



# 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 Belle Fourche Pipeline Company	Street Address 301 E HWY 10	City Belfield	State and Zip Code ND 58622
Telephone and Cell Phone Number (701) 575-2205 Cell (701) 260-3465	Email Address shawn.kadrmass@trueecos.com		Date 11/13/2020
<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 Pennington Fence/ Ian Pennington	Street Address 16302 Bennie Pierre RD	City Sidney	State and Zip Code MT 59270
Telephone and Cell Phone Number (406) 489-0611	Email Address penningtonranch@hotmail.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 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: 145N 104W Sec22 47.363334 103.874468
Date and Time of Violation: 11/11/2020 12:00pm
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> Please see attached One Call violation description.

## 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 	Date 11/19/2020
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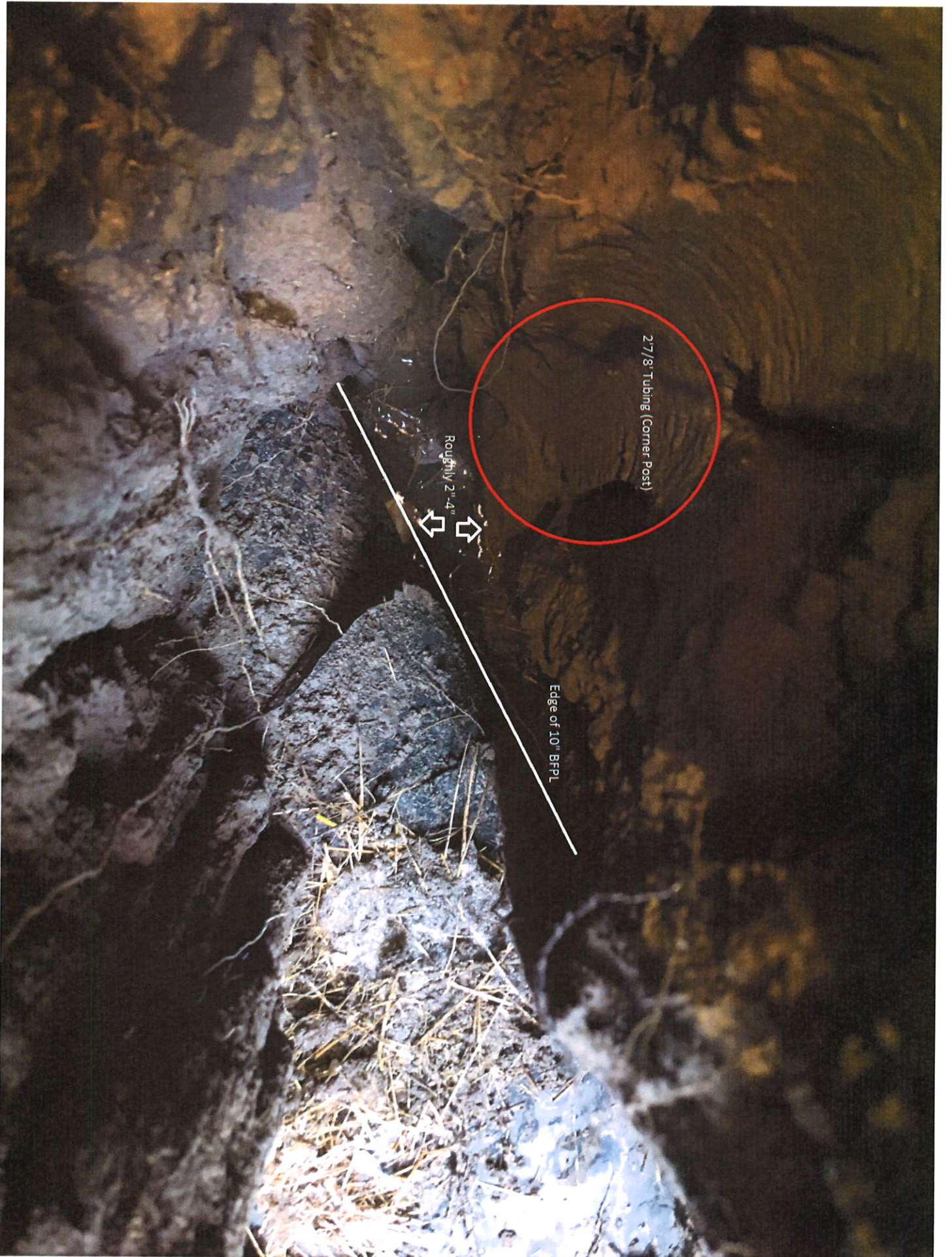
Submit
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If the "Submit" function is not working properly, please print the completed form and then either **email to** ndpsc@nd.gov, **fax to** 701-328-2410 or **send to** Public Service Commission, 600 E Boulevard Ave Dept 408, Bismarck ND 58505-0480.

Telephone: (701) 328-2400

### ND One-Call Complaint Description

On November 11th one of our employees was responding to a One Call ticket on our Bicentennial 10" crude oil line. While out on this locate he noticed a new fence had been installed recently in the area. He took a closer look at the fence and where it was installed and found that fence had crossed our 10" crude oil line and a gate post had been place about 1' from our 10" crude oil line (see picture 1). No one call was placed for this area the fence had been installed. Our field folks did a little investigating and got in contact with the fencing contractor that built the fence and explained to them the importance of placing a one call and also told them that we will have to verify with a hydro vac that there wasn't any damage to our pipe. Hydro vac took place on 11/12/2020 to which we verified the gate post to be about 2" to 4" from our pipe and about 1' deeper in the ground then our pipe.



2 7/8" Tubing (Corner Post)

Roughly 2"-4"



Edge of 10" BFP L

