

Hamre, John G.

From: Stark, Shereen <Shereen.Stark@sparklight.biz>
Sent: Thursday, October 27, 2022 10:46 AM
To: Crockford, Konrad S.
Subject: ND One Call Complaint
Attachments: Merritt Landscaping Case Number DM-22-369.pdf

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Good morning, Konrad.

I am writing in regard to the ND One Call complaint to Sparklight from Kelly Rosen from Merritt Landscape Design in Fargo, **Case Number DM-22-369**.

I have spoken to both Kelly Roseen from Merritt Landscaping and Andy Magnotto from Northern Plains Distributing and let them know we were responding the complaint. I also let them know that our contractor, Summit Utility Services, was responsible for the cut service line and has paid us directly for the damages.

I have put the response letter in the mail bin here (on Tuesday), but I saw this morning that it was still there! I will attach a copy of the letter here for your reference in case the mail doesn't get to you by the requested response deadline of 10/28.

Please let me know if there's anything else you need.



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Konrad Crockford
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North Dakota Public Service Commission
600 East Boulevard Avenue Dept 408
Bismarck, ND 58505-0480

RE: Case Number DM-22-369, Northern Plains Distributing, 2308 Main Avenue West, West Fargo, ND 58078

Dear Mr. Crockford:

This is in reference to your letter dated October 11, 2022, regarding the Sparklight fiber service line cut by Merritt Landscaping Design on 9/15/22, at approximately 4:00pm.

Sparklight contracts out most of its requested locates to a locate contractor, Summit Utility Services. Summit accepts the obligation for locating our infrastructure and has an impeccable reputation for both timeliness and accuracy. Their number of completed locates vs incidents is around 10,000-to-1 for several of their client companies. Though, as with anything, there is the rare possibility for human error. In this particular case, the locator for Summit Utility missed locating one of the lines on the property that fed Sparklight HSD services to Northern Plains Distributing. Summit Utilities accepted responsibility for the error and paid Sparklight directly for repairing the damages.

Since Merritt Landscaping, nor any of its employees, were accused of being responsible, I'm rather confused at the complaint. The locator for Summit made the mistake by thinking he had everything correctly located, accepted responsibility, and paid Sparklight directly for the damages. To my knowledge Merritt Landscaping incurred no damage, responsibility or cost of repair concerning this incident.

We have contacted Merritt Landscaping to let them know that they will not be held responsible for the damages. We have also contacted Northern Plains Distributing and asked them to contact Sparklight Business Care regarding any credits for interrupted service.



If you have any more questions or if I can be of further help in anyway, please don't hesitate to reach out. Please forward any future correspondence directly to our corporate office via email (preferred) to Legal@CableOne.biz, or via mail in care of the General Counsel's Office at 210 E Earll Drive, Phoenix, AZ 85012. Thank you for your time.

Regards,

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