



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 North Prairie Rural Water District/Brady Carpenter	Street Address 3811 Burdick Expy East	City Minot	State and Zip Code ND, 58701
Telephone and Cell Phone Number 701-852-1886, 701-833-5268	Email Address brady@nprwd.com		Date 9/26/2019
<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 Bluestone Construction Inc. / Leif	Street Address 315 54th St SW	City Minot	State and Zip Code ND, 58701
Telephone and Cell Phone Number 701-858-8139, 701-240-4915	Email Address leif@bluestonenodak.com		

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) 49-23-04, Paragraph 1.

Location of Violation:
19th Ave NE, Surrey Township, T155N, R81W, Section 8-SE Quarter

Date and Time of Violation:
9/25/2019, at or around 1735

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.*
While performing an unrelated locate ticket, locator noticed an excavator digging in the area of a recently installed waterline. Locator questioned operator if a locate ticket was submitted but operator informed locator that he was unsure and to call his superior that submits the locate requests. Leif from Bluestone Construction called me on 9/26/2019 and informed me that a excavation notice was never placed with ND One Call. All operators were aware at the excavation site that a locate ticket might not have been submitted but continued to dig anyway.

PART D – DAMAGE

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

PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 9-26-2019
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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.

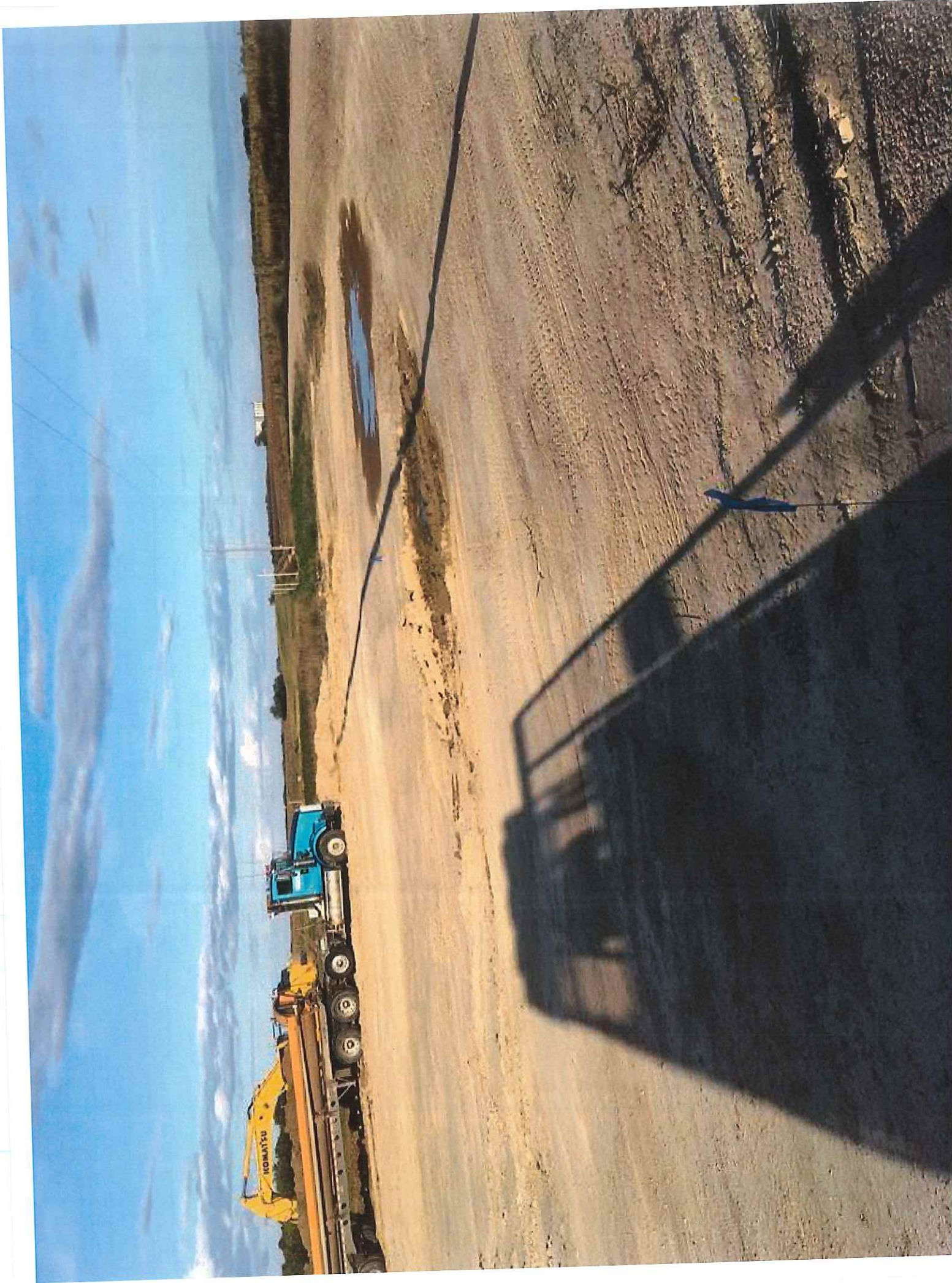
Telephone: (701) 328-2400

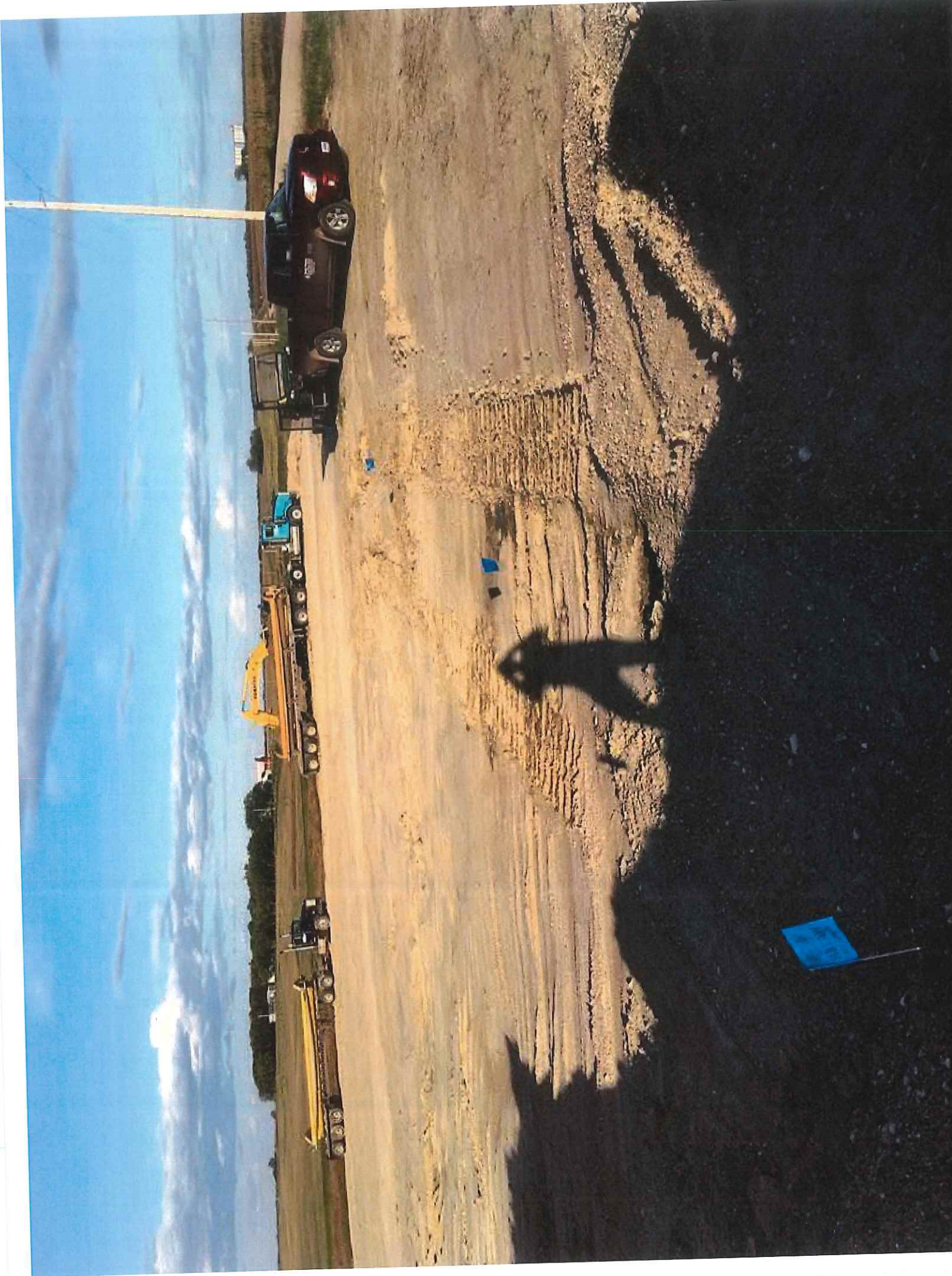


BLUESTONE
CONSTRUCTION, INC.
MINOT, ND
701.858.8139

US DOT 0465745

KENWORTH







Bluestone Construction

Barrow Pit Excavation Area

Legend

Watermain



Excavation Area

Waterline

19th Ave NE

125th St NE



1000 ft