



# 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 11/4/2019
<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 Darryl Duchsherer	Street Address 4460 3rd Ave NE	City Balfour	State and Zip Code ND, 58712
Telephone and Cell Phone Number 701-626-2296	Email Address lil_duke_34@hotmail.com		

## 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 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 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 checked="" type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) <u>49-23-04, Paragraph 2</u>
Location of Violation: 5th Ave NE
Date and Time of Violation: 11/2/2019, 12:43 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> Spoke with Darryl on the phone about white lining required by law and he informed me that he has never heard of white lining and could careless if I marked the underground utility or not and hung up on me.

## PART D – DAMAGE

Fatalities N/A	Injuries N/A	In-patient Hospitalization N/A
Underground facility type(s) and Operator(s) affected: Rural water, Brady Carpenter (Locator)		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ N/A	Number of Customers Affected N/A	
Other impact of event: Locator's time and supplies due to marking entire quarter sections of T152N, R77W, sections 13-NW and 14-NE.		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 11/4/2019
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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

# North Dakota One Call

Ticket No: 19156943  
 LORO ROUTINE  
 Original Call Date: 11/02/19 12:43 pm  
 Op: witodji  
 Work to Begin Date: 11/06/19 12:01 am  
 Op: witodji  
 Expiration Date: 11/27/19 12:01 am

**CALLER INFORMATION**  
 Company Name: DARRYL DUCHSHERER  
 Fax Phone:  
 Contact Name: DARRYL DUCHSHERER  
 Phone: 701-626-2296  
 Alt Contact: DARRYL DUCHSHERER  
 Alt. Phone:  
 Caller Address: 4460 3RD AVE NE BALFOUR, ND 58712  
 Email Address: [lil\\_duke\\_34@hotmail.com](mailto:lil_duke_34@hotmail.com)

**DIG SITE INFORMATION**  
 Type of Work: GRADING  
 Work Being Done For: DARRYL DUCHSHERER  
 Depth: 10FT  
 Explosives: N  
 Tunneling/Boring: N  
 White Lining: N

**DIG SITE LOCATION**  
 County: MCHENRY  
 Place: BALFOUR TWP  
 City Limits: N  
 Address:  
 Street: 5TH AVE NE  
 Intersecting Street: 40TH ST NE

Side of Road: EXCAVATION IS ON BOTH SIDES OF THE ROAD.  
 Location of Work: MARK THE ENTIRE QUARTER SECTIONS OF 13-NW AND 14-NE  
 Remarks: CALL REQUEST FOR LOCATOR'S TO CALL BEFORE THEY START MARKING  
 Caller Twp: 152N  
 Rng: 77W

Sect-Qtr: 13-NW,14-NE  
 Map Twp: 152N  
 Rng: 77W  
 Sect-Qtr: 14,13,12-SW-SE,11-SW-SE  
 Map Coord NW Lat: 47.9929181  
 Lon: -100.4888124  
 SE Lat: 47.9851870  
 Lon: -100.4667798

**MEMBERS NOTIFIED**

District	Company Name	Marking Concerns/Status
NDTELE01	NORTH DAKOTA TELEPHONE CO	701-662-1800 Not yet responded
Viewing NPRW/01	NORTH PRAIRIE WATER ASSOC.	701-852-1886 Not yet responded
USAF01	USAF CABLE AFFAIRS	701-723-6053 Not yet responded
VEREND01	VERENDRYE ELECTRIC COOPERATIVE	888-355-2515 Not yet responded

**LOCATOR INFORMATION**  
 Past Work Start? N Ticket Locked? N Past Due Time: 11/06/19 00:01

Private Attachments

None

**Public Attachments**

None

**Locator:**

-- ▾

**Status**

Current Status: Not yet responded

Change Status:

-- ▾

Status Comments (250 character limit)

Your view of this ticket is

Open ▾

Notes

[Just Go To Next Ticket](#)

History

Date	Type	District	Display	Locator	User
11/02/19 12:55:10	Ticket Check Response Added	NPRW01 NORTH PRAIRIE WATER ASSOC.	Not yet responded	-	System
11/02/19 12:55:10	Ticket Created			-	System

Legend:

-  Locate Polygon
-  District Polygon

Lat/Lon

47.993172 -100.476938



Google

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