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MAR 15 2023

Regarding Case Number DM-22-425

To whom it may concern:

NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Over the course of 40 days, MP technologies called in 7 separate tickets for the same locate request. During this time there was repeated snow, and they did not do their job to either finish the work the locate was for, or to maintain the marks that were already on the ground. They did not start the actual digging on these tickets until 12/19/22. These tickets were ND22152953, ND22152954, ND22157211, ND22157680, ND22157879, ND22159422 and finally an emergency ND22159444.

ND22159422 was called in at 9:30am on 12/19/22 and the emergency was called in at 10:54am on 12/19/22. What this seems to me is that they called in the routine ticket (ND22159422), went out to the site and realized that they did not have good marks on the ground, then called in the emergency (ND22159422) so that us locators had to come out and mark immediately so they could continue their work. From what I understand this is not what the emergency system is in place for, and since they called in a routine ticket for the exact same thing an hour before shows me that it was not an emergency. I'm reminded of the old quote "Poor planning on your part does not necessitate an emergency on mine."

The definition as per the ND One call handbook 2021 of an emergency is:

An emergency notice means a sudden, unexpected occurrence, involving a clear and imminent danger and demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services.

This was not sudden, or unexpected of them. Also, I feel you could argue that there wasn't a risk of loss of, or damage to, life, health, property or essential public services. They were installing a new gas main for a new building. The only thing I could reasonably say is that them sending a crew out there to start digging before the marks were good would be a loss of money, because their crews would be sitting around not doing anything. However, they were digging before all the locators had responded to the emergency anyway, so its not like they were respecting the One Call System.

If any clarification is needed let me know.

Thanks for your consideration.

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