



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) NuStar Energy			
Contact Person Keely Hosmann	Email Address keely.hosmann@nustarenergy.com	Telephone Number 316-721-7073	
Mailing Address 7340 W. 21st St. N., Ste. 200	City Wichita	State KS	Zip Code 67147
Complainant is willing and able to testify on the complaint if matter proceeds to a formal hearing.		<input type="checkbox"/> YES	<input type="checkbox"/> NO

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

Company/Entity Name (if applicable) Border States Paving, Inc.			
Contact Person Camden Larson	Email Address fargo@borderstatespaving.com	Telephone Number 701-566-2616	
Mailing Address 4101 32nd St.	City Fargo	State ND	Zip Code 58102

SECTION III – ALLEGED VIOLATION

OPERATOR – A person or entity who owns or operates an underground facility (i.e.: natural gas, electric, sewer, etc.).	
<input 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.
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 checked="" 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.	
<input type="checkbox"/> Write Issue/Concern: _____	

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 07/21/2023	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) Manways on the South side of 26th Ave. S., between 32nd St. S. and 25th St. S.	One-Call Ticket Number None at time of excavation.
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 checked="" 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.) Steel	Operator(s) Affected NuStar Energy	
Estimated Value of Damage NA	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected NA
Description of the alleged violation/concern. If more space is required, attach additional page(s). NuStar's one call locator, Weston Brown, discovered Border States Paving, Inc. digging up manways on the South side of 26th Ave. S., between 32nd St. S. and 25th St. S. on July 21, 2023. Upon speaking with the Border States Paving on-site contact and the project supervisor, it was determined that no one call ticket had been placed for this work. Excavation depth was approximately 18" and approximately 17" North of NuStar's 10" steel petroleum pipeline. Weston observed excavation taking place at five separate locations in this area near NuStar's pipeline. Weston explained to Border States Paving contacts that a NuStar representative must be on-site for any work within 25' of NuStar's pipeline. Additionally, Weston explained that a one call ticket must be requested and Border States Paving must allow member utilities 48 hours to respond to the one call ticket before any excavation could take place. NuStar received one call tickets for this work on July 24, 2023. Ticket numbers are as follows: 23081507, 23081508, 23081509, & 23081510.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Keely Hosmann	Date 7/27/23
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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