



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 <i>City of Arnegard</i>	Street Address <i>211 Frontage RD</i>	City <i>Arnegard</i>	State and Zip Code <i>ND 58835</i>
Telephone and Cell Phone Number <i>701-586-3453 701-783-6611</i>	Email Address <i>j.bancroft@nd.gov</i>		Date <i>4/1/19</i>
<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 <i>Dakota Services / Muriel Close</i>	Street Address <i>215 Frontage Rd</i>	City <i>Arnegard</i>	State and Zip Code <i>ND 58835</i>
Telephone and Cell Phone Number	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:
215 Frontage RD

Date and Time of Violation:
3-29-19 excavation began 4/1/19 @ 9:42am hole still open

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.

PART D - DAMAGE

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

PART I - SIGNATURE

Signature of Person Filing Complaint <i>J. Bancroft</i>	Date <i>4/1/19</i>
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Submit

If the "Submit" function is not working properly, please print the cc fax to 701-328-2410 or send to Public Service Commission, 600

To whom it may concern:

On Friday March 29, 2019, I received a phone call in the afternoon asking if the people located at 215 Frontage Road, Arnegard, ND had any permits to be excavating on said property. I informed the President of my City Council that they did not have any permits.

Previously, Ray Close whom has power of attorney over any business affairs dealing with Dakota Services and his mother Muriel Close, had submitted a drawing to the City to attempt to connect the coffee shop on said property to City water and/or sewer. He was informed that he would need to have a professional do plans and specs for said property as what he had submitted would not be enough. A review letter was emailed to the Company on January 30, 2019.

Over the course of the past couple days I have received pictures of the work that has been being done, but yet there has been no one call tickets received by the City and there are no flags showing where utilities are located.

Currently as of this morning there is a open hole located just north of the coffee shop.