



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
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600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
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Phone: 701-328-2400
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Fax: 701-328-2410
TDD: 800-366-6888 or 711

August 25, 2020

Chris Pond
Central Trenching Inc
5200 7th Ave SW
Minot, ND 58701-2800

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

Dear Chris:

Enclosed is a copy of a ND One-Call Complaint, against Central Trenching Inc, received by the North Dakota Public Service Commission on August 24, 2020, from Dawn Roness at Montana Dakota Utilities, of Minot, ND, Case Number PU-20-377. The location of the damage identified in the complaint is approximately 612 Burdick Expressway East, 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 September 8, 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 Central Trenching 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: Dawn Roness

2 PU-20-377 Filed 08/25/2020 Pages: 2
Letter enclosing North Dakota One-Call Complaint
Public Service Commission



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 Montana Dakota Utilities - Dawn Roness	Street Address 1130 20th Ave SW	City Minot	State and Zip Code ND 58701
Telephone and Cell Phone Number 701 857/9902 office 701 720-0879 cell	Email Address dawn.roness@mdu.com		Date 8/21/2020
<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 CTI/Chris Pond	Street Address 5200 7th Ave SW	City Minot	State and Zip Code ND 58701
Telephone and Cell Phone Number 701 720-9427	Email Address unknown		

PART C – ALLEGED VIOLATION

Operator failed to provide or update the information provided to the notification center on a timely basis

Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation

Excavator failed to provide required information in excavation or location notice

Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation

Notification center failed to inform the excavator of the names of operators of underground facilities in the area

Operator failed to locate and mark underground facility within 48 hours

Excavation started prior to underground facility locate

Operator failed to mark underground facility within 24 inches horizontally

Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period

Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities

Excavator failed to maintain the markings during excavation

Other (identify the specific section of NDCC Chapter 49-23) Excavator failed to spot underground utilities while boring-caused a fire when hit

Location of Violation:
612 Burdick Expressway East, Minot ND

Date and Time of Violation:
6/30/2020 around 9:30 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.*
CTI SPOT HOLED THE GAS AND THE POWER MAIN LINES. THE PROBLEM IS THAT THEY DID NOT CROSS IN THE SPOT HOLES AND TOOK OUT THE GAS LINE AND THE POWER LINE WHICH CREATED A FIRE.

PART D – DAMAGE

Fatalities 2" PL Gas Main	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: Gas - MDU Electric - XCel		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$5,000.00 - for initial hit line.	Number of Customers Affected 2	
Other impact of event: A few days later, MDU was called back out to this area to which we found additional underground leaks. We had to do a main and service replacement project in this area as we could not verify what all may have been hit while CTI was boring in this area. I am unsure at this time the cost of this project - but it would be an addition to the initial hit line.		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint Dawn Roness - MDU Field Operations Supervisor	Date 8/21/2020
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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

Lody Goetz



Central Trenching Inc.

General Liability Incident Report

Incident Information			
Type of Incident:	Property-Equipment Damage	Personal Injury	Theft
Date of Incident:	6-30-2020		
Time Incident:	9:10 AM		
Date Reported:	6-30-2020		
Time Reported:	11:30 AM		
Incident Location (Be as specific as possible):			
Ralphs Plumbing			
612 Burdick			
Incident Description - What Happened (Be as specific as possible, use separate sheet if necessary)			
Hit Xcel power which caused power to go			
thru bore rod + arc thru MOV gas line			
Causing a fire			
- bored under gas line before hitting xcel power			
Was A Third Party Involved?	Yes	<input checked="" type="radio"/> No	
Third Party Name:		Telephone#	
Property - Equipment Damage			
Owner(s) Name:	Address:		
City:	State:	Zip	
Telephone#:			
Type of Property and Extent of Damage:			

one call ticket
20066267

Andy Linstrom

701-855-2023

Vermaer
8/12



Central Trenching Inc.

General Liability Incident Report

Incident Information			
Type of Incident:	Property-Equipment Damage	Personal Injury	Theft
Date of Incident:	6-30-2020		
Time Incident:	9:00 A.M.		
Date Reported:	6-30-2020		
Time Reported:	9:00 A.M.		
Incident Location (Be as specific as possible):			
North Side Of Ralphs Plumbing			
Incident Description - What Happened (Be as specific as possible, use separate sheet if necessary)			
We Set up the bore rig to shoot up to the building. I decided to bore under the gas line and power. I measured the lines and thought I was underneath of them. We ended up hitting the lines and I heard a noise and I looked back and saw flames coming out of the hole.			
Was A Third Party Involved? Yes <input type="radio"/> No <input checked="" type="radio"/>			
Third Party Name:		Telephone#	
Property - Equipment Damage			
Owner(s) Name:		Address:	
City:		State:	Zip
Telephone#:			
Type of Property and Extent of Damage:			

Nancy Westman

From: nd@occinc.com
Sent: Friday, June 12, 2020 10:39 AM
To: Nancy Westman
Subject: Ticket: 20066267

NORTH DAKOTA ONE CALL

You can check that the ticket information and mapping location are correct, and that no work will take place outside the area indicated on the map, by clicking on the TicketLINK. Should any changes be needed, you can use the 'Update' or 'Correct' Ticket functions on ITIC.

The map is ONLY used to determine which facility operators may have facilities in your dig area. The Utilities do NOT receive a copy of this map. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket.

The TicketLINK may also be used to view utility status, request a 'Relocate' or 'Cancel' a request. If you have any questions, call 563-884-7762.

Ticket Summary

NOTICE OF INTENT TO EXCAVATE		LORQ ROUTINE	
Request #:	20066267		
Original Call Date:	06/12/20	Time:	10:35 AM CT
Work to Begin Date:	06/17/20	Time:	12:01 AM CT
Expiration Date:	07/08/20	Time:	12:01 AM CT
Type:			WEB

Work Information

Location: County:	WARD	City:	MINOT	City Limits:	Y
Address / Street:	615 BURDICK EXPY E				
Near Intersection:	9TH ST SE				
Map Twp:	155N	Rng:	83W	Sect-Qtr:	24-SE-NE

Excavation Type:	Depth: 8FT	Explosives:	N	Tunneling/Boring:	Y
White lining/site identification:	WHITE MARKING				
Type of Work:	INSTALL URD F.O.				

Extent of Work:

MARK 50 FEET EITHER SIDE OF THE FLAGGED ROUTE - WHITE FLAGGED ROUTE. MARK FOLLOWING THE ROUTE W FOR 796 FEET, THEN NW 126 FEET. FROM THE INTERSECTION OF BURDICK EXPY E AND 9TH ST SE, HEAD WEST ON E BURDICK EXPY TOWARD 9TH ST SE FOR 13 FT. TURN RIGHT ONTO 9TH ST SE FOR 88 FT, HEAD W FOR 22 FEET TO THE BEGINNING OF THE ROUTE.

Remarks:

Caller Information

Company:	CENTRAL TRENCHING INC	Call Back:	
Address:	5200 7TH AVE; MINOT, ND 58701		
Contact Email:	nwestman@centraltrenching.com		
Work For:	SRT		
Contact Name:	NANCY WESTMAN	Phone:	701-837-8378 Ext.: 102
Type:	CONTRACTOR		
Alt. Contact:	CODY GOETZ - 1ST	Phone:	701-720-9427

Members Notified

Code	COMPANY NAME	Phone
MDU01	MONTANA DAKOTA UTI	(406)728-9343
MIDCON26	MIDCONTINENT CABLE	(605)271-0202
MINOT01	CITY OF MINOT WATE	(701)857-4140
MINOT02	CITY OF MINOT LIGH	(701)857-4100
NDXCEL01	XCEL ENERGY	(800)848-7558
SOURIS01	SOURIS RIVER TELEC	(888)355-2515

Location Information

Number of Excavation Locations: 1

Below are the farthest NW and SE coordinates of the Excavation Polygon(s).
Please use "Link to Tkt" to access all points.

Poly 1: NW Lat: 48.2333515 Lon: -101.2836413 SE Lat: 48.2327395 Lon: -101.2795000

Excavator Responsibilities

- * To verify the ticket information and location mapping, click on the TicketLink. Should any changes be needed, you can use the 'Update' ticket function listed on the ticket.
The map is used to determine which facility operators may have facilities in your dig area. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket and all work should be contained in the mapped area.
- * The TicketLink may also be used to view the utility status, request a 'Re-spot', 'Cancel' or 'Update' of a locate request. If you have any questions please email ialead@occinc.com.

Nancy Westman

From: nd@occinc.com
Sent: Friday, June 12, 2020 10:39 AM
To: Nancy Westman
Subject: Ticket: 20066266

NORTH DAKOTA ONE CALL

You can check that the ticket information and mapping location are correct, and that no work will take place outside the area indicated on the map, by clicking on the TicketLINK. Should any changes be needed, you can use the 'Update' or 'Correct' Ticket functions on ITIC.

The map is ONLY used to determine which facility operators may have facilities in your dig area. The Utilities do NOT receive a copy of this map. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket.

The TicketLINK may also be used to view utility status, request a 'Relocate' or 'Cancel' a request. If you have any questions, call 563-884-7762.

Ticket Summary

NOTICE OF INTENT TO EXCAVATE	LORQ ROUTINE				
Request #:	20066266				
Original Call Date:	06/12/20	Time:	10:35 AM CT	Type:	WEB
Work to Begin Date:	06/17/20	Time:	12:01 AM CT		
Expiration Date:	07/08/20	Time:	12:01 AM CT		

Work Information

Location: County:	WARD	City:	MINOT	City Limits:	Y
Address / Street:	612 BURDICK EXPY E				
Near Intersection:	9TH ST SE				
Map Twp:	155N	Rng:	83W	Sect-Qtr:	24-SE-NE

Excavation Type:	Depth: 8FT	Explosives:	N	Tunneling/Boring:	Y
White lining/site identification:	WHITE MARKING				
Type of Work:	INSTALL URD F.O.				
Extent of Work:	MARK ENTIRE PROPERTY.				

Remarks:

Caller Information

Company:	CENTRAL TRENCHING INC	Call Back:	
Address:	5200 7TH AVE; MINOT, ND 58701		
Contact Email:	nwestman@centraltrenching.com		
Work For:	SRT		
Contact Name:	NANCY WESTMAN	Phone:	701-837-8378 Ext.: 102
Type:	CONTRACTOR		
Alt. Contact:	CODY GOETZ - 1ST	Phone:	701-720-9427

Members Notified

Code	COMPANY NAME	Phone
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MDU01	MONTANA DAKOTA UTI	(406)728-9343
MDUHP04	MONTANA DAKOTA UTI	(800)638-3278
MIDCON26	MIDCONTINENT CABLE	(605)271-0202
MINOT01	CITY OF MINOT WATE	(701)857-4140
MINOT02	CITY OF MINOT LIGH	(701)857-4100
NDXCEL01	XCEL ENERGY	(800)848-7558
SOURIS01	SOURIS RIVER TELEC	(888)355-2515

Location Information

Number of Excavation Locations: 1

Below are the farthest NW and SE coordinates of the Excavation Polygon(s).
Please use "Link to Tkt" to access all points.

Poly 1: NW Lat: 48.2328429 Lon: -101.2833760 SE Lat: 48.2323550 Lon: 101.2824599

Excavator Responsibilities

- * To verify the ticket information and location mapping, click on the TicketLink. Should any changes be needed, you can use the 'Update' ticket function listed on the ticket.
- * The map is used to determine which facility operators may have facilities in your dig area. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket and all work should be contained in the mapped area.
- * The TicketLink may also be used to view the utility status, request a 'Re-spot', 'Cancel' or 'Update' of a locate request. If you have any questions please email ialead@occinc.com.

Nancy Westman

From: nd@occinc.com
Sent: Friday, June 12, 2020 10:39 AM
To: Nancy Westman
Subject: Ticket: 20066268

NORTH DAKOTA ONE CALL

You can check that the ticket information and mapping location are correct, and that no work will take place outside the area indicated on the map, by clicking on the TicketLINK. Should any changes be needed, you can use the 'Update' or 'Correct' Ticket functions on ITIC.

The map is ONLY used to determine which facility operators may have facilities in your dig area. The Utilities do NOT receive a copy of this map. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket.

The TicketLINK may also be used to view utility status, request a 'Relocate' or 'Cancel' a request. If you have any questions, call 563-884-7762.

Ticket Summary

NOTICE OF INTENT TO EXCAVATE		LORQ ROUTINE	
Request #:	20066268		
Original Call Date:	06/12/20	Time:	10:35 AM CT
Work to Begin Date:	06/17/20	Time:	12:01 AM CT
Expiration Date:	07/08/20	Time:	12:01 AM CT
		Type:	WEB

Work Information

Location: County:	WARD	City:	MINOT	City Limits:	Y
Address / Street:	615 BURDICK EXPY E				
Near Intersection:	9TH ST SE				
Map Twp:	155N	Rng:	83W	Sect-Qtr:	24-SE-NE

Excavation Type:	Depth: 8FT	Explosives:	N	Tunneling/Boring:	N
White lining/site identification:	WHITE MARKING				
Type of Work:	INSTALL URD F.O.				
Extent of Work:	MARK ENTIRE PROPERTY.				
Remarks:					

Caller Information

Company:	CENTRAL TRENCHING INC	Call Back:	
Address:	5200 7TH AVE; MINOT, ND 58701		
Contact Email:	nwestman@centraltrenching.com		
Work For:	SRT		
Contact Name:	NANCY WESTMAN	Phone:	701-837-8378 Ext.: 102
Type:	CONTRACTOR		
Alt. Contact:	CODY GOETZ - 1ST	Phone:	701-720-9427

Members Notified

Code	COMPANY NAME	Phone
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MDU01	MONTANA DAKOTA UTI	(406)728-9343
MIDCON26	MIDCONTINENT CABLE	(605)271-0202
MINOT01	CITY OF MINOT WATE	(701)857-4140
MINOT02	CITY OF MINOT LIGH	(701)857-4100
NDXCEL01	XCEL ENERGY	(800)848-7558
SOURIS01	SOURIS RIVER TELEC	(888)355-2515

Location Information

Number of Excavation Locations: 1

Below are the farthest NW and SE coordinates of the Excavation Polygon(s).
Please use "Link to Tkt" to access all points.

Poly 1: NW Lat: 48.2339794 Lon: -101.2844457 SE Lat: 48.2326504 Lon: -101.2796037

Excavator Responsibilities

- * To verify the ticket information and location mapping, click on the TicketLink. Should any changes be needed, you can use the 'Update' ticket function listed on the ticket.
- * The map is used to determine which facility operators may have facilities in your dig area. The precise excavation area and scope of work MUST be described in the extent of work field on the ticket and all work should be contained in the mapped area.
- * The TicketLink may also be used to view the utility status, request a 'Re-spot', 'Cancel' or 'Update' of a locate request. If you have any questions please email ialead@occinc.com.