

# McLaughlin

## **CONSTRUCTION**

12-27-21

**Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480**

Re: Ticket 21141583

Mr. Schock,

McLaughlin Construction was hired to remove and replace existing decks on an apartment building, address 2000 21<sup>st</sup> Ave. S., Fargo, ND. Materials for this project were ordered in April 2021 but due to Covid we still have not received the materials yet. Since winter was approaching we knew we had to get the concrete completed so I called in locates to get started. After locates were completed on October 20, 2021, I did a thorough inspection of the site to identify if there are any conflicts with utilities. The only potential conflict was one pier had Sparklight within a foot of the pier location. 702 Communications did not have any marks or flags in the areas we were drilling piers.

I have many projects so I hired Zack Long to drill the piers for us. On October 22, 2021 I again walked the site with Zack to go over any conflicts. Zack will confirm there were not any 702 Communications markings in areas where we were drilling piers.

Zack started drilling piers on October 26. He drilled all but (4) piers but we ran into ground water issues and we halted construction and contacted the engineer for advice. We did not receive direction on how to proceed until November 22 so there was a substantial delay. On November 23 we continued with the final (4) holes.

Zack contacted me that there was an orange conduit on the edge of the second hole he drilled. We immediately halted construction and investigated. I wasn't sure whose conduit it was since there weren't any locates in that area but it looked like fiber. My field notes indicated that 702 Communications had fiber in the area so I called 702.

Mike Day came to the jobsite with an assistant. He called his locator to determine if the conduit was 702 Communications. As we were waiting for the locator Mike Day's assistant indicated to me that he did not think the line was marked. The locator did determine that the line was 702 Communications line. Mike and his assistant thanked me for contacting them.

I have been in the construction industry for many years and take my profession very serious and always try to do things correctly. This last year has been very challenging for all of us with delays of materials, shortages etc. Scheduling has virtually been impossible. I can only say that this incident was an aberration.

Sincerely,  
Jon B. McLaughlin  
President

Cc:File

1606 Maple Place  
West Fargo, ND 58078

3 PU-21-435 Filed 12/27/2021 Pages: 1  
Response to North Dakota One-Call Complaint  
McLaughlin Construction Co.  
Jon McLaughlin Phone: 701-261-7543