



ATTN: Victor Schock
Public Utilities Division
North Dakota Public Service Commission
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

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

Dear Victor,

I am writing in response to the subject ND One-Call complaint filed by Laura Kraft of MDU, complaint filed 10/15/20. The following is my written account of the events that occurred, starting from when the line strike occurred. The account shared is what has been represented to me by my onsite supervisor that day.

In the morning hours of 9/29/2020, Enyweh Services exposed utilities believed to be within the scope of excavation via hydro-excavation. The MDU gas line was day-lighted upstream and downstream of where the sewer line excavation was to take place. Line strike occurred at approximately 10:50am. Immediately following the line strike, Dana (site supervisor) called MDU to report the incident. After calling MDU, Dana was instructed to call 911 and that representatives from MDU would arrive onsite. Dana then called 911. At approximately 11:10 am a McKenzie County Sheffifs deputy arrived and instructed Dana not to go near the strike, or move any vehicle or equipment, then left. The Watford City fire department arrived shortly thereafter and re-instructed Dana and crew not to go near the line strike or move/start any vehicles or equipment, then left shortly after. MDU service crew arrived onsite at approximately 12:20pm. Dana spoke with the crew about the events that took place and asked for direction from the MDU crew on what he needed to do. Dana was told that the struck line was not currently in service to any properties, and would not disrupt any service. MDU crew then waited for approximately two hours before crimping, and fixing the line. The line was fixed by approximately 3:50pm.

In regards to the alleged violations, I agree that we failed to renew the locate request in a timely manner to ensure a valid locate for the continued excavation. Although, I disagree to the claim that the locate had expired ten days prior. At the time of the line strike, the locate was seven days expired, though expired nonetheless. I also do not agree that we failed to maintain the locate markings, as can be seen from the incident investigation photos. I also disagree with the alleged violation that "excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation", as is evident



ENYWHEY SERVICES, LLC

Williston, ND

from locate request #20121888. Ultimately, I believe we are guilty of one of the three alleged violations, failure to renew the locate request.

Dana, the site supervisor in charge, I believe used proper due diligence to hydro-vac and daylight the gas line upstream and downstream of the excavation area, but failed to use proper judgment in assuming the path of the line. Dana also used poor judgment in not submitting a relocate request. Dana has since been reprimanded by the guidelines of Enywhewy Services' employee adherence and disciplinary handbook. He was suspended for two weeks without pay for violating Enywhewy's policy on ND One-Call excavation standards.

If you have any questions or concerns on these statements or accounts, feel free to reach out to me at the address below.

Best Regards,

Alex Johnson

President

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