



Public Service Commission

State of North Dakota

COMMISSIONERS

Randy Christmann
Sheri Haugen-Hoffart
Julie Fedorchak

**RESPONSE REQUIRED BY
SEPTEMBER 29, 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

September 13, 2023

Shane Carlberg
Central Specialties Inc.
6325 County Rd 87 SW
Alexandria MN 56308

Central Specialties Inc.
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 you received by the North Dakota Public Service Commission (Commission) on August 30, 2023, from Kinder Morgan, Williston, North Dakota, Case Number DM-23-303. The location identified in the complaint is the east side of Highway 85 south of 20th Street Northwest, McKenzie County, 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 September 29, 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 you, 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: Ryan Farmer
Kinder Morgan



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) Kinder Morgan			
Contact Person Ryan Farmer	Email Address ryan_farmer@kindermorgan.com	Telephone Number 701-339-6090	
Mailing Address 611 37th Ave SE bldg. 29	City Williston	State ND	Zip Code 58801
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) Central Specialties Inc.			
Contact Person Shane Carlberg	Email Address shane@centralspecialties	Telephone Number 320-491-6634	
Mailing Address 6325 C.R. 87 SW	City Alexandria	State MN	Zip Code 56308

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 checked="" 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 checked="" 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 8/25/23	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) East side of Hwy 85 south of 20th St NW	One-Call Ticket Number 23062910
Underground Facility Affected <input type="checkbox"/> Electric <input checked="" 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.) 20" Steel HP NG Pipeline	Operator(s) Affected Kinder Morgan	
Estimated Value of Damage 0	Injuries (List Number, If Any) 0 Fatalities 0 Injuries 0 Hospitalizations	Number of Customers Affected 0
Description of the alleged violation/concern. If more space is required, attach additional page(s). We were notified on Friday evening at 9:15pm that a fiber optic cable had been damaged on the Highway 85 project. We visited the site that evening and discovered that Central Specialties Inc. had excavated and damaged the fiber optic cable approx. 15' from the KM 20" steel pipeline. Central Specialties Inc. failed to update their One Call ticket for this excavation and it had expired on 7/20/23. They were and continue to operate and excavate on this project without an updated One Call ticket as of 8/30/23.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Ryan Farmer	Date 8/30/23
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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

1 DM-23-303 Filed 08/30/2023 Pages: 1
 North Dakota One-Call Complaint
 Kinder Morgan