



Public Service Commission
State of North Dakota

COMMISSIONERS

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July 26, 2022

Andrew Schriener
CenturyLink Communications, LLC
200 S 5th St
Minneapolis MN 55402

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

Dear Mr. Schriener:

Enclosed is a copy of the ND One-Call Complaint against CenturyLink Communications, LLC received by the North Dakota Public Service Commission (Commission) on July 13, 2022, from Larry L. Larson, Bismarck, North Dakota, Case Number DM-22-325. The location identified in the complaint is 1330 N 23rd Street, Bismarck, 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 August 12, 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 CenturyLink Communications, LLC 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: Larry L. Larson



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 Larry Larson	Street Address 1330 N 23rd Street	City Bismarck	State and Zip Code ND 58501-3002
Telephone and Cell Phone Number 701-255-1287 - c 701-220-5096	Email Address lalarson@bis.midco.net		Date July 13, 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 Century Link	Street Address unknown	City unknown	State and Zip Code unknown
Telephone and Cell Phone Number 800-283-4237 (possible phone contact from email received 7-12-2022)		Email Address unknown	

PART C – ALLEGED VIOLATION

<input checked="" 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 checked="" type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation <input checked="" 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) _____
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Location of Violation:

Utility easement located in the back of 1330 N 232rd Street, Bismarck, ND 58501-3002

Date and Time of Violation:

6-30-2022 and unknown time information was not correctly submitted to one call

Description (summarize the observations on which you rely to allege the violation) *If more space is required, please provide the description on a separate page.*

Ticket # 22064543 dated 6-30-22 requested underground gas & telephone be located. (Based on location done 4 years ago.) Ticket did not include telephone. An 811 call did not produce an answer to the phone lines being marked & told to identify the owner of the lines. A follow up with the PSC identified Century Link as the probable owner. Ticket # 22069524 was then made out on 7-8-22 identifying Century Link as the probable owner of the underground telephone lines. The locator came 7-12-22 and began marking out only the service to our home. A discussion with him, produced an answer that the lines on the map he had were to be all overhead. Based on our discussions, he located the pedestal 3 lots up to the North. He did his search from there, but was unable to locate the multiply lines in our backyard easement. This may be because of the age and deterioration of the tracking lines as he stated or the lines may all be unused as our service is disconnected from the underground line. The One Call information needs to be updated accurately by Century Link and the addresses still served by them be provided. Also One Call needs to identify specifically why a request is not included on the ticket.

PART D – DAMAGE

Fatalities None	Injuries None	In-patient Hospitalization None
Underground facility type(s) and Operator(s) affected: None		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ None		Number of Customers Affected 1
Other impact of event: Frustration to the property owner that knew several underground telephone lines were buried in the backyard easement. It was known from previous location about 4 years ago and professional experience with easements and platting.		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint Larry L. Larson	Date 7-13-2022
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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

Hamre, John G.

From: -Info-Public Service Commission
Sent: Wednesday, July 13, 2022 11:20 AM
To: Crockford, Konrad S.
Subject: FW: One call information on problem with Centery Link at 1330 N 23rd St, Bismarck, ND ticket #22064543

One-call complaint

From: Larry L. Larson <llarson@bis.midco.net>
Sent: Wednesday, July 13, 2022 10:26 AM
To: -Info-Public Service Commission <ndpsc@nd.gov>
Subject: One call information on problem with Centery Link at 1330 N 23rd St, Bismarck, ND ticket #22064543

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

This is to provide information on the problem of getting buried telephone lines at my home that was requested in Ticket # 22064543, dated June 30, 2022, and follow up Ticket # 22069524, dated July 8, 2022.

The original ticket requested underground utilities be marked at my home at 1330 N 23rd Street, Bismarck, ND 58501. The request was for the specific location of Gas and Telephone. The gas line was marked on July 5, 2022 and no telephone lines. A call to 811 as a follow up and was told to supply the name of the owner of the telephone lines as I understood they were not aware of anyone owning buried cable. A follow up call to the PSC provided the probable owner of the buried telephone lines would be Century Link. A new ticket was issued on July 8, 2022, # 22069524 listing Century Link for the telephone lines.

The locator came to our home on July 12th. I met with the person as he was locating our personal line and was not aware of any lines in the easement. (I was aware of them due to a location done in 2018 including multiple lines in the easement.) The locator said the map they had showed the lines as being overhead. The locator then located the pedestal 3 lots north of our lot and attempted to locate the multiple buried lines which was not successful due to very weak or problems with the trace lines.

I know my own private cable is no longer in service as our home phone is provided by the cable company. However, I would like to see Century Link correct the map and verify if the lines are no longer in service, as ours service is, so that future locations are correctly marked or documented to be out of service.,

Thank you for any help you can provide. My contact is email: llarson@bis.midco.net, home phone; 701-255-1287, or cell phone: 701-220-5096.

Larry L. Larson