



Public Service Commission
State of North Dakota

COMMISSIONERS

Randy Christmann
Sheri Haugen-Hoffart
Julie Fedorchak

**RESPONSE REQUIRED BY
AUGUST 18, 2023**

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

July 25, 2023

Cobra Oil & Gas Corporation
120 W Sweet Ave
Bismarck ND 58504

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

Enclosed is a copy of the North Dakota One-Call Complaint against Cobra Oil & Gas Corporation received by the North Dakota Public Service Commission (Commission) on July 18, 2023, from Scott Sundhagen, Tioga, North Dakota, Case Number DM-23-270. The location identified in the complaint is Sec 7 Twp 158-R95, Tioga, 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 18, 2023**, with your written account of the event, including the applicable One-Call locate ticket number(s) for work performed at the location indicated above and in connection with the enclosed complaint.

Your response and the North Dakota 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 with the Commission a formal complaint against Cobra Oil & Gas Corporation, which may result in a penalty up to \$25,000 per violation in accordance with North Dakota Century Code Section 49-07-01.1.

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

Sincerely,

Konrad Crockford
Director, Compliance Division

Enc: North Dakota One-Call Complaint

c: Scott Sundhagen



ONE-CALL COMPLAINT
PUBLIC SERVICE COMMISSION
 SFN 59067 (08/2022)



INSTRUCTIONS: To allege a violation of the One-Call Excavation Notice System (N.D.C.C. Chapter 49-23), complete this form in its entirety.

SECTION I – COMPLAINANT (Individual/entity completing form)

Company/Entity Name (if applicable) Scott Sundhagen			
Contact Person Scott Sundhagen	Email Address ssndhgn@nccray.net	Telephone Number 701 641 1109	
Mailing Address 7648 110th Ave NW	City Tioga	State ND	Zip Code 58852
Complainant is willing and able to testify on the complaint if matter proceeds to a formal hearing.			<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

SECTION II – RESPONDENT (Individual/entity who allegedly violated the One-Call law)

Company/Entity Name (if applicable) Cobra Oil and Gas Co			
Contact Person Seth Hatley	Email Address	Telephone Number 817 886 8006	
Mailing Address	City	State	Zip Code

SECTION III – ALLEGED VIOLATION

OPERATOR – A person or entity who owns or operates an underground facility (i.e.: natural gas, electric, sewer, etc.).

<input checked="" type="checkbox"/> Operator failed to mark or clear underground facility within locate period.	<input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally.
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EXCAVATOR – A person or entity who conducts excavation (i.e.: homeowner, property owner, company, etc.).

<input type="checkbox"/> Excavation started prior to underground facility locate.	<input type="checkbox"/> Excavator failed to provide locate notice prior to beginning excavation.
<input type="checkbox"/> Excavator failed to conduct the excavation in a careful and prudent manner.	<input type="checkbox"/> Excavator failed to renew locate request prior to expiration of the 21-day period.

OTHER – May be issue/concern with One-Call Center or other alleged violation that is not listed under operator or excavator.

Write Issue/Concern: _____

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long)	One-Call Ticket Number
Underground Facility Affected <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Cable <input type="checkbox"/> Communications <input type="checkbox"/> Water <input type="checkbox"/> Sewer/Storm Water <input type="checkbox"/> Petroleum <input type="checkbox"/> Other _____		
Material & Size of Underground Facility (Poly, Steel, Coated Pipe / Fiberoptic / 2 KW / 1.5 in, 2 in / etc.)		Operator(s) Affected
Estimated Value of Damage	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected
Description of the alleged violation/concern. If more space is required, attach additional page(s). Cobra failed to mark or sign off on a pipeline they claim is present on my property (Sec 7 Twp 158-R95) where Liberty Resources wishes to build a location. One calls were done 3 different times and not one of them was addressed by Cobra. These ticket #'s are as follows: 22158838 call date 12/09/2022, 23051948 call date 06/09/2023, 23059604 call date 06/20/2023. Cobra should not be able to skirt around this law, it is their responsibility and I am going to insist they daylight this line at this point to prove it is there. Cobra did tell Liberty Resources that there was a saltwater pipeline there but wouldn't mark it. Liberty is willing to move the pad but without a completed one call they may unwittingly hit the line. This line has a history of failing and has caused a massive saltwater spill in the past.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Scott Sundhagen	Date 06-18-2023
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Please email the completed form to ndpsc@nd.gov, fax to 701-328-2410, or mail to: Public Service Commission
 600 E. Boulevard Ave. Dept 408
 Bismarck, ND 58505-0480