): \_\_\_\_\_  
If a DOT Reportable Leak: \_\_\_\_\_ Date and Time of Telephone report: \_\_\_\_\_  
To whom was leak reported: \_\_\_\_\_

Remarks: \_\_\_\_\_

Signed: \_\_\_\_\_  
Ryan Berger

Signed: \_\_\_\_\_  
Chase Monson

**MONTANA-DAKOTA UTILITIES/GREAT PLAINS NATURAL GAS  
PIPELINE CONDITION REPORT**

**Region:** Badlands  
**Address:** 3RD St E and 5th Ave E  
**Location:** utility easement

**Date:** August 1, 2017  
**Town:** Dickinson, ND  
**District:** DICKINSON

**EXPOSED PIPE INSPECTED: "LINE BEING REPAIRED or TIED ON TO"**

<b>Pipe Inspected:</b> YES - <u>Y</u> NO	<b>External Pipe Condition:</b> <u>Good</u> <i>Good - Fair - Poor</i>
<b>Pipe Type:</b> <u>Steel</u> <i>Plastic - Steel - PVC</i>	<b>Circumferential (Inches):</b> <u></u>
<b>Steel Coating Type:</b> <u>Mill Wrap</u> <i>Mill Wrap - Epoxy - X-tru - Bare - Other</i>	<b>Longitudinal (Feet):</b> <u></u>
<b>Plastic Type:</b> <u></u> <i>Yellow - Orange - Black - Aldyl - Other</i>	<b>Coating Condition:</b> <u>Good</u> <i>Good - Fair - Poor</i>
<b>Pipe Diameter (inches):</b> <u>2, 1.25</u>	<b>Pipe/Wire to Soil (-V):</b> <u>-0.9</u>
<b>Pipe Depth Existing (Inches):</b> <u>24</u>	<b>Internal Condition:</b> <u>Good</u> <i>Good - Fair - Poor</i>
<b>Exposed Pipe (feet):</b> <u>20</u>	<b>Pipe Liquids:</b> <u>No</u> <i>Yes - No</i>
<b>Facility Matches Map:</b> <u>Y</u> <i>Yes - No</i>	<b>Wall Ultrasonic Thickness (UT):</b> <u>0.148</u>
<b>Map Action Taken:</b> <u>Notified</u> <i>Supv. Sent Map Correction</i>	

**ADDITIONAL LEAK TEST:**

**Test Type:** soap **CGI or Meter #:**

**Supplemental Leak Test Comments**

soap test final connection

**Comments/Instructions**

Repair 2" steel main - Billable to Northern Improvement

**INSPECTION OF PIPE REMOVED FROM SERVICE:**

**Pipe Diameter (inches):** 1.25  
**Liquid Evident in Pipe (Y\*/N):** N **Internal Pipe Condition:** Good

**Work Performed**

Repair 2" steel main, billable to Northern Improvement

\*If yes, follow the PROCEDURE FOR HANDLING DISTRIBUTION FACILITIES WHICH MAY CONTAIN OR HAVE CONTAINED PCB GREASE OR LIQUIDS  
(5-15-91 General Office Gas Operations Dept.)

**Inspector:** Ryan Berger

**CRITERIA (EXTERNAL AND INTERNAL CONDITION)**

- GOOD - No visible damage or deterioration to mild pitting.
- FAIR - More severe pitting to metal loss, which is less than 70 percent of the nominal wall thickness.
- POOR - Metal loss in excess of 70 percent of the nominal wall thickness.  
(Must take prompt remedial action.)

# 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: 3.30 PM Date of Damage: 7/31/2017  
Name of Location Where Damage Occurred: 3RD ST E AND 5TH AVE E  
Location of Damaged Property: \_\_\_\_\_  
Rural Location: \_\_\_\_\_  
Estimated Amount of Loss: \_\_\_\_\_ First Responder Order No. (If applicable): MDUG-20170731-23529  
CC&B Account # (If Applicable): \_\_\_\_\_ MDU Service Order No. (If applicable): MDUG-20170731-23908  
If damaged meter, meter number: \_\_\_\_\_ Additional Work Order (If applicable): \_\_\_\_\_  
**Description and Cause of Loss or Damage** Type of meter: \_\_\_\_\_

## 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? N (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? Y  
Location requested by: NORTHERN IMPROVEMENT Time: \_\_\_\_\_ Date: \_\_\_\_\_  
Line Locate Number: 17083450  
Company property located on: \_\_\_\_\_  
Damage notification by: \_\_\_\_\_ Time: \_\_\_\_\_ Date: \_\_\_\_\_  
Was damager a subcontractor: N If yes, for whom: \_\_\_\_\_  
**Who to bill for damages:**  
Name of who to Bill: NORTHERN IMPROVEMENT Name of Equipment Operator: HERB SHERMAN  
Address of who to Bill: 4458 W 3RD AV Type of equipment: EXCAVATOR  
Phone # of who to Bill: 701-225-5197 Operator's Address: \_\_\_\_\_  
Operator's Phone #: 970-381-7320  
Name of Insurer: \_\_\_\_\_  
Insurance Policy #: \_\_\_\_\_ Was a Police Report made: N If yes, please attach report

## REPORT OF DAMAGE TO COMPANY-OWNED PROPERTY

**Others involved in Property Damage:**

Names of Persons Involved	Address	Phone Number

**Witnesses to Property Damage:**

Names of Witnesses	Address	Phone Number
SCOTT MACLEAN	MDU	701-290-2472

**In case of line break, complete the following:**

	Time	Date
Decatherms of gas to bill: _____ Size of hole(in): _____ Time line blew: _____		

**Part D**

Names of Persons Injured	Address	Extent of Injury

Person Filling Out Form: GABRIEL KIHURO/CHASE MONSON

Date: 7/31/2017

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

CC&B Account #: \_\_\_\_\_

CC&B Field Activity ID: \_\_\_\_\_

**Instructions**

Email this completed form to MDURA - Accounts Receivable: [MDURA.AccountsReceivable@mdu.com](mailto:MDURA.AccountsReceivable@mdu.com)

Use this form to make an immediate preliminary report of all damage to or loss of company-owned property:

**If damage is caused by any of the following, complete Parts A, B, & D, if applicable.**

- 1) Fire, lightning, inherent explosion, implosion, windstorm, tornado, flood, electrical arcing, short circuit, hail, riot and civil commotion, vandalism, malicious mischief, aircraft, or smoke damage.
- 2) An accident to boilers and/or machinery (an accident being a sudden and accidental breakdown of an object or part of an object).
- 3) Loss of or damage to property during the physical process of installation, movement or dismantling including while awaiting installation.

**If damage was caused by others, complete Parts A, C & D, if applicable.**

Name	Employee #	Hours	Unit #	Hours/Miles
All material, labor, & equipment billed to work order 246999				

MONTANA-DAKOTA UTILITIES/GREAT PLAINS NATURAL GAS  
SEWER CROSSING FORM

Date: 8/1/2017

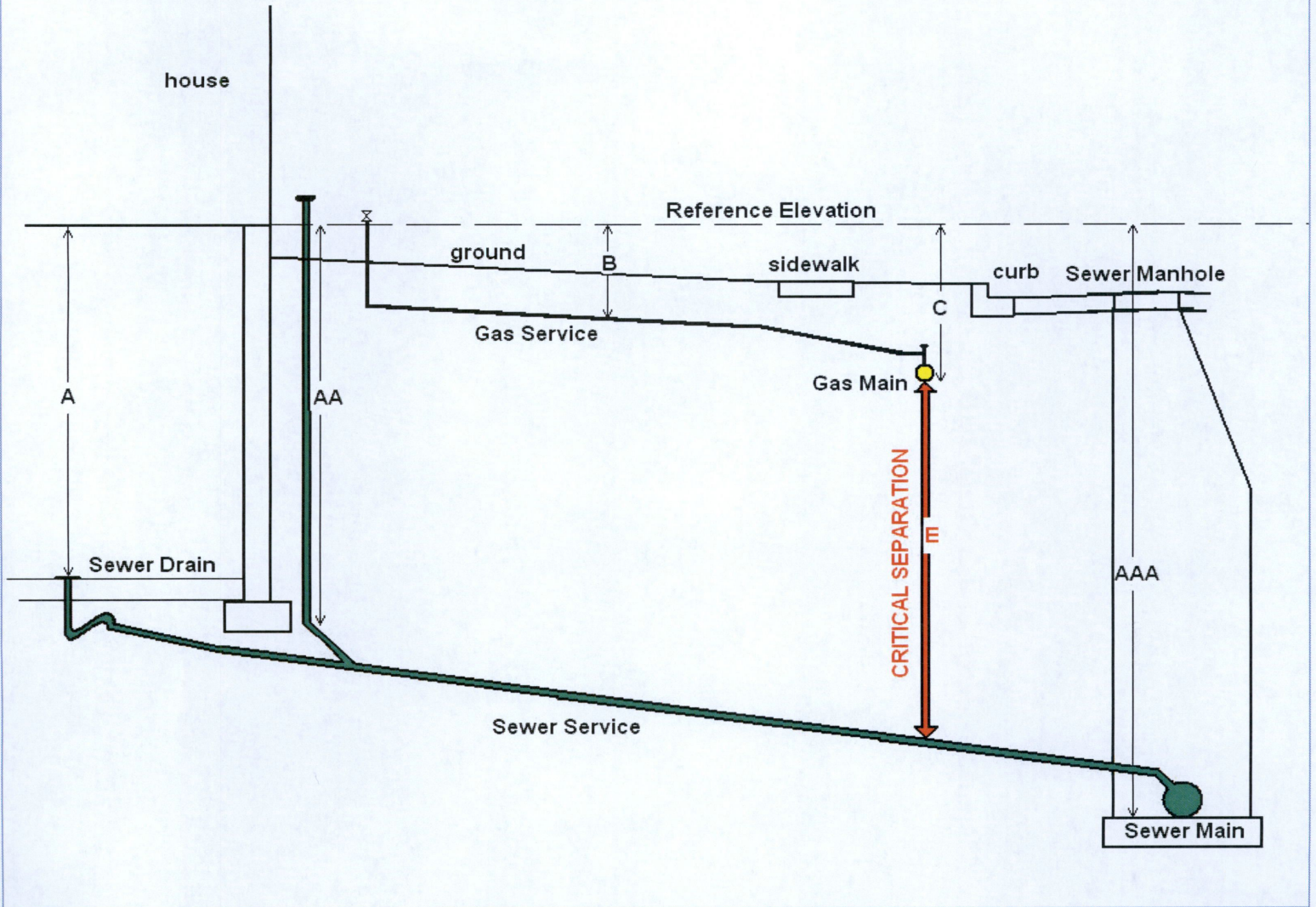
Address: 3RD St E and 5th Ave E  
Dickinson, ND

Measurements:

- A no sewer crossing
- AA
- AAA
- B
- C
- E = the average of A and AA or AAA; minus the greater of B or C

Signature: Ryan Berger

Typical gas and sewer service - ELEVATION





**MNOPS Alert Notice 5-10-2010 compliance measures:**

**New Construction**

- 1 Review maps and construction site to ensure there are no potentially intersecting sewer service lines.
- 2 IF THERE ARE CROSSINGS then check elevations of sewer manhole depths and basement depth to ensure that if a crossing is bored in at 3 feet there will be at least 3 feet of separation.
- 3 IF THERE IS LESS THAN 3 FEET OF SEPARATION then crossings must be located and exposed in a pothole.
- 4 OR IF THERE IS LESS THAN 3 FEET OF SEPARATION then crossings must be open trenched 10 feet either side of a located sewer service or the entire lot length if the sewer service is not located.
- 5 As a last resort... install the crossing with a bore or plow and video the sewer service before introducing gas into the line.

**RED FLAGS that would require extra vigilance and actions**

- 1 Slab construction
- 2 Crawl space construction
- 3 Sloping terrain
- 4 Manhole depth shallower than basement depth
- 5 Home owner concerns
- 6 Previous experience

**DOCUMENTATION**

- 1 Address
- 2 Method of Separation confirmed by: (example: map review)
- 3 Name and date











Account Number	Account Description	General Ledger Balance
1.0110	Straight Time	862.27
	Total Object Account	862.27
1.0120	Premium Time	455.59
	Total Object Account	455.59
1.0131	Bonus Accrual	156.31
	Total Object Account	156.31
1.0191	Payroll Taxes	108.69
	Total Object Account	108.69
1.0192	Benefits	289.17
	Total Object Account	289.17
1.0300	Materials/Land Purchase	213.76
	Total Object Account	213.76
1.0400	Vehicle/Work Equip	517.5
	Total Object Account	517.5
1.0991	Engineering & Supervisi	464.59
	Total Object Account	464.59
1.0992	General & Administrativ	70.06
	Total Object Account	70.06
1.0999	WIP Closeouts/Clearing	-3,137.94
	Total Object Account	-3,137.94
	Total Business Unit	
	Total Subledger00246999 W	