



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 Kinder Morgan/Ryan Farmer | Street Address 611 37th Ave SE Bldg. 29 | City Williston | State and Zip Code North Dakota 58801 |
| Telephone and Cell Phone Number 701-339-6090 | Email Address ryan_farmer@kindermorgan.com | | Date 3/13/20 |
| <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 Sun Electric/Chris Larsen | Street Address 411 39th St | City Fargo | State and Zip Code North Dakota 58102 |
| Telephone and Cell Phone Number 701-281-9140 | Email Address clarsen@suninc.us | | |

PART C – ALLEGED VIOLATION

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|--|
| <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 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 type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____ |
| Location of Violation: Approx. .3 miles south of 26th St NW on the west side of C.R. 37 southeast of Watford City ND. Latitude: 47.785777 Longitude: -103.2200416 |
| Date and Time of Violation: 2/26/20 at approximately 1:40pm |
| 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> Excavation company failed to call in a locate request prior to excavation per North Dakota State Law. |

PART D – DAMAGE

| | | |
|--|-------------------------|--|
| Fatalities No damage to KM facilities | Injuries No Injuries | In-patient Hospitalization No 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 3/13/20 |
|--|-----------------|

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