



# 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/LAURA KRAFT	Street Address 107 10TH ST SW	City WATFORD CITY	State and Zip Code ND, 58854
Telephone and Cell Phone Number 206-755-4310	Email Address LAURA.KRAFT@MDU.COM		Date 10/15/2020
<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 ENYWHEY SERVICES, LLC	Street Address 5722 22ND AVE W	City WILLISTON	State and Zip Code ND 58801
Telephone and Cell Phone Number ALEX JOHNSON 701-570-6573 OR DANA HANSEN 701-570-8271			Email Address alex@enywheyservices.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 checked="" 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 checked="" 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: 1912 GRANITE RD, WATFORD CITY, ND 58854
Date and Time of Violation: 09/29/2020 AT 11:00 AM CT
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> EXCAVATOR LOCATE TICKET INVALID/EXPIRED OVER TEN DAYS – ORIGINAL TK #20118500 - HIT MDU 2" GAS MAIN

## PART D – DAMAGE

Fatalities N/A	Injuries N/A	In-patient Hospitalization N/A
Underground facility type(s) and Operator(s) affected: 2" PLASTIC GAS MAIN		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$1000		Number of Customers Affected 2
Other impact of event: CAUSED AN UNNECESSARY INTERRUPTION TO TWO GAS CUSTOMERS AND STRAINED RESOURCES ALLOCATED TO OTHER PROJECTS		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 10/15/2020
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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



## INCIDENT INVESTIGATION #198279

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1912 Granite Rd , Watford City, ND

### LOCATION DETAILS

**Event Date:** 09/29/2020 10:07 AM America/Denver

**Right-of-Way:**

### AFFECTED FACILITY

**Near Miss:** No

**Type of Operation Affected:** Gas

**Line Size and Type:** 2" Plastic

**Facility part of joint trench:** No

**Asphalt or concrete removed:** No

**Damage Surface Type and Depth:** Dirt > 36"

**Arrival Date and Time:** 09/29/2020 04:29 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:**

**Contractor Representative Phone Number:**

**Personnel On Site:** 1 supervisor, 2 tech

**Vehicles/Equipment Being Used For Repairs:** 3 trucks, backhoe

**Guards or Barricades On Site:** Trucks

**Facilities Replaced or Repaired:** Repaired

**Replacement Type:** Permanant

**Occurred During:** Business Hours

**Time Occurred:** 10:30 AM America/Denver

## **DAMAGER**

**Company Name:** Enywhey Services LLC

**Contact:** Alex Johnson

**Contact Phone:** (701) 570-6573

**Type of Work:** New Home

**Damage Responder:** Lindy, Schwab

## **UTILITY INFORMATION**

**Utility Company Name:** Montana Dakota Utilities

**Utility Contact Name:** Laura

**Utility Contact Phone:**

**Utility Representative:** Laura

**Utility Rep Tech#:**

**Utility Rep. Present on Arrival:** Yes

## **EXCAVATION INFORMATION**

**Excavator Type:** Contractor

**Excavation Equipment:** Backhoe/Trackhoe

**Work Performed:** Bldg. Construction

**Excavator downtime?** No

**Downtime hours:** No

**Downtime cost:** No

## **NOTIFICATION AND LOCATING**

**One Call Center notified:** Yes

**Locator Type:** Contract Locator

**Work area white-lined:** No

**Ticket Number:** 20118400

**Date Located:** 08/25/2020 01:31 PM America/Denver

**Located By:** Michael

## **INTERRUPTION AND RESTORATION**

**Event cause Interruption:** Yes

**Interruption hours:**

**Customers Affected (approx.):** 2

## ROOT CAUSE

**Damage within described dig area:** Yes

**Damage within legal time of request limit:** No

**Marks destroyed by construction:** Yes

**Marks destroyed by weather:** Yes

**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:** Yes

**Damage with Tolerance Zone:** Yes

**No Locates on Facility:** No

**Damage Exposed Facility:** No

## COMMENTS

**Assessment Comments:** Ticket expired 9/18/20. Pictures from last locate were spot on. 2" plastic main was hit in front of home being built.

# INCIDENT AND SURVEY COMPARISON PHOTOS

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## SURVEY PHOTO



Date: 08/25/2020 03:23 PM America/Denver

Latitude: 47.816111

Longitude: -103.250833

Heading: 335 degrees

## INCIDENT COMPARISON PHOTO



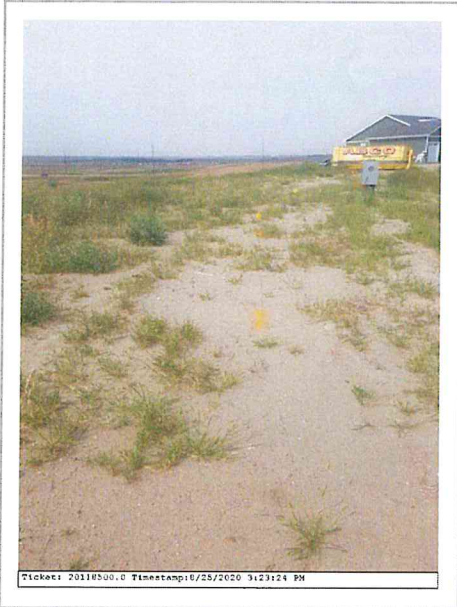
Date: 09/29/2020 01:08 PM America/Denver

Latitude: 47.816551

Longitude: -103.250945

Heading: 306 degrees

## SURVEY PHOTO



Date: 08/25/2020 03:23 PM America/Denver

Latitude: 47.816111

Longitude: -103.250833

Heading: 327 degrees

## INCIDENT COMPARISON PHOTO



Date: 09/29/2020 01:08 PM America/Denver

Latitude: 47.816312

Longitude: -103.250964

Heading: 310 degrees

## NEW INCIDENT PHOTOS



Date: 09/29/2020 01:08 PM  
America/Denver

Latitude: 47.816269

Longitude: -103.250946

Heading: 140 degrees



Date: 09/29/2020 01:08 PM  
America/Denver

Latitude: 47.816421

Longitude: -103.250471

Heading: 221 degrees



Date: 09/29/2020 01:15 PM America/Denver

Latitude: 47.816369

Longitude: -103.250922

Heading: 174 degrees