

Memorandum

To: Commissioners Haugen-Hoffart, Fedorchak and Christmann

From: Victor Schock Public Utility Analyst 

Date: February 25, 2022

Re: ND One-Call Complaint
Case No. PU-22-71

On February 2, 2022, a ND One-Call Complaint was received from Joe Storbakken with the City of Abercrombie alleging that Dirt Dynamics violated North Dakota Century Code (NDCC) Chapter 49-23 One-Call Excavation Notice System law by failing to renew an excavation or location notice prior to the expiration of the twenty-one day period.

Staff investigation found that on December 16, 2021, Dirt Dynamics personnel contacted the One Call Notification Center (OCNC) notifying them of their intent to begin an excavation on December 21, 2021 at 605 Sheyenne Dr, Abercrombie, ND 58001. THE OCNC assigned ticket number 21165035 to the excavation notice. Per NDCC section 49-23-04(6)(g), the expiration date for the ticket was January 11, 2022. On January 27, 2022 Dirt Dynamics personnel were moving snow at this same address when they struck a curb box. The impact to the curb box caused a leak in the below ground water line shutoff valve. Upon realizing the damage, Dirt Dynamics contacted the City of Abercrombie to advise them of the damage. The following day Dirt Dynamics assisted in completing the repair to the underground water line. Staff believes Dirt Dynamics was moving snow and did not intend to conduct an excavation, and therefore the North Dakota One Call Law would not be applicable to the incident.

Based on its investigation staff does not intend to file a formal complaint recommends that no further action be taken and the case be closed.