



3685 116th Ave SW, Dickinson, ND 58601 Ph:701-483-3478 Fax:701-483-3479

To: North Dakota Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

Case Number PU-21-361

August 20, 2021

Commissioners,

In regards to the complaint by Alliance Pipeline, it is Martin Construction's position that:

- The OneCall was correctly placed and active during the time of excavation (Ticket #21084394).
- Alliance Pipeline correctly marked the line.
- The on-site superintendent took steps to protect the line and maintained a clearance per section 49-23-05 Line Item 1.
- It is stated in the complaint that "No damage found to the natural gas transmission pipeline."

In regards to the complaint that the "Excavator did not notify pipeline company so they could be on site for the excavation." I see no provisions in NDCC 49-23 that specify this as a requirement and no specific section of NDCC 49-23 was listed in the complaint as required. We do not believe that this is a Century Code violation.

Respectfully,

A handwritten signature in black ink that reads "Nathan Kemp". The signature is written in a cursive, flowing style.

Nathan Kemp
Project Manager
Martin Construction