



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 Kinder Morgan/Ryan Farmer	Street Address 611 37th Ave SE Bldg. 29	City Williston	State and Zip Code ND 58801
Telephone and Cell Phone Number 701-339-6090	Email Address ryan_farmer@kindermorgan.com		Date 5/20/22
<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 Baha Petroleum Consulting	Street Address 7310 2nd Ave	City Williston	State and Zip Code ND 58801
Telephone and Cell Phone Number 701-570-4280/701-770-5922	Email Address bahaonecall@gmail.com		

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 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: Sacramento Federal 4-10H & 5-10H well site. NW of Intersection of 58th St NW and 119th Ave NW near Epping ND
Date and Time of Violation: 5/18/22 5:07pm
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> Baha Petroleum called in a one call ticket (22031628) that has a valid start date of 5/20/22. On 5/18/22 at approx. 5:07pm a Line Patroller for Kinder Morgan visited the site to perform the requested locate and discovered that excavation was already completed and crossed active KM assets on site. The contractor failed to wait the required 48 hours prior to beginning excavation.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: Electric cable owned by Kinder Morgan		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$0	Number of Customers Affected 0	
Other impact of event: None		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint 	Date 5/20/22
--	-----------------

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