

9/24/2024



North Dakota Public Service Commission  
Executive Secretary  
600 East Boulevard Ave Dept 408  
Bismarck ND 58505-0480

RE: North Dakota One-Call Complaint Response

Mr. Crockford,

This letter is Farden Construction, Inc's response to the June 13, 2024, North Dakota One-Call Complaint by the North Dakota Pipeline Company LLC.

On 3/5/2024, Cobra Oil and Gas contacted Farden Construction, Inc. to excavate and subsequently clean up a flowline break. Farden Construction placed a North Dakota One-Call with request number 24008371 on 3/5/2024 (attached) and was waiting for the one-call to be cleared to perform any work at the location.


In the meantime, Cobra Oil and Gas contacted Todd Farden requesting an excavator with a hammer to break up frost for a line repair which was located on the other side of the location from which the one-call had been placed 3/5/2024. On 3/6/2024, Farden Construction mobilized an excavator with a hammer to the location and placed it off to the side waiting for Cobra Oil and Gas to arrive. Todd Farden was waiting in his pickup at the location when Larry from Enbridge arrived and asked him what was going on. Todd replied he was waiting for Cobra Oil and Gas to arrive as he had been asked to break up the frost with the Excavator and hammer. Cobra Oil and Gas had not yet arrived, so Todd Farden left the location and went back to work for a different customer. At the time of Todd's departure, Farden Construction had not performed any excavation or disturbance to the ground and was not in violation of North Dakota Century Code 49-23.

A number of hours later, Todd was asked to come back to the Cobra Oil and Gas location. When he arrived back at the location, a Hydrovac was there along with a Cobra Oil and Gas representative and Larry from Enbridge. Under the direction of all the individuals present, with Larry from Enbridge physically observing, they instructed Todd to break up the frost which he did. This was the only work Farden Construction performed at this location which was directed by Cobra Oil and Gas with Larry from Enbridge physically observing.

In response to the May 17, 2024, instance referenced in the complaint, Farden Construction placed the initial one call request number 24044295 on 5/17/2024 for the area we were instructed by Cobra Oil and Gas to perform the work. On 5/20/2024, Cobra Oil and Gas notified us the work area was to be expanded, and we immediately cancelled the initial one call and placed a new one call request number 24045884 for the new area

they stated. Farden Construction did not perform work on this location until the second one call was cleared. We apologize for not having the entire work area included in the initial one call request and have implemented internal procedures to ensure we receive precise location information from our customers for designated work areas to ensure proper one call requests are placed.

Sincerely,



Steve Farden,  
President

Attachment

**From:** nd@occinc.com  
**Sent:** Tuesday, March 5, 2024 11:07 AM  
**To:** fardenconstruction@srt.com  
**Subject:** Ticket: 24008371

### NORTH DAKOTA ONE CALL

It is your responsibility to ensure that both the ticket information and mapping location are correct, and that no work will take place outside the area indicated on the map. You can do that by clicking - [HERE](#).

Should any changes need to be made, you can use the 'Update' function. You can do that by clicking - [HERE](#). If you have any questions, please email [ialead@occinc.com](mailto:ialead@occinc.com).

The map is used to determine which Utility members may have facilities in your dig area. It is important that the precise excavation area and scope of work be fully described in the extent of work field on the ticket. Not all utilities have/will access a copy of the map.

To view utility status, or request a 'Relocate', 'Cancel', 'Dig-Up' or 'Non-Response' request click - [HERE](#).

#### Ticket Summary

**NOTICE OF INTENT TO EXCAVATE**      **LORQ ROUTINE**

**Request #:** 24008371

**Original Call Date:** 03/05/24    **Time:** 11:04 AM CT    **Type:** WEB

**Work to Begin Date:** 03/08/24    **Time:** 12:01 AM CT

**Expiration Date:** 03/29/24    **Time:** 12:01 AM CT

#### Work Information

**Location:** County: RENVILLE    **City:** PRESCOTT TWP    **City Limits:** N

**Address / Street:** 0 77TH ST NW

**Near Intersection:** 22ND AVE NW

**CallerTwp:** 158N    **Rng:** 81W    **Sect-Qtr:** 6-SW

**Map Twp:** 158N    **Rng:** 81W    **Sect-Qtr:** 6-SW

**Excavation Type:**

**Depth:** 8FT    **Explosives:** N    **Tunneling/Boring:** N

**White lining/site identification:** MAP

**Type of Work:** REPAIR FLOWLINE

**Extent of Work:**

FROM THE INTERSECTION OF 22ND AVE NW & 77TH ST NW DRIVE EAST 1/3 MILE TO THE UNNAMED LEASE ROAD GOING NORTH. DRIVE NORTH 1/3 MILE TO THE WINDREL TANK BATTERY. MARK ENTIRE LOCATION. REPLACING FLOWLINE ON SITE.

**Remarks:**

#### Caller Information

**Company:** FARDEN CONSTRUCTION INC    **Call Back:**

**Address:** 9035 COUNTY RD 17B; MAXBASS, ND 58760

**Contact Email:** fardenconstruction@srt.com

**Work For:** COBRA OIL & GAS  
**Contact Name:** BETH HALL **Phone:** 701-268-3127  
**Type:** CONTRACTOR  
**Alt. Contact:** MATT KERSTEN **Phone:** 701-263-7050

**Members Notified**

Code	Company Name	Phone
BERENG01	BERENERGY CORP	(701)833-6624
NDP02	NORTH DAKOTA PIPEL	(701)340-5377
SOURIS01	SOURIS RIVER TELEC	(888)355-2515
VEREND01	VERENDRYE ELECTRIC	(888)355-2515

**Location Information**

**Number of Excavation Locations: 1**

Below are the farthest NW and SE coordinates of the Excavation Polygon(s). Please use "Link to Tkt" to access all points.

**Poly 1: NW Lat:** 48.5362945 **Lon:** 101.1843692 **SE Lat:** 48.5351578 **Lon:** 101.1819445

**Excavator Responsibilities**

- \* If there are any private underground facilities in the excavation area, you must contact them directly. Any underground facilities owned by the property owner will not be located or marked by local utilities.
- \* North Dakota dig law states no mechanical excavating can take place within 24" of the outer edge of an underground facility. Any digging within this area must be done manually and in a careful and prudent manner, supporting and protecting any uncovered facility. Please consult the North Dakota Century Code for more information on responsibilities for safe excavation by visiting [www.ndonecall.com/nd-dig-law/](http://www.ndonecall.com/nd-dig-law/).