

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Chaznline Construction, Inc.**  
**Damage Prevention Enforcement**

**Case No. PU-21-418**

**ORDER ON COMPLAINT WITHDRAWAL**

**March 30, 2022**

**Preliminary Statement**

On October 25, 2021, the Commission received a ND One-Call Complaint from Kinder Morgan alleging a violation by Chaznline Construction, Inc. (Chaznline) of North Dakota Century Code (NDCC) chapter 49-23: One-Call Excavation Notice System.

On October 26, 2021, the Commission sent a letter to Chaznline enclosing the October 25, 2021, Complaint, requesting a response by November 9, 2021.

Chaznline has not responded to the Commission's October 26, 2021, letter.

On January 5, 2022, Public Service Commission Advocacy Staff (Advocacy Staff) filed a complaint alleging that Chaznline violated NDCC section 49-23-04(4) of the ND One-Call Excavation Notice System by beginning an excavation prior to receiving notice that all facilities in the excavation area have been located or cleared or the expiration of the locate period (Complaint).

On February 2, 2022, the Commission found Advocacy Staff's Complaint states a prima facie case and served the Complaint by certified mail on Chaznline.

On March 2, 2022, the Commission's certified mail receipt was returned as unclaimed and unable to forward.

On March 4, 2022, Advocacy Staff filed a Memorandum with supplemental information regarding Chaznline and its Complaint.

**Discussion**

Chaznline Construction, Inc. (Chaznline) was registered as a foreign corporation with offices located at 13524 Highway 16, Sidney, MT 59270-0215. Chaznline is listed as inactive – involuntary and not in good standing with the North Dakota Secretary of State. Due to this status, there is no registered agent listed.

Advocacy Staff's March 4, 2022, Memorandum states that Chaznline was involuntarily deactivated by the North Dakota Secretary of State on July 9, 2020. Advocacy Staff believes that continuing to pursue Chaznline would be a futile effort that would only result in an inefficient use of Commission resources. The Memorandum further states that, since there was no damage caused by the incident, and since the maximum penalty recommended by Advocacy Staff was \$500, and since the likely result of additional efforts would be a finding that Chaznline is a defunct company that no longer exists, Advocacy Staff requests to withdraw its Complaint and Commission close the case.

Having considered this matter, the Commission finds Advocacy Staff's request to withdraw its Complaint and close the case should be granted. Therefore, the Commission issues the following:

**Order**

1. Advocacy Staff's request to withdraw its January 5, 2022, Complaint against Chaznline Construction, Inc. is GRANTED.
2. Case No. PU-21-418 is closed.

**PUBLIC SERVICE COMMISSION**

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

  
Sheri Haugen-Hoffart  
Commissioner