



Public Service Commission

State of North Dakota

COMMISSIONERS

Randy Christmann
Sheri Haugen-Hoffart
Julie Fedorchak

**RESPONSE REQUIRED BY
DECEMBER 15, 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

November 22, 2023

Tracy Snyder
1515 61st Street SW
Minot ND 58701

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 October 2, 2023, from Verendrye Electric Cooperative, Inc., Velva, North Dakota, Case Number DM-23-327. The location identified in the complaint is 1515 61st Street SW, Minot, 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 December 15, 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 /s/c

Konrad Crockford
Director, Compliance Division

Enc: North Dakota One-Call Complaint

c: Tim Krumwiede



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) Verendrye Electric Cooperative Inc			
Contact Person Tim Krumwiede	Email Address timrk@verendrye.com	Telephone Number 701-338-2855	
Mailing Address 615 Hwy 52 W	City Velva	State ND	Zip Code 58790
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) Tracy Snyder			
Contact Person Tracy Snyder	Email Address tools71@live.com	Telephone Number 701-721-1255	
Mailing Address 1515 61st St SW	City Minot	State ND	Zip Code 58701

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 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: porperty owner removed utility marking flags

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 09/18/2023 0930	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) 1515 61st St SW	One-Call Ticket Number 23111415
Underground Facility Affected <input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Cable <input checked="" type="checkbox"/> Communications <input checked="" 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.) NA		Operator(s) Affected NA
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). Mr Snyder is difficult to deal with.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Tim Krumwiede	Date 10/26/23
---------------	-------------------------------	------------------

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



615 Highway 52 W. ■ Velva, ND 58790-7417 701-338-2855
1225 Highway 2 Bypass E. ■ Minot, ND 58701-7927 701-852-0406
Fax 701-624-0353 ■ WATS 1-800-472-2141
E-mail: rec@verendrye.com ■ Website: www.verendrye.com

10/2/2023

Public Service commission

Re: Utility Marking flag removal locate # 23111415

On September 6th a Verendrye staking engineer and myself were out at Mr. Snyder's property to discuss the project of putting a new electrical service into his neighbor's property. Mr. Snyder is tough to deal with, he wanted an in-person discussion on the project. The plan was to access an existing transformer bore across the road and continue to the proposed new service. I explained that we would be hydrovacating into the transformer, the size of the hole would be dependent on the locates and the number of utilities in the front of the transformer. (The pictures that I have included do not have all of the locations completed. They are indicating location of Verendrye power and SRT fiber lines. MDU gas ran in the ditch in front of the transformer as well as a Cenex pipeline ran adjacent to our transformer but would need to be crossed but had not been located). After explaining the project to Mr. Snyder, he was happy that we were hydrovacating and boring and not mechanically digging up his ditch and he agreed to the install of the new service as planned.


On September 18th Verendrye electric, SRT and CTI were out to install this new service. We started hydrovacating to expose the utilities and Mr. Snyder came out to the location and ran everyone off the job site, he then proceeded to pull out all of the utility marking flags that were on his property. Which created a dangerous work environment for the crews. Crews had an idea where the utilities were at that we needed to cross but they had not all been hydrovaced before the flags were removed. We shut the job down and planned a different more expensive route and installed the service at a later date.

I visited with Ryan Schmaltz at ND1 call, and he recommended that I report this to the PSC as there is nothing really that can be legally done for the flag removal.

Per the attached one call ticket you can see that through the ticket check process that the utilities had been marked. Not all the utilities were located with flags and paint, the Cenex pipeline was only located with flags. The removal of these flags could have been very tragic for all involved if we had not seen him remove the flags.

Your attention to this matter would be greatly appreciated.

Tim Krumwiede


Verendrye Electric Cooperative
Operations Manager

North Dakota One Call

Ticket No: 23111415
LORQ ROUTINE
Original Call Date: 09/07/23 01:25 pm
Op: webusr5
Work to Begin Date: 09/12/23 12:01 am
Op: webusr5
Expiration Date: 10/03/23 12:01 am

CALLER INFORMATION

Company Name: CENTRAL TRENCHING INC
Contact Name: CINDY KLEIN
Phone: 701-837-8378
Alt Contact: TRAVIS HAMILTON
Alt. Phone: 701-720-8220
Caller Address: 500 5TH ST MINOT, ND 58701
Email Address: cklein@centraltrenching.com

DIG SITE INFORMATION

Type of Work: INSTALL ELECTRICAL PRIMARY
Work Being Done For: VEC
Depth: 8FT
Explosives: N
Tunneling/Boring: Y
White Lining/Site Identification: PROJECT STAKING

DIG SITE LOCATION

County: WARD
Place: HARRISON TWP
City Limits: N
Address: 6100
Street: 16TH AVE SW
Intersecting Street: 62ND ST SW

Location of Work: MARKING INSTRUCTIONS:
 MARK 50 FEET EITHER SIDE OF THE STAKED ROUTE - PROJECT STAKING. MARK FOLLOWING THE ROUTE SW FOR 135 FEET, THEN S 149 FEET, THEN W 137 FEET.

GOOGLE DRIVING DIRECTIONS:
 FROM THE INTERSECTION OF 16TH AVE SW AND 62ND ST SW, HEAD NORTH ON 62ND ST SW FOR 9 FT. TURN RIGHT ONTO 16TH AVE SW FOR 380 FT. TURN LEFT ONTO 61ST ST SW FOR 442 FT, HEAD E FOR 39 FEET TO THE BEGINNING OF THE ROUTE.

Remarks:

Map Twp: 155N

Rng: 83W

Sect-Qtr: 29-NW

Map Coord NW Lat: 48.2208548

Lon: -101.3820741

SE Lat: 48.2197658

Lon: -101.3806691

MEMBERS NOTIFIED

District	Company Name	Marking Concerns	Status
CENEX01C	CENEX PIPELINE-N.D.	800-421-4122	Marked (Please call Nathan Washek (701)240-6493 if work takes place within 25 feet of CPL)
CENEX01E	CENEX PIPELINE-N.D.	800-421-4122	Clear/No conflict (As per mapping, GPS, and location description, ticket is clear/no conflict. PAUL STEEN - CENEX PIPELINE LOCATOR - 701-240-5178)
CENEX10C	CENEX PIPELINE-N.D.	800-421-4122	Clear/No conflict (As per mapping, GPS, and location description, ticket is clear/no conflict. PAUL STEEN - CENEX PIPELINE LOCATOR - 701-240-5178)
MDU01	MONTANA DAKOTA UTILITIES CO	406-728-9343	Marked
NPRW01	NORTH PRAIRIE REGIONAL WATER	701-852-1886	Marked (Underground facility to convey water installed prior to August 1st, 2013. Excavate/proceed with caution. Easement for waterline is 20 FT on each side of waterline/water valves.)
SOURIS01	SOURIS RIVER TELECOMMUNICATION	888-355-2515	Marked
VEREND01	VERENDRYE ELECTRIC COOPERATIVE	888-355-2515	Marked

Legend: Locate Polygon

Lat/Lon



62nd St SW

61st St SW

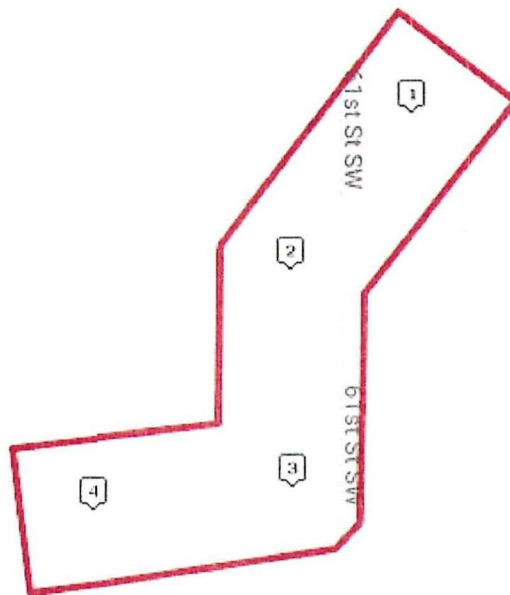
17

62nd St SW

17

16th Ave SW

62nd St SW



61st St SW

16th Ave SW

16th Ave SW

16th Ave SW



Map data ©2023 Google 20 m

Report a map error





