



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 Whiting Oil and Gas	Street Address 4499 highway 8	City New Town	State and Zip Code ND 58763
Telephone and Cell Phone Number 701-339-9739	Email Address scott.derosso@whiting.com		Date 8-12-2019
<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 MIDSTATE TELEPHONE CO	Street Address 215 S Main St.	City Stanley	State and Zip Code ND 58784
Telephone and Cell Phone Number 701-628-2522	Email Address		

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 type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input 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 checked="" type="checkbox"/> Operator failed to locate and mark underground facility within 48 hours <input type="checkbox"/> Excavation started prior to underground facility locate <input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally <input type="checkbox"/> Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period <input 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: Whiting Iverson 11-14H well pad. SE corner of 52nd St. NW & 88th Ave NW
Date and Time of Violation: 8-9-2019
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. Ticket 19098809 was called in on 8-5-2019 with a work to begin date of 8-8-2019. On 8-9-2019 excavator arrived onsite and noticed there were no flags marking the fiber optic line leaving location. Calls were made and midstate came out to mark their line. The fiber line ran directly through the area to be excavated for pad expansion. A clear/ no conflict response was submitted by Midstate as their response to the one call ticket. Had the excavator not realized the line was not marked there would have been a line strike. This is now the 4th time they have not marked their utilities and the previous times resulted in line strikes.

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 	Date 8/12/19
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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