



Public Service Commission
State of North Dakota

COMMISSIONERS

Randy Christmann
Julie Fedorchak
Brian Kroshus

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

November 16, 2018

Jeff Reinhoz
Northern Improvement
PO BOX 2846
Fargo, ND 58108-2846

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

Dear Jeff:

Enclosed is a copy of a ND One-Call Complaint, with attachments, against Northern Improvement Company, received by the North Dakota Public Service Commission on November 13, 2018, from Scott MacLean at Montana Dakota Utilities, of Dickinson, ND, Case Number PU-18-388. The location of the damage identified in the complaint is approximately the southeast corner of the intersection of 3rd St E and 5th Ave E in 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 December 5, 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

2 PU-18-388 Filed 11/16/2018 Pages: 20
Letter enclosing North Dakota One-Call Complaint
Public Service Commission
Victor Schock

Enc: ND One-Call Complaint with attachments
c: Scott MacLean with attachments



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

- Operator failed to provide or update the information provided to the notification center on a timely basis
- Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation
- Excavator failed to provide required information in excavation or location notice
- Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation
- Notification center failed to inform the excavator of the names of operators of underground facilities in the area
- Operator failed to locate and mark underground facility within 48 hours
- Excavation started prior to underground facility locate
- Operator failed to mark underground facility within 24 inches horizontally
- Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period
- Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities
- Excavator failed to maintain the markings during excavation
- 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) *If more space is required, please provide the description on a separate page.*

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 	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:

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

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

GAS RECAP DATA

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

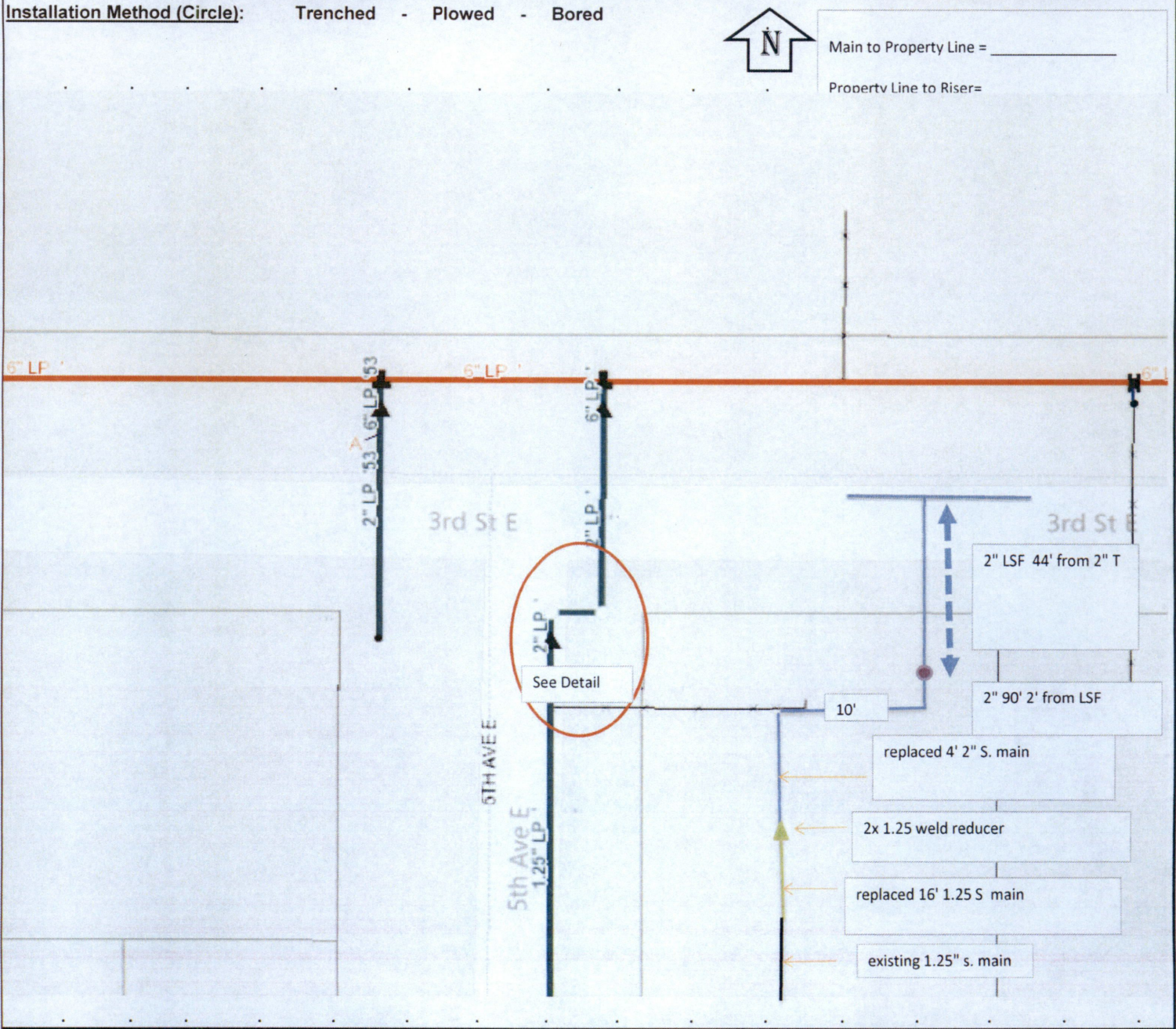
PROPERTY UNIT INFO - REQUIRED									
Service PU's	+	-	Plastic Main PU's	+	-	Steel Main PU's	+	-	
3/4" (Less than 2")			1.5" or Less			1.5" or Less	16	30	3760001
2" & 2.5"			2" & 2.5"			2" & 2.5"	14		3760002
4"			3"			3"			3760003
			4"			4"			3760004
						6"			3760006

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"

Pipe Inspected: YES - <u>Y</u> NO	External Pipe Condition: <u>Good</u> <i>Good - Fair - Poor</i>
Pipe Type: <u>Steel</u> <i>Plastic - Steel - PVC</i>	Circumferential (Inches): <u></u>
Steel Coating Type: <u>Mill Wrap</u> <i>Mill Wrap - Epoxy - X-tru - Bare - Other</i>	Longitudinal (Feet): <u></u>
Plastic Type: <u></u> <i>Yellow - Orange - Black - Aldyl - Other</i>	Coating Condition: <u>Good</u> <i>Good - Fair - Poor</i>
Pipe Diameter (inches): <u>2, 1.25</u>	Pipe/Wire to Soil (-V): <u>-0.9</u>
Pipe Depth Existing (Inches): <u>24</u>	Internal Condition: <u>Good</u> <i>Good - Fair - Poor</i>
Exposed Pipe (feet): <u>20</u>	Pipe Liquids: <u>No</u> <i>Yes - No</i>
Facility Matches Map: <u>Y</u> <i>Yes - No</i>	Wall Ultrasonic Thickness (UT): <u>0.148</u>
Map Action Taken: <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
Operator's Address: _____
Phone # of who to Bill: 701-225-5197 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:

<u>Names of Persons Involved</u>	<u>Address</u>	<u>Phone Number</u>

Witnesses to Property Damage:

<u>Names of Witnesses</u>	<u>Address</u>	<u>Phone Number</u>
SCOTT MACLEAN	MDU	701-290-2472

In case of line break, complete the following:

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

Part D

<u>Names of Persons Injured</u>	<u>Address</u>	<u>Extent of Injury</u>

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

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

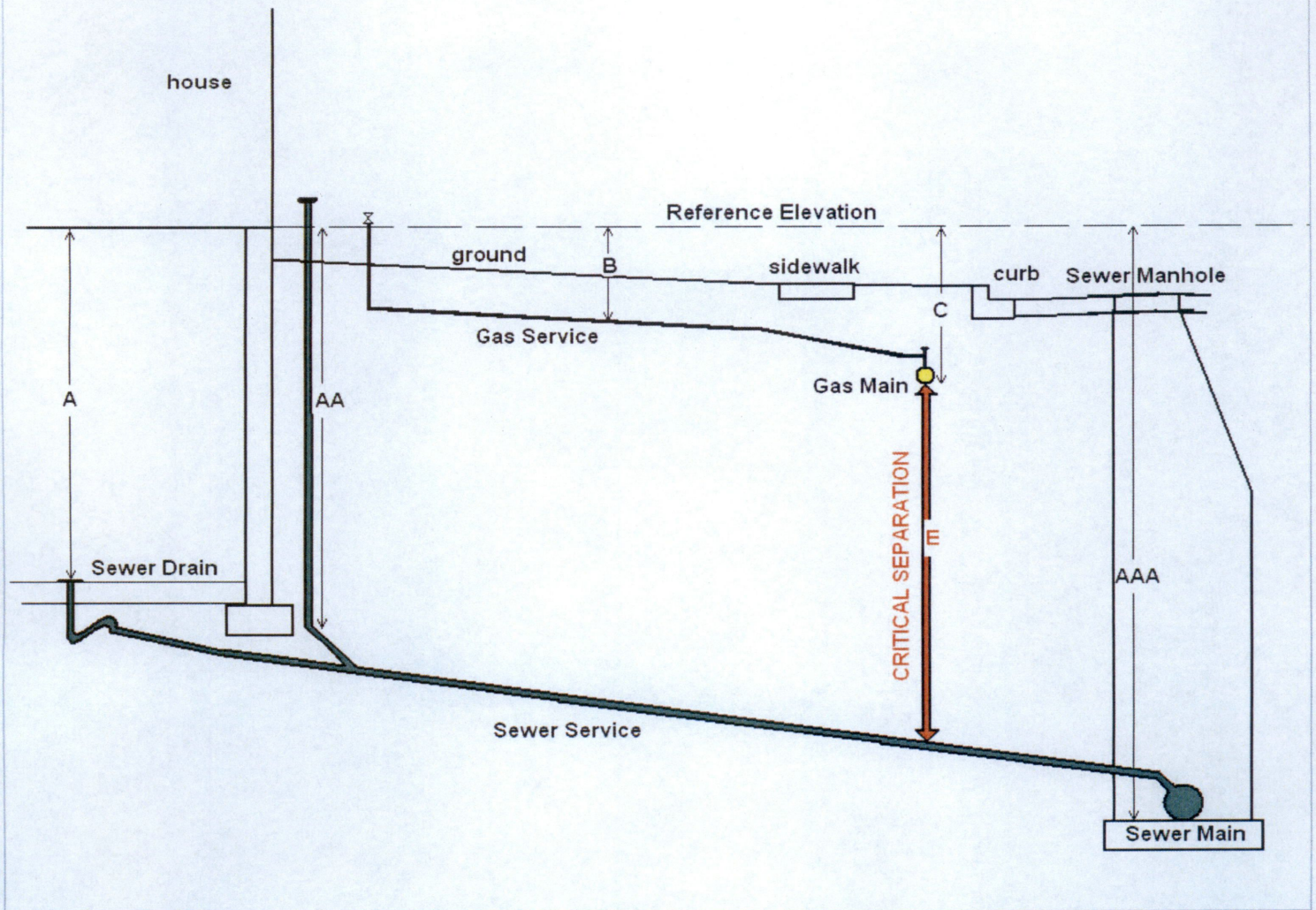
Address: 3RD St E and 5th Ave E
Dickinson, ND

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	