



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

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

June 9, 2020

James Thompson
B & G Oilfield Services
PO BOX 818
Williston, ND 58802-0818

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

Dear James:

Enclosed is a copy of a ND One-Call Complaint, against B & G Oilfield Services, received by the North Dakota Public Service Commission on May 18, 2020, from Ryan Farmer at Kinder Morgan, of Williston, ND, Case Number PU-20-210. The location of the incident identified in the complaint is approximately Latitude 47.936953, Longitude -103.337359 near Watford City, 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 June 24, 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 B & G Oilfield Services 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: Ryan Farmer

2 PU-20-210 Filed: 6/9/2020 Pages: 2
Letter enclosing North Dakota One-Call Complaint



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 ND 58801
Telephone and Cell Phone Number 701-339-6090	Email Address Ryan_Farmer@kindermorgan.com		Date 5/15/20
<input 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 B&G Oilfield Services	Street Address 4814 Sunset Blvd.	City Williston	State and Zip Code ND 58801
Telephone and Cell Phone Number 701-641-1181	Email Address JAMES.THOMPSON@BGOILFIELDSERVICES.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 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: Latitude: 47.936953 Longitude: -103.337359 Rural of Watford City ND
Date and Time of Violation: 5/8/20 12:30pm
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> B&G Oilfield Services placed One Call locate request on 5/8/20 at 9:08am and began excavation to hydro vacuum excavate KM facilities at approximately 12:30pm.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: Kinder Morgamn owned 10" poly natural gas pipeline		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ 0\$	Number of Customers Affected 0	
Other impact of event: No damage to KM pipeline.		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 5/15/20
--	-----------------

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