



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 Vertex, Lakin Pullman | Street Address 2101 4th Avenue NE, Unit 210 | City Watford City | State and Zip Code ND, 58854 |
| Telephone and Cell Phone Number | Email Address lpullman@vertex.ca | | Date 09/15/2020 |
| <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 Alturas Energy, LLC | Street Address | City | State and Zip Code Nort Dakota |
| Telephone and Cell Phone Number 214-769-5560 | Email Address mcox@rockoilcorp.com | | |

PART C – ALLEGED VIOLATION

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|---|
| <input checked="" 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 checked="" 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: Three abandoned oil well pads in East Fairview CDP, ND, on the West edge of McKenzie County, ND, off of County Route 38, near Sidney Montana. |
| Date and Time of Violation: From 15:30 on 09/09/2020, to 07:30 on 09/15/2020. |
| 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> Submitted tickets 20128400, 20128402, and 20128404 through North Dakota One Call website (https://nd.itic.occinc.com/) between 15:00 and 15:30 on 09/09/2020 in preparation for required excavation on abandoned oil well pads. Alturas Energy, LLC failed to mark specified sites or respond in any way within the required 48 hours, or after. We have attempted communication through all available contact information and still have had no response from Alturas Energy, LLC. We will now need to proceed with excavation with incomplete information due to the lack of compliance. |

PART D – DAMAGE

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|--|----------|------------------------------|
| 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 Lakin Pullman | Date 09/15/2020 |
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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