



Public Service Commission

State of North Dakota

COMMISSIONERS

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

April 8, 2021

Curt Olson
Montana-Dakota Utilities Co.
1130 20th Ave SW
Minot, ND 58701

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

Dear Curt:

Enclosed is a copy of a ND One-Call Complaint, against Montana-Dakota Utilities, Co., received by the North Dakota Public Service Commission on April 7, 2021, from Corinne Houim at Central Trenching Inc., of Minot, ND, Case Number PU-21-135. The location of the damage identified in the complaint is approximately the intersection of 2nd St SE and 3rd Ave SE, 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 April 23, 2021**, 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 Montana-Dakota Utilities Co. 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: Corinne Houim

2 PU-21-135 Filed: 4/8/2021 Pages: 9
Letter enclosing North Dakota One-Call Complaint

Public Service Commission
Victor Schock



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 Central Trenching Inc / Corinne Houlm	Street Address 500 50th St SW	City Minot	State and Zip Code ND 58701
Telephone and Cell Phone Number 701-837-8378	Email Address choulm@centraltrenching.com		Date 04/07/2021
<input 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 Montana-Dakota Utilities	Street Address 1130 20th Ave SW	City Minot	State and Zip Code ND 58701
Telephone and Cell Phone Number 701-857-9902	Email Address		

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 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 checked="" type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) <u>Utility failed to locate roughly 8' of an abandoned line still attached to main line</u>
Location of Violation: corner of 2nd St SE & 3rd Ave SE Minot, ND
Date and Time of Violation: April 6th, 2021 - 11:53am
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> Gas main running east to west was marked, located and verified via potholing at 5'1" - bore rod crossed at 3' then scraping down with backhoe to bore rod the tooth caught an unmarked 2" service line roughly 18" deep that came straight up from the main line and went south for approximately 8' that had been retired incorrectly. Unmarked retired line was no longer on locate company's map anymore.

PART D – DAMAGE

Fatalities none	Injuries none	In-patient Hospitalization none
Underground facility type(s) and Operator(s) affected: Gas - MDU		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ unknown	Number of Customers Affected unknown	
Other impact of event: CTI's was down for 2 hours with 4 guys due to this incident		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 4/7/2021
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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

Gas hit 4/6/21 -
 not our fault
 service line stubbed
 up from main
 capped off about
 18" ~~from~~ deep only

Nancy Westman

From: nd@occinc.com
Sent: Thursday, March 25, 2021 10:22 AM
To: Nancy Westman
Subject: Ticket: 21012183

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 #:	21012183	Time:	10:20 AM CT	Type:	WEB
Original Call Date:	03/25/21	Time:	12:01 AM CT		
Work to Begin Date:	03/30/21	Time:	12:01 AM CT		
Expiration Date:	04/20/21	Time:	12:01 AM CT		

Work Information

Location: County:	WARD	City:	MINOT	City Limits:	Y
Address / Street:	310 2ND ST SE				
Near Intersection:	4TH AVE SE				
Map Twp:	155N	Rng:	83W	Sect-Qtr:	24-SW-NW

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 ROUTE MARKED IN WHITE PAINT - WHITE FLAGGED/PAINTED ROUTE. MARK FOLLOWING THE ROUTE S FOR 37 FEET, THEN E 101 FEET, THEN N 237 FEET, THEN E 205 FEET, THEN N 102 FEET. GOOGLE DRIVING DIRECTIONS: FROM THE INTERSECTION OF 2ND ST SE AND 4TH AVE SE, HEAD WNW FOR 165 FEET TO THE BEGINNING OF THE ROUTE.

Remarks:

MILTON YOUNG TOWERS

W.O. 20212252

Caller Information

Company:	CENTRAL TRENCHING INC	Call Back:	
Address:	500 5TH ST; MINOT, ND 58701		
Contact Email:	nwestman@centraltrenching.com		
Work For:	SRT		
Contact Name:	NANCY WESTMAN	Phone:	701-837-8378 Ext.: 102
Type:	CONTRACTOR		

Justin M.

Alt. Contact: JUSTIN MATHESON - 1ST CONTACT

Phone: 701-720-6948

Members Notified

Code	COMPANY NAME	Phone
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
NDXCELO1	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: 48.2337767 Lon: -101.2908328 SE Lat: 48.2325815 Lon: 101.2890773

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.









