

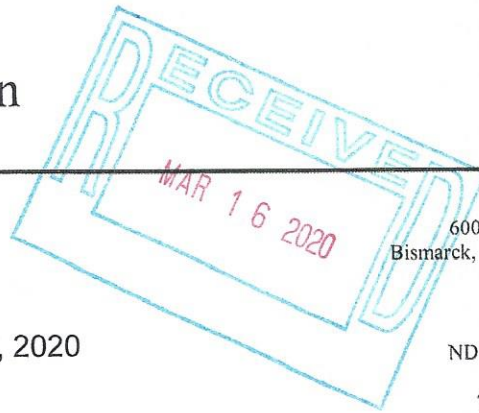


Public Service Commission
State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

March 12, 2020



600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

NC3, LLC
C/O CT Corporation System
120 W Sweet Ave
Bismarck, ND 58504-5566

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

To Whom it may concern:

Enclosed is a copy of a ND One-Call Complaint, against NC3, LLC, received by the North Dakota Public Service Commission on March 2, 3030, from Brian Reilly at Walsh Rural Water District, of Grafton, ND, Case Number PU-20-095. The location of the damage identified in the complaint is near the intersection of County Road 8 and 72nd St NE, Grafton, 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 March 26, 2020**, 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 NC3, LLC 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: Brian Reilly



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)

Form with fields: Company/Person (Walsh Rural Water District), Street Address (14768 Hwy 17), City (Grafton), State and Zip Code (ND 58237), Telephone and Cell Phone Number (7013523915), Email Address (wwater@invsimax.com), Date (3/2/2020). Includes checkbox for testimony.

PART B - WHO VIOLATED THE ONE-CALL REGULATIONS (RESPONDENT)

Form with fields: Company/Person (NC 3, LLC), Street Address (44926 State Hwy 92), City (Clearbrook), State and Zip Code (MN 56634), Telephone and Cell Phone Number (7022664317), Email Address.

PART C - ALLEGED VIOLATION

Form with checklist of violations (e.g., Operator failed to provide or update the information provided to the notification center on a timely basis), Location of Violation (Furtle 1 NE County Road 6 72nd St NE), Date and Time of Violation (9/23/2019), and Description (Nc3 failed to pothole or locate water line before boring river crossing).

PART D - DAMAGE

Form with fields: Fatalities, Injuries, In-patient Hospitalization, Underground facility type(s) and Operator(s) affected, Estimated Value of Damage (\$5,508.04), Number of Customers Affected (29), Other impact of event, and instruction to attach photos.

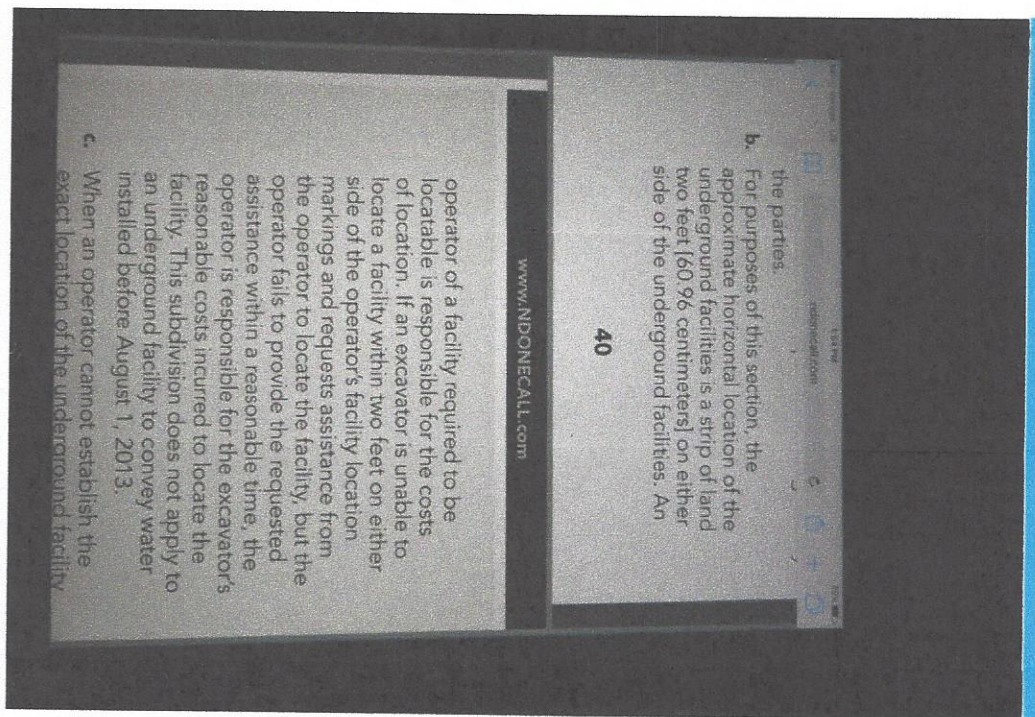
PART I - SIGNATURE

Form with fields: Signature of Person Filing Complaint (Brian Reilly), Date (03/02/2020).

Submit button

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 P

Telephone: (701) 328-2400

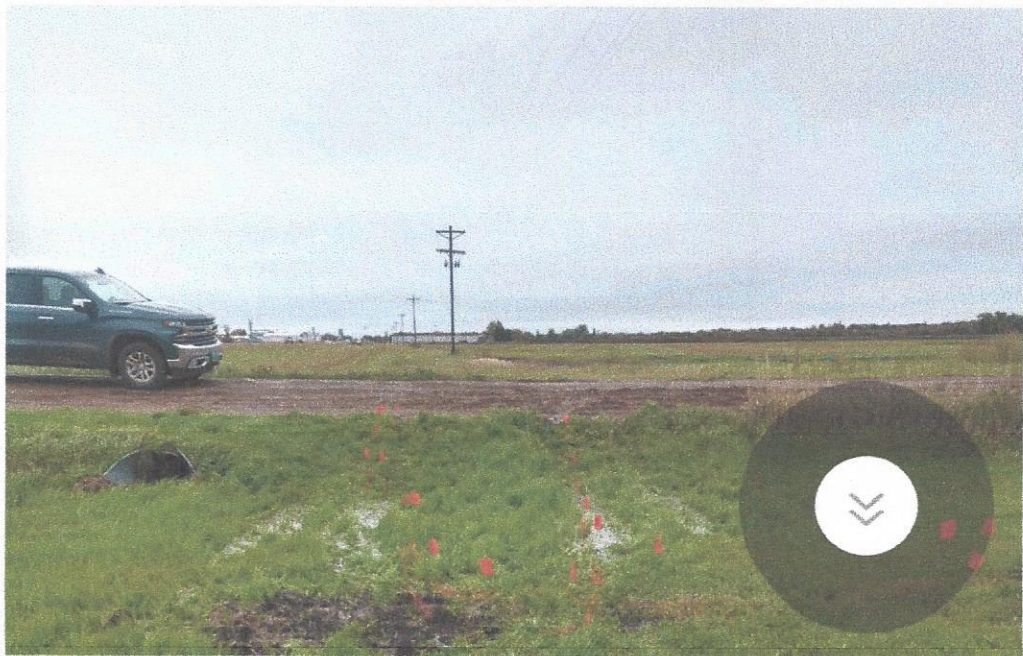


Scott this is Brian with Walsh rural water district



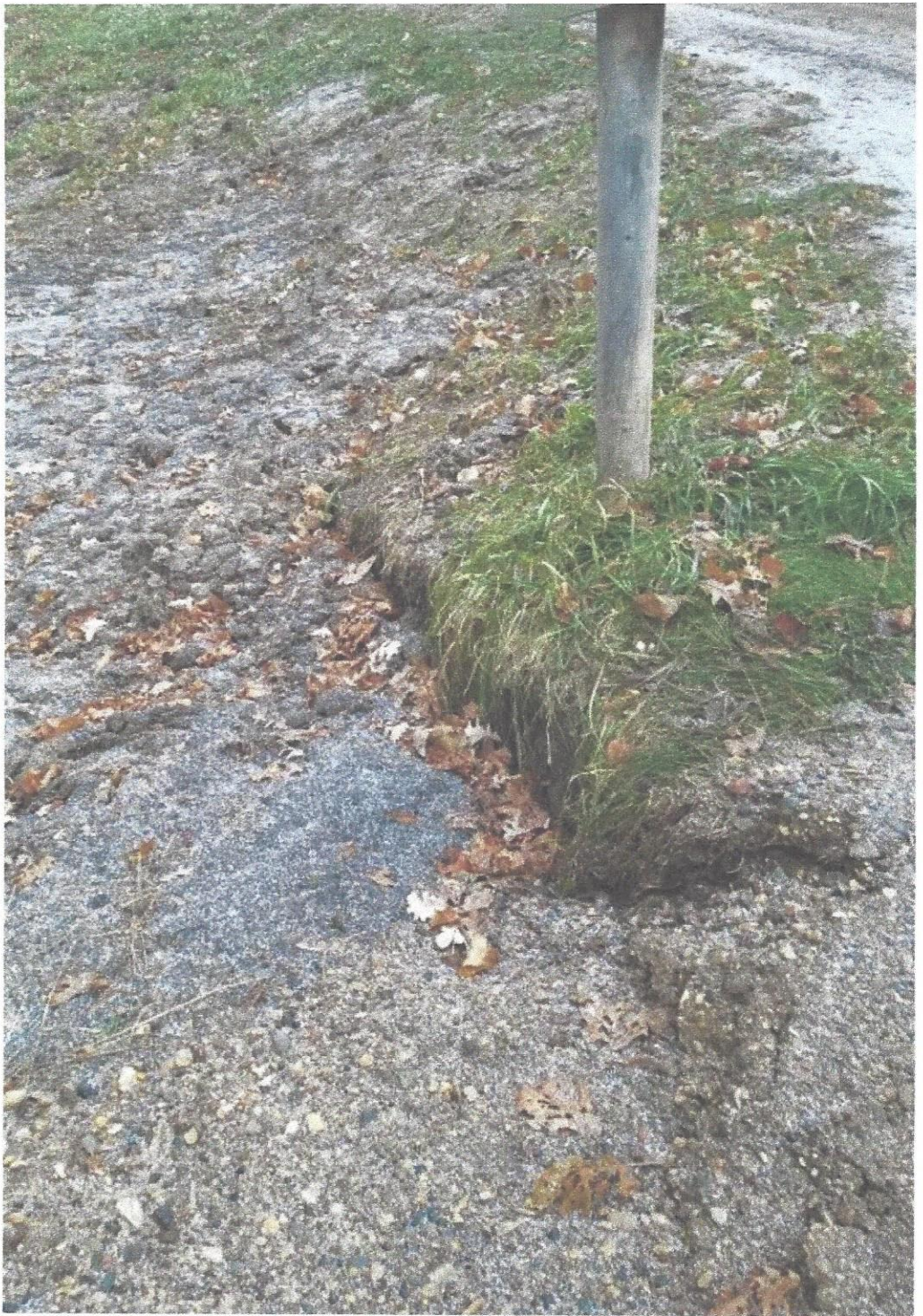




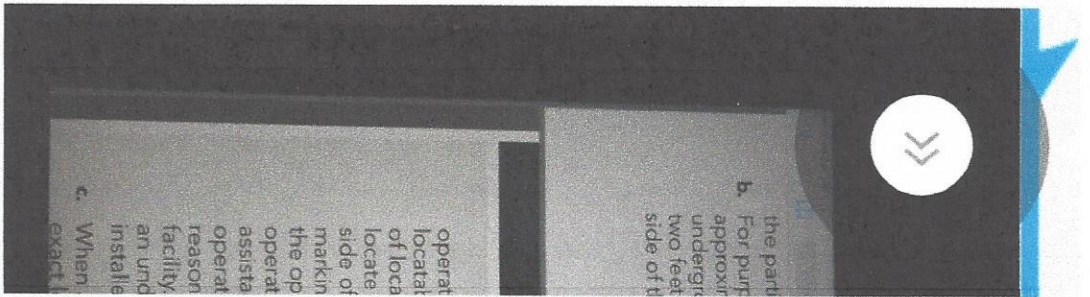








11/6/19 9:59 AM



KILMER CONSTRUCTION

819 NOBEN AVE, GRAFTON, NORTH DAKOTA 58237
Phone 701-520-0109 Fax

INVOICE #526

Customer

Walsh Rural Water District
box 309
Grafton, ND 58237

#650
BA

Invoice Date: 10/1/2019
Sales Person: MIKE KILMER
P.O. #

Phone

Fax

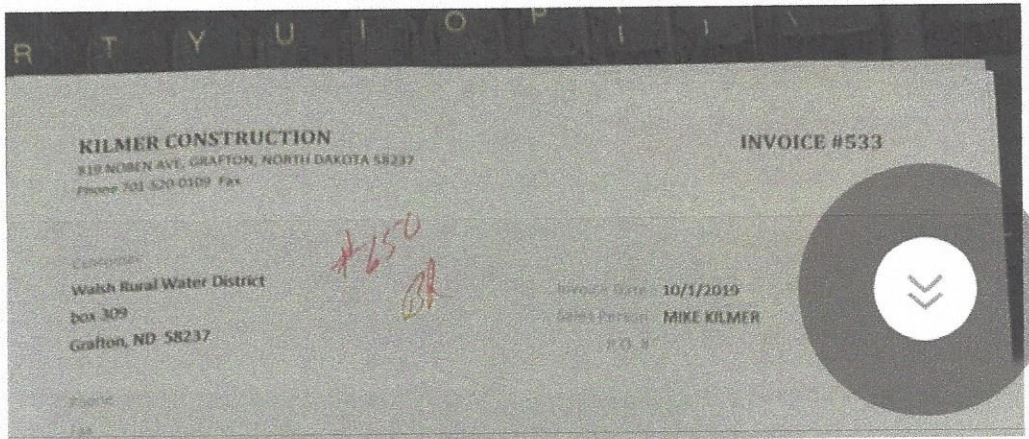
Job	Payment Due	Payment Terms
9/24 - Leak on County RD B		Due 30 Days From Receipt

Service	Hours	Rate	Line Total
Excavator 250	1.5	\$175.00	\$262.50
manual labor Man #1	1.5	\$65.00	\$97.50
manual labor Man #2	1.5	\$65.00	\$97.50
Manual Labor Man #3	1.5	\$65.00	\$97.50

Services Total	\$555.00
Products Total	\$0.00
Taxes	\$0.00
Invoice Total	\$555.00

Thank you for your business

KILMER CONSTRUCTION 819 NOBEN AVE, GRAFTON, NORTH DAKOTA 58237
Phone 701-520-0109 Fax



Customer
Walsh Rural Water District
box 309
Grafton, ND 58237

#650
BR

Invoice Date 10/1/2019
Sales Person MIKE KILMER
P. 01 of 1

Job	Payment Due	Payment Terms
9/25 - Dig up leak on county rd 8 and haul out clay		

Service	Hours	Rate	Line Total
420/2 men/service truck	8.5	\$250.00	\$2,125.00
Excavator 250	8.5	\$175.00	\$1,487.50
red ford	1.5	\$75.00	\$112.50

Product	Quantity	Unit Price	Line Total
Gravel	12	\$25.00	\$300.00

Services Total	\$3,725.00
Products Total	\$300.00
Taxes	\$0.00
Invoice Total	\$4,025.00

Thank you for your business

KILMER CONSTRUCTION 819 NOBEN AVE, GRAFTON, NORTH DAKOTA 58237
Phone 701-520-0109 Fax

Customer
Walsh Rural Water District
box 309
Grafton, ND 58237

#650
BR

Invoice Date 10/1/2019
Sales Person MIKE KILMER
P. 01 of 1

Job
10/01 - Leak by George Nelson

Payment Due

Payment Terms
Due 30 Days From Receipt



These are the three invoices I received for those two hit lines for repair

Like I said I didn't bill for any of Walsh Waters labor parts or water loss

The reason why there's two invoices on the first hit line because it was later in the day and it started raining and lightning getting dark so we had to pull out three farmsteads without water overnight and left it leaking about thirty gal a minute

Delivered