

Crockford, Konrad S.

From: Crockford, Konrad S.
Sent: Friday, May 20, 2022 16:11
To: Sederquist, Dave
Cc: Regulatory.Records; KURT STELLRECHT
Subject: RE: ND One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23
Attachments: Letter enclosing North Dakota One-Call Complaint - Updated Response Date.pdf

Dave,

Thank you for reaching out. I apologize for the error. The response date should be listed as June 3, 2022. Attached is the same notice with the updated date.

Konrad Crockford
Director, Compliance Division

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Auction Licensing • Risk Management • Damage Prevention*

701.328.4097 • kcrockford@nd.gov • www.psc.nd.gov

NORTH
Dakota | Public Service Commission
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From: Sederquist, Dave <dave.sederquist@xcelenergy.com>
Sent: Friday, May 20, 2022 16:02
To: Crockford, Konrad S. <kcrockford@nd.gov>
Cc: Regulatory.Records <Regulatory.Records@xcelenergy.com>; KURT STELLRECHT <stellartr@msn.com>
Subject: RE: ND One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23

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Hello Konrad, thanks for the heads-up on this. The letter was sent May 20th, but it lists a response deadline of May 4th. I presume that to be incorrect? Let me know what the intended date is – thanks!

Dave Sederquist
Xcel Energy
Sr. Regulatory Consultant
2302 Great Northern Drive | Fargo, ND 58102
P: 701.241-8632 C: 701-371-5256
E: dave.sederquist@xcelenergy.com

No trees were killed in the sending of this message. However, several electrons were terribly inconvenienced.

2 GS-22-198 Filed 05/20/2022 Pages: 4
Email enclosing letter requesting response to North Dakota One-Call Complaint
Public Service Commission
Konrad Crockford

From: Crockford, Konrad S. <kcrockford@nd.gov>
Sent: Friday, May 20, 2022 1:24 PM
To: Sederquist, Dave <dave.sederquist@xcelenergy.com>
Cc: Regulatory.Records <Regulatory.Records@xcelenergy.com>; KURT STELLRECHT <stellartr@msn.com>
Subject: ND One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23

Some people who received this message don't often get email from kcrockford@nd.gov. [Learn why this is important](#)

EXTERNAL - STOP & THINK before opening links and attachments.

Mr. Sederquist,

Please see the attached ND One-Call Complaint against Northern States Power Company/Xcel Energy, Inc.

Thank you,

Konrad Crockford
Director, Compliance Division

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Public Service Commission
State of North Dakota

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May 20, 2022

Dave Sederquist
Xcel Energy, Inc.
2302 Great Northern Dr.
Fargo, ND 58102
dave.sederquist@xcelenergy.com

via email only

Re: ND One-Call Excavation Notice System: North Dakota Century Code Chapter 49-23

Dear Mr. Sederquist:

Enclosed is a copy of a ND One-Call Complaint, against Northern States Power Company/Xcel Energy, Inc. received by the North Dakota Public Service Commission (Commission) on May 18, 2022, from Stellar Trenching, Inc., Fargo, North Dakota, Case Number GS-22-198. The location of the damage identified in the complaint is 4553 9th Ave. SW, Fargo, North Dakota.

I am sending you this information so that you are aware of the complaint and may respond with information concerning the complaint. **Please respond to Executive Secretary, North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480 by June 3, 2022**, with your written account of the event, including the applicable One-Call locate ticket number for work performed at the location indicated above.

Your response and the ND One-Call Complaint will be reviewed to determine whether there may be a violation of the One-Call Excavation Notice System law.

If I do not receive a response by the date noted, I will determine whether there was a violation, without your side of the story, based on the facts contained in this complaint. If I conclude a violation did occur, I will file a formal complaint against Northern States Power Company/Xcel Energy, Inc. with the Commission, which may result in a penalty up to \$25,000 per violation as approved by the North Dakota Legislative Assembly in 2013 under North Dakota Century Code Section 49-07-01.1.

Please contact me at 701-328-4097 or at kcrockford@nd.gov with any questions regarding this correspondence.

Sincerely,

Konrad Crockford
Director, Compliance Division

Enc: ND One-Call Complaint

c: Regulatory Records, regulatory.records@xcelenergy.com
Stellar Trenching, Inc., stellartr@msn.com



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 STELLAR TRENCHING INC / KURT STELLRECHT	Street Address 3316 42nd Ave S	City Fargo	State and Zip Code ND 58104
Telephone and Cell Phone Number 701-232-2699 OFF 218-790-2699 CEL	Email Address stellartr@msn.com	Date 5/18/2022	
<input checked="" 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 Northern States Power / XCELL	Street Address	City FARGO	State and Zip Code ND
Telephone and Cell Phone Number			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 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 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) <u>UtilityCompany- Xcell did not locate power lines</u>
Location of Violation: By the tk # 4553 9th Ave SW
Date and Time of Violation: 5/17/22 6 PM
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> POWER LINES THAT ARE BURIED TO A METER ON THE BUILDING THAT WERE NOT MARKED / LOCATED - TICKET NUMBER 22026760 ND ONE CALL

PART D – DAMAGE

Fatalities ZERO THANK THE LORD	Injuries ZERO THANK THE LORD AGAIN	In-patient Hospitalization ZERO
Underground facility type(s) and Operator(s) affected: POWER LINE AFFECTED , THANKS TO THE STRIKE ALERT ON THE MACHINE IT WOULD OF BE WORSE		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ NO IDEA IT IS MORE ABOUT SOMEONE LOSING THEIR LIFE	Number of Customers Affected ZERO .	
Other impact of event: WELL WITH SOME PUSH HOPEFULLY SOMETHING CHANGES AND THE UTILITY COMPANYS STARTS TO LOCATE THERE POWER LINES THAT THEY SAY ARE NOT THERE PROPERTY EVEN THOUGH THEY GO TO A METER ON THE BUILDING . THATS BESIDES THE POINT , ANY LINE COMING OUT OF THE TRANSFORMER OR THE BOX NEXT TO THE TRANSFORMER (I BELIEVE THEY CALL THEM TRANSITION BOX) STILL SHOULD BE LOCATED .		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint KURT STELLRECHT	Date 5/18/2022
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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