



Public Service Commission

State of North Dakota

COMMISSIONERS

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600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
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Fax: 701-328-2410
TDD: 800-366-6888 or 711

July 31, 2020

Anabel Andrade
Ramos Plumbing Inc.
507 19th St SE
Minot, ND 58701-4153

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

Dear Anabel:

Enclosed is a copy of a ND One-Call Complaint, against Ramos Plumbing Inc., received by the North Dakota Public Service Commission on July 31, 2020, from Kelly Brandt at the City of Minot, ND, Case Number PU-20-359. The location of the incident identified in the complaint is approximately 81 Olive Tree Circle, Minot, 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 August 14, 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 Ramos Plumbing Inc. 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: Kelly Brandt

2 **PU-20-359** Filed: 7/31/2020 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 <i>City of Minot - Kelly Brandt</i>	Street Address <i>1000 31st St SE</i>	City <i>City of Minot</i>	State and Zip Code <i>ND 58701</i>
Telephone and Cell Phone Number <i>701-833-7587</i>	Email Address <i>Kelly.Brandt@MinotND.org</i>	Date <i>7-31-20</i>	
<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 <i>Ramos Plumbing - Felix</i>	Street Address <i>511 19th St SE</i>	City <i>Minot</i>	State and Zip Code <i>ND 58701</i>
Telephone and Cell Phone Number <i>702-303-4845</i>	Email Address <i>Ramos Plumbing 702@aol.com</i>		

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 checked="" 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:
81 Olive Tree Cir Minot ND

Date and Time of Violation:
7-31-20 8:45 AM

Description (summarize the observations on which you rely to allege the violation) If more space is required, please provide the description on a separate page.
SHOWED UP TO JOB SITE FELIX WAS DIGGING IN WATER AND SEWER SERVICES WITHOUT ONECALL CALLED IN. I CONFRONTED HIM AND HE KEPT DIGGING AND DID NOT CALL IN A ONE CALL AFTER CONFRONTED. THE GENERAL CONTRACTOR RAK CONSTRUCTION CALLED IN A ONE CALL AFTER THE CONFRONTATION. STILL RAMOS DOESN'T CALL IN HIS OWN ONE CALL - I ALSO CONTACTED OTHER UTILITIES AND LET THEM KNOW OF THE SITUATION. THERE WAS NO DAMAGE JUST DIGGING WITHOUT A ONE CALL

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 <i>Kelly Brandt</i>	City of Minot Water locator <i>Kelly Brandt</i>	Date <i>7-31-20</i>
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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