



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	Street Address	City	State and Zip Code
Telephone and Cell Phone Number	Email Address		Date
<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	Street Address	City	State and Zip Code
Telephone and Cell Phone Number	Email Address		

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 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:
Date and Time of Violation:
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>

PART D – DAMAGE

Fatalities	Injuries	In-patient 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
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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



INCIDENT INVESTIGATION #193834



1219 McKenzie St, New England, ND

LOCATION DETAILS

Event Date: 07/07/2020 08:16 AM America/Denver

Right-of-Way: Public Utility Easement

AFFECTED FACILITY

Near Miss: No

Type of Operation Affected: Gas

Line Size and Type: 2" Plastic

Facility part of joint trench: Yes

Asphalt or concrete removed: No

Damage Surface Type and Depth: Dirt 18" - 36"

Arrival Date and Time: 07/07/2020 10:29 AM America/Denver



Distance from Ped to Ped: 0ft

Dimensions of Asphalt or Concrete Removed:

Repairs Taking Place Upon Arrival? Yes

Who Performed Repairs: Utility Company

Contractor Representative: Jarrod Johnston

Contractor Representative Phone Number: (701) 609-9561

Personnel On Site: 1 foreman, 1 supervisor, 1 repairmen

Vehicles/Equipment Being Used For Repairs:

Guards or Barricades On Site:

Facilities Replaced or Repaired: Repaired

Replacement Type: Permanant

Occurred During: Business Hours

Time Occurred:

DAMAGER

Company Name: BEK Consulting

Contact: Mark Lardy

Contact Phone: (320) 423-3357

Type of Work: Utility Installation

Damage Responder: Emerald, Martin

UTILITY INFORMATION

Utility Company Name: Montana Dakota Utilities

Utility Contact Name: Kevin Busscher

Utility Contact Phone: (701) 260-1469

Utility Representative: Kevin

Utility Rep Tech#:

Utility Rep. Present on Arrival: No

EXCAVATION INFORMATION

Excavator Type: Contractor

Excavation Equipment: Backhoe/Trackhoe

Work Performed: Water

Excavator downtime? Yes

Downtime hours: No

Downtime cost: No

NOTIFICATION AND LOCATING

One Call Center notified: No

Locator Type: Contract Locator

Work area white-lined: Yes

Ticket Number: 20080473

Date Located: 07/06/2020 05:16 PM America/Denver

Located By: Emerald Martin

INTERRUPTION AND RESTORATION

Event cause Interruption: Yes

Interruption hours: 5

Customers Affected (approx.): 5

ROOT CAUSE

Damage within described dig area: Yes

Damage within legal time of request limit: Yes

Marks destroyed by construction: No

Marks destroyed by weather: No

Whiskers or flags used: Yes

Offsets were used on hard surfaces: No

Line was on prints: Yes

At Fault: Excavator

Documentation Issue: No

Documentation Issue Comments:

Tolerance Zone: No

Marking Standards: No

Marking Standards Comments:

Locate Requested: No

Damage with Tolerance Zone: No

No Locates on Facility: No

Damage Exposed Facility: No

COMMENTS

Assessment Comments: Accurate marks, exposed utilities 10-15ft from where the damage occurred. Damage to plastic gas main, electric concentric, and communication line. Contractor at fault.

INCIDENT AND SURVEY COMPARISON PHOTOS

SURVEY PHOTO



Date: 07/06/2020 05:13 PM America/Denver

Latitude: 46.543889

Longitude: -102.865556

Heading: 116 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544152

Longitude: -102.865834

Heading: 332 degrees

SURVEY PHOTO



Date: 07/06/2020 05:13 PM America/Denver

Latitude: 46.543889

Longitude: -102.865556

Heading: 27 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544076

Longitude: -102.865770

Heading: 366 degrees

SURVEY PHOTO



Date: 07/06/2020 05:14 PM America/Denver

Latitude: 46.544167

Longitude: -102.865556

Heading: 326 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544178

Longitude: -102.865788

Heading: 220 degrees

SURVEY PHOTO



Date: 07/06/2020 05:14 PM America/Denver

Latitude: 46.544167

Longitude: -102.865556

Heading: 255 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544187

Longitude: -102.865801

Heading: 146 degrees

SURVEY PHOTO



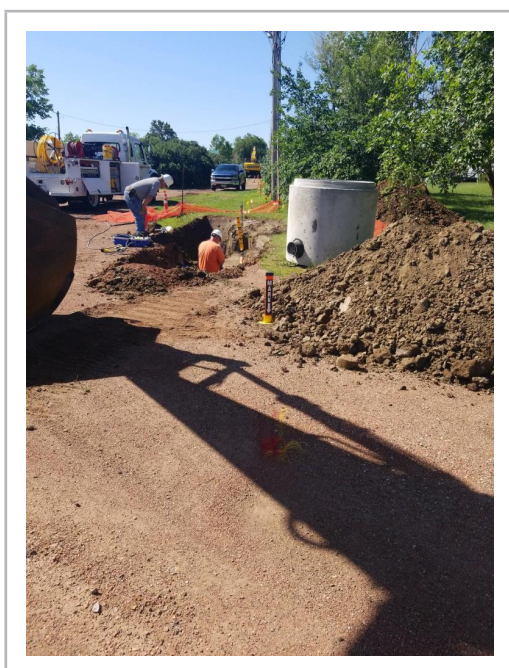
Date: 07/06/2020 05:14 PM America/Denver

Latitude: 46.544167

Longitude: -102.865833

Heading: 103 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544271

Longitude: -102.865863

Heading: 178 degrees

SURVEY PHOTO



Date: 07/06/2020 05:14 PM America/Denver

Latitude: 46.544167

Longitude: -102.865556

Heading: 255 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544200

Longitude: -102.865821

Heading: 168 degrees

SURVEY PHOTO



Date: 07/06/2020 05:14 PM America/Denver

Latitude: 46.544167

Longitude: -102.865556

Heading: 326 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544263

Longitude: -102.865848

Heading: 161 degrees

SURVEY PHOTO



Date: 07/06/2020 05:14 PM America/Denver

Latitude: 46.544167

Longitude: -102.865833

Heading: 103 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544274

Longitude: -102.865825

Heading: 174 degrees

SURVEY PHOTO



Date: 07/06/2020 05:13 PM America/Denver

Latitude: 46.543889

Longitude: -102.865556

Heading: 116 degrees

INCIDENT COMPARISON PHOTO



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544191

Longitude: -102.865813

Heading: 356 degrees

NEW INCIDENT PHOTOS



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544189

Longitude: -102.865772

Heading: 311 degrees

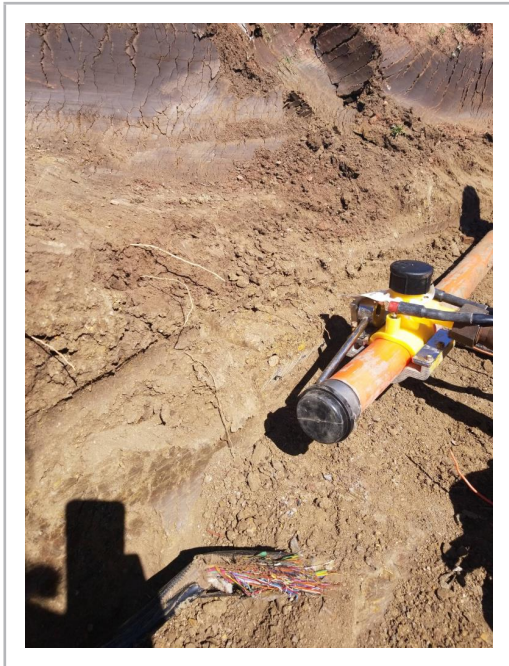


Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544196

Longitude: -102.865785

Heading: 259 degrees

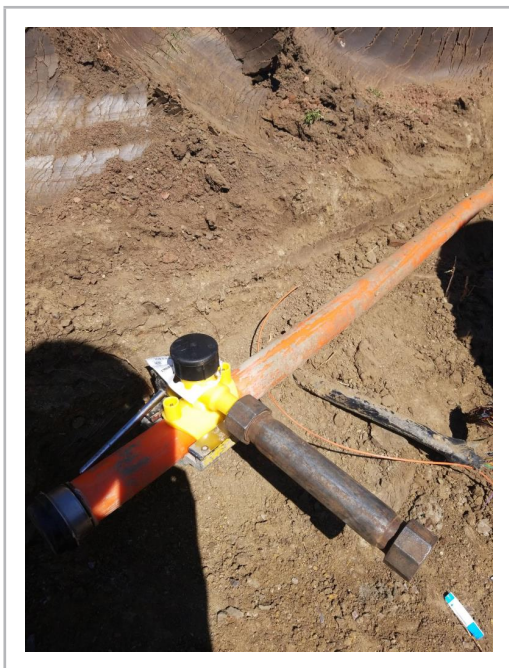


Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544226

Longitude: -102.865774

Heading: 328 degrees

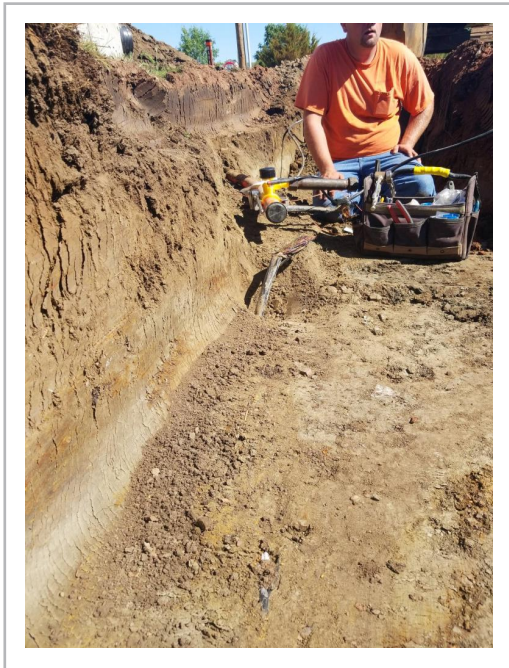


Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544233

Longitude: -102.865789

Heading: 288 degrees



Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544224

Longitude: -102.865784

Heading: 65 degrees

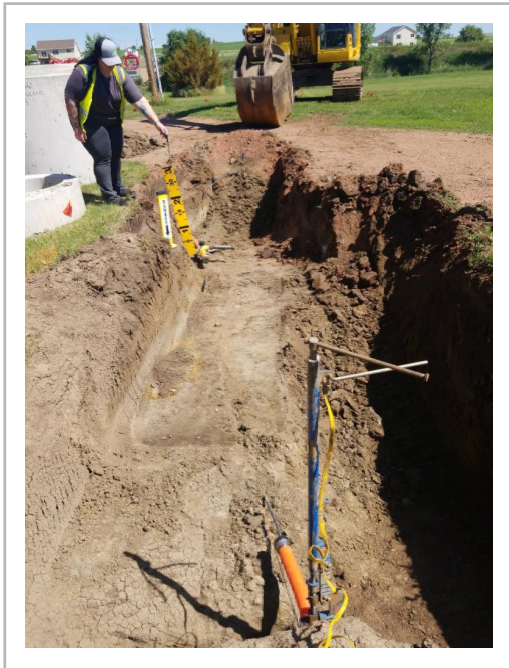


Date: 07/07/2020 10:29 AM America/Denver

Latitude: 46.544180

Longitude: -102.865767

Heading: 167 degrees



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544209

Longitude: -102.865817

Heading: 57 degrees

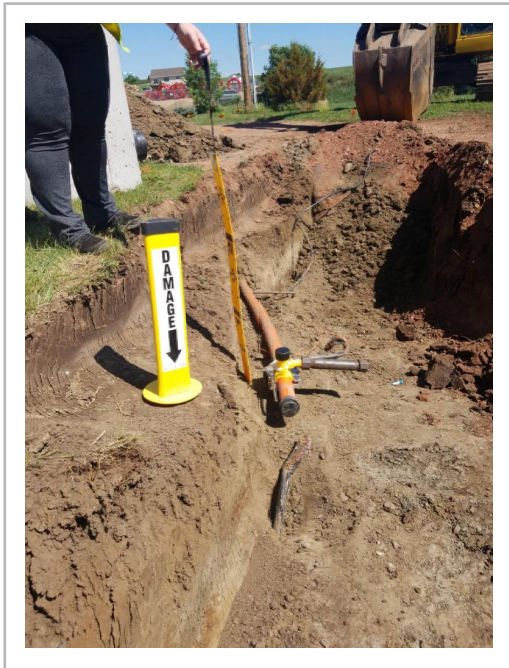


Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544209

Longitude: -102.865817

Heading: 48 degrees



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544231

Longitude: -102.865804

Heading: 22 degrees

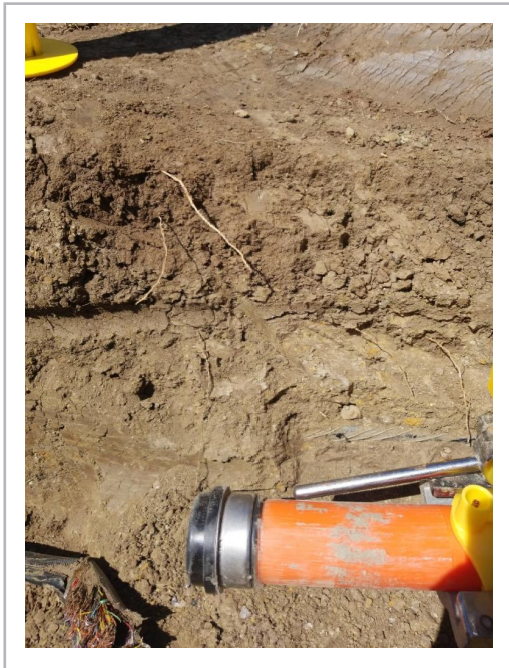


Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544217

Longitude: -102.865808

Heading: 21 degrees



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544218

Longitude: -102.865806

Heading: 241 degrees

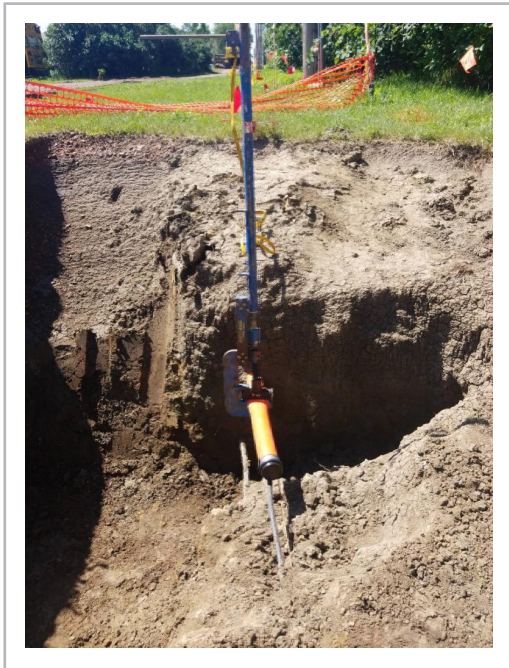


Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544218

Longitude: -102.865806

Heading: 235 degrees

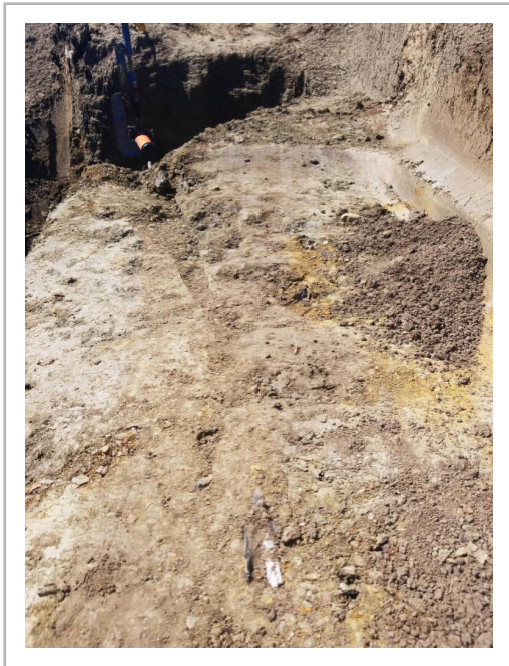


Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544179

Longitude: -102.865826

Heading: 186 degrees



Date: 07/07/2020 10:50 AM America/Denver

Latitude: 46.544201

Longitude: -102.865837

Heading: 136 degrees