

Memorandum

To: Commissioners Christmann, Fedorchak and Kroshus

From: Victor Schock Public Utility Analyst (VS)

Date: August 1, 2019

Re: ND One-Call Complaint
Case No. PU-19-187

On May 22, 2019, a ND One-Call Complaint was received from Elisabeth Kallberg with Xcel Energy (Xcel) alleging that B.G. Amundson Construction, Inc. (Amundson) violated North Dakota Century Code Chapter 49-23 One-Call Excavation Notice System law by failing to provide an excavation notice at least 48 hours before beginning an excavation.

Staff investigation found that on July 28, 2018 in the location noted in the complaint, Amundson's crew was not working at the site of the incident. The excavator that was working at that site was Border States Paving, Inc. Further follow up with Xcel confirmed that this is accurate.

Based on its investigation staff does not intend to file a formal complaint, recommends that no further action be taken, and the case be closed.