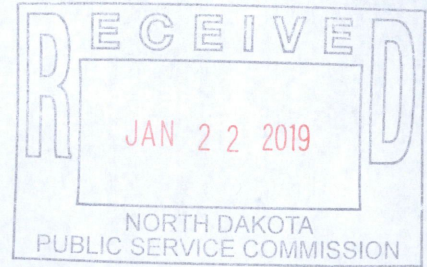


January 17th, 2019

Attn: Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Ave, Dept 408
Bismarck, ND 58505



Re: ND One-Call Excavation Notice System: ND Century Code Chapter 49-23
402 9th Ave. South Fargo ND

Case # PU-18-416

Dear Mr. Schock:

This letter is in response to your letter dated January 2nd, 2019 and complaint file by Lisa Kallberg at Xcel Energy.

KPH was performing grading for the new street to be installed. KPH had a locate ticket #18114114 and performed work once the ticket was clear. This is the second time this line was damaged. KPH notified Xcel Energy numerous times from the first incident that the line was never installed at a proper depth and needed to be lowered for KPH to perform our work. KPH new the line location and took caution around the line.

KPH response to Part C – Alleged Violation

KPH did perform proper and careful manner to try and preserve the gas line.

KPH response to description of summary of violation

KPH is disputing that the line was never properly buried and could have caused harm to anyone that was performing this work. Xcel Energy failed to claim the correction of the gas line depth.

Cordially,

Eric Merhiy

Eric Merhiy
President

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Response to North Dakota One-Call Complaint

KPH, Inc.
Eric Merhiy, President

