



# 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 DARWIN JOHNSON	Street Address 2994 160TH AVE NW	City FAIRVIEW	State and Zip Code MONTANA 59221
Telephone and Cell Phone Number 406-478-0766	Email Address dorothy56cht@hotmail.com		Date 10/13/2021
<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 LOWER YELLOWSTONE IRRIGATION PROJECT	Street Address 2327 LINCOLN AVE SE	City SIDNEY	State and Zip Code MONTANA 59270
Telephone and Cell Phone Number 406-433-1306	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 checked="" 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 checked="" 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) EXCAVATOR FAILED TO MARK PERIMETER OF EXCAVATION LOCATION NO flags
Location of Violation: 2994 160TH AVE NW MC KENZIE COUNTY, NORTH DAKOTA
Date and Time of Violation: 10/12/2021 DO NOT KNOW THE TIME WE WERE AT A FUNERAL
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> TICKET NUMBER 21125593 TYPE OF WORK CLEAN DRAIN INSTEAD DUG THRU 160TH AVE NW TO REPLACE CULVERT NOT STATED ON ONE CALL

## PART D – DAMAGE

Fatalities	Injuries	In-patient Hospitalization
Underground facility type(s) and Operator(s) affected: PHONE LINE 701-744-5196		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$	Number of Customers Affected 1	
Other impact of event: LOSS OF SERVICE CONSIDER \$100.00 A DAY UNTIL SERVE IS RESTORED. WE HAD A DEATH IN THE FAMILY DURING THIS TIME NOT EVERYONE KNOWS OUR CELL NUMBERS.		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint DARWIN B. JOHNSON	Date 10/13/2021
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<b>Submit</b>
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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