



Public Service Commission State of North Dakota

COMMISSIONERS

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June 28, 2019

Carstensen Contracting, Inc.
C T Corporation System
120 W Sweet Ave
Bismarck, ND 58504-5566

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

Dear Brad:

Enclosed is a copy of a ND One-Call Complaint, against Carstensen Contracting, Inc., received by the North Dakota Public Service Commission on June 27, 2019, from Kris Nielsen at ONEOK, of Williston, ND, Case Number PU-19-210. The location of the incident identified in the complaint is approximately Township 155N, Range 99W, NE1/4 of the NE1/4 of Section 13, near Williston, 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 Executive Secretary, North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480 by July 15, 2019**, 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 Carstensen Contracting, Inc. 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

Enc: ND One-Call Complaint
c: Kris Nielsen

2 PU-19-210 Filed: 6/28/2019 Pages: 2
Letter enclosing North Dakota One-Call Complaint

Public Service Commission Staff

Victor Schock



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 ONEOK / Kris Nielsen	Street Address 14468 Commerce Park Blvd	City Waston	State and Zip Code ND 58801
Telephone and Cell Phone Number 701-339-3601	Email Address Kristopher.Nielsen@Oneok.com		Date 6/27/19
<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 Carstensen / Brad Carstensen	Street Address	City	State and Zip Code
Telephone and Cell Phone Number 605-221-5777 / 507-820-1570 / 605-221-5888		Email Address Unknown	

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 checked="" type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input checked="" 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 checked="" type="checkbox"/> Excavation started prior to underground facility locate <input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally <input checked="" 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: T155N-R99W-NENESec13
Date and Time of Violation: 6/19/27 1 PM
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> On June 19, 2019 I received a call from our third party locator. They stated that a contractor had bored under or over our line without hydrovac or a Oneok representative present. The third party locator located our line then called me to let Oneok know what was going on. When I arrived contractor was digging in there line from bore pipe to main line. Talking with the workers on site they had no idea our line was there until third party located it a couple hours earlier. Work was stopped. Contractor put a emergency one call in at 4:09 to cover work area. There were three locates for this area but none of the covered the area they were working in. One call tickets for the area are listed below in the (Other impact of event) section

PART D – DAMAGE

Fatalities No	Injuries No	In-patient Hospitalization NA
Underground facility type(s) and Operator(s) affected: 14" low pressure poly gas gathering pipeline		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ Not known at this time, hydrovac of the bore / pipeline is being scheduled to inspect		Number of Customers Affected None
Other impact of event: 19065563 – South of 58th street NW 1500 feet south and 700 feet west 19065566 – on 123rd Ave NW From 58th St NW to 56th St NW on east side of road. 19065570 – on 123rd Ave NW From 58th st NW to 56th st NW 100 feet west of 123rd Ave NW. (Oneok line is about 400 feet west of 123rd Ave NW)		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint Kris Nielsen	Date 6/27/19
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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