



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 7/20/20
<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 Olson Construction	Street Address P.O. Box 613	City Buffalo	State and Zip Code SD 57720
Telephone and Cell Phone Number 605-376-3751	Email Address SARAH@TIMOLSONCONST.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: Approx. 2 miles north of 87th St SW at location on the west side of Camp Crook Road near Marmarth ND
Date and Time of Violation: 7/16/20 10:57am MST
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 Olson Construction called in ticket numbers 20089050 and 20089174 to pothole utilities for a fence construction. Both tickets have a work to begin date of 7/18/20 @ 12:01am. On 7/18/20 at approximately 10:45am a representative from KM was responding to these locate requests and discovered that hydro-excavation had already taken place on KM owned assets. Excavation company failed to wait 48 hours before beginning any excavation.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: Kinder Morgan owned liquids gathering pipeline		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ 0	Number of Customers Affected 0	
Other impact of event: None		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 7/20/20
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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