



# 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 Terry & Betty Clementich	Street Address 1101 23rd st NW	City Minot	State and Zip Code ND 58703
Telephone and Cell Phone Number 7017202535	Email Address clem1234@srt.com	Date May 16, 2022	
<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 Niorwest Concrete Mike Small	Street Address 2202 4th Ave NW	City Minot	State and Zip Code ND 58703
Telephone and Cell Phone Number 7016517716	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 checked="" type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input 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 checked="" 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 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 type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____
Location of Violation: 1101 23rd st NW
Date and Time of Violation: 6/25/2020
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>  Mike came to our house 1101 23rd st NW to pour concrete, color, stamp, widen steps. Mike dug out dirt and nik a power line. He( didnt) call 811, then in October our eletric went out, toke a whole week find out what had happen, Then CTI had to cute hole in are new concrete, then Mike had to cut a hole also, Almost two years later we still have the holes and no sign from Mike, I turn this ove the Office of Attorney General and he told me I should make a complaint with you because he ddnt believe this is his fault. Cost of concrete 24,000.

## PART D – DAMAGE

Fatalities Back yard patio	Injuries	In-patient Hospitalization
Underground facility type(s) and Operator(s) affected: electric line		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$	Number of Customers Affected	
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

## PART I – SIGNATURE

Signature of Person Filing Complaint Terry And Betty Clementich	Date 5.16.22
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Submit

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