



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) North Central Service, Inc. (NCS)			
Contact Person Michael Schuppert	Email Address schuppertmike@gmail.com	Telephone Number 218-368-6351	
Mailing Address 5487 Hart Lane NW	City Bemidji	State MN	Zip Code 56601
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) Cass Rural Water Users District (CRWD)			
Contact Person Brent Brinkman	Email Address brent.brinkman@cassruralwaterdistrict.com	Telephone Number 701-428-3130	
Mailing Address 131 Maple St.	City Kindred	State ND	Zip Code 58051

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 checked="" 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.			
<input checked="" type="checkbox"/> Write Issue/Concern: <u>SEE ATTACHMENT A</u>			

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 7/8/2024	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) 5th St. / Williams Ave, Wheatland, ND	One-Call Ticket Number 24066564 / 24068866
Underground Facility Affected <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Cable <input type="checkbox"/> Communications <input checked="" 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.) 2" main	Operator(s) Affected Cass Rural Water Users District	
Estimated Value of Damage \$2,461.36	Injuries (List Number, If Any) 0 Fatalities 0 Injuries 0 Hospitalizations	Number of Customers Affected unknown
Description of the alleged violation/concern. If more space is required, attach additional page(s). NCS was directional drilling a box culvert at a road intersection while paralleling 10-12 feet off of the existing waterline locates provided by CRWD. In the process of doing so, NCS personnel noticed clear water coming out of the bore hole, so NCS personnel called CRWD to verify. NCS prepped the hole down to about six (6) feet and then handed it over to CRWD to finish. See further description on Attachment A.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature <i>Michael Schuppert</i>	Printed Name Michael Schuppert	Date 8/12/24
---------------------------------------	-----------------------------------	-----------------

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

ATTACHMENT A TO COMPLAINT

[JULY 8, 2024 INCIDENT]

On or about June 17 and June 20, 2024, North Central Service, Inc. (“NCS”) contacted Cass Rural Water District (“CRWD”) to locate underground utilities with respect to a construction project in Cass County, North Dakota at 5th St./Williams Ave, Wheatland, ND. (See attached locate request.)

CRWD responded by putting blue locate flags out.

In reliance on the location provided by CRWD, and prior to commencing excavation activities, NCS located/spotted existing utilities within a five (5)-foot window of its running line.

NCS proceeded with all due caution and used safe and acceptable means in proceeding with its excavation activities as required by North Dakota law.

However, on July 8, 2024, while NCS was directional drilling a box culvert at a road intersection approximately ten (10) to twelve (12) feet parallel from the existing waterline locates provided by CRWD, NCS personnel noticed clear water coming out of the bore hole.

As soon as NCS was aware that the water line had been hit, NCS promptly informed CRWD of the damage and that the location information provided by CRWD was incorrect.

At no time prior to NCS commencing its activities did CRWD notify NCS that its water facilities were installed prior to August 1, 2013 or that CRWD was unable to locate its facilities.

Attached is a copy of NCS’s damage report, which includes a drawing indicating that the water facility hit was approximately ten (10) feet from the location provided by CRWD.

Also attached are photographs of the area in question, together with a Complaint as to this incident filed by CRWD with the North Dakota Public Service Commission (“PSC”) asserting a claim against NCS for damages.

NCS wholly and completely denies CRWD’s Complaint, because the damages were caused solely by CRWD’s failure to properly locate its own water lines as described herein.

NCS therefore respectfully requests the PSC to determine that CRWD failed to comply with its obligations under North Dakota Century Code Sections 49-23-04(6)(b) and/or (c).



NORTH CENTRAL SERVICE INC

PO BOX 310
BEMIDJI, MN 56601
PHONE: 218-444-3855

1

DAMAGE REPORT

Date: 7-8-24 10 A.M.

Locate #: 24066564 / 24068866 Locate Called in By (Employee Name): Donnie Coyle

Address Where Damage Occurred: intersection 5th St and Williams Ave

City and State: Wheatland, ND

Company Name of Damaged Utility: Water

Type of Utility Damaged (phone, electric, water, etc.): 2" water main

Check A, B, or C:

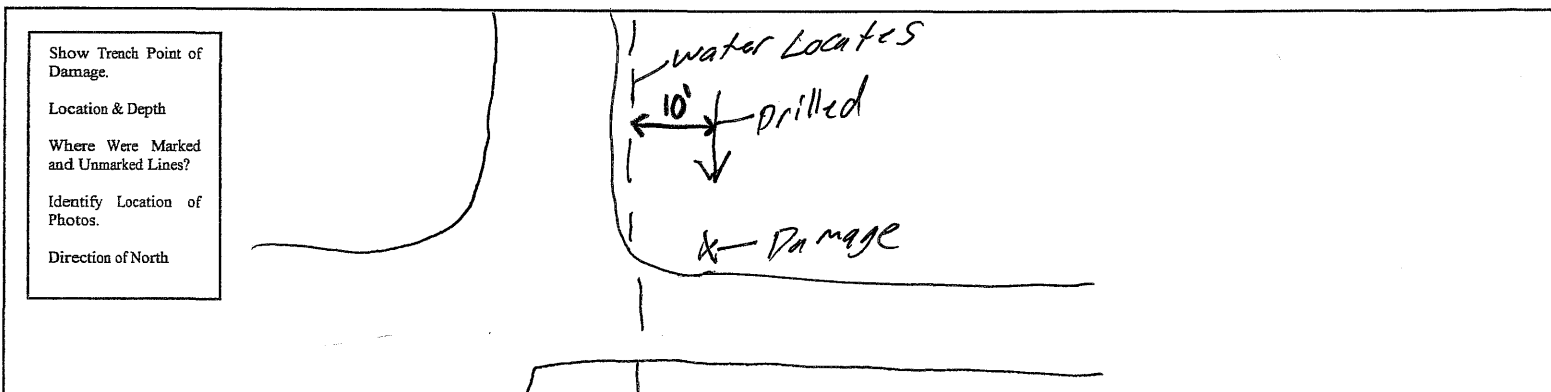
A. Located B. Off Locate By How Much? 10 FT 00 INCHES C. Not Located

Machine Operator: Andrew Juarez / Cameron Thurston

Foreman: Brenda H

Comments: while paralleling the existing water flags to directional drill under a concrete box culvert we noticed clear flowing water out of the bore hole and called Cass Rural Water to Inform them what was happening and see if they had a loss of pressure. NCS prepped the hole for Cass Rural water down to approx. 6' and let them finish it the way they wanted it.

Sketch of Job Where Accident Occurred:



NCS



NCS



NCS





wd: Ticket: 24066564

message

onnie Coyle <d111.coyle1987@gmail.com>
o: schuppertmike@gmail.com <schuppertmike@gmail.com>

Thu, Aug 8, 2024 at 1:07 P

----- Forwarded message -----

From: <nd@occinc.com>
Date: Mon, Jun 17, 2024 at 6:51 PM
Subject: Ticket: 24066564
To: <d111.coyle1987@gmail.com>

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.

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 #:	24066564				
Original Call Date:	06/17/24	Time:	6:49 PM CT	Type:	WEB
Work to Begin Date:	06/20/24	Time:	12:01 AM CT		
Expiration Date:	07/11/24	Time:	12:01 AM CT		

Work Information

Location: County:	CASS	City:	WHEATLAND CDP	City Limits:	Y
Address / Street:	0 FRONT ST				
Near Intersection:	5TH ST				
Map Twp:	140N	Rng:	53W	Sect-Qtr:	27-SE,26-SW

Excavation Type:

Depth:	8FT	Explosives:	N	Tunneling/Boring:	Y
White lining/site identification:	PROJECT STAKING				
Type of Work:	MAIN LINE FIBER				

Extent of Work:

MARKING INSTRUCTIONS: MARK 75 FT EITHER SIDE OF THE FLAGGED ROUTE - MARK 75 FEET EITHER SIDE OF FLAGGED ROUTE. MARK FOLLOWING THE ROUTE W FOR 691 FT.

GOOGLE DRIVING DIRECTIONS:
FROM THE INTERSECTION OF FRONT ST AND 5TH ST, HEAD WEST ON FRONT ST/WILLIAM ST/5TH ST FOR 13 FT HEAD SW FOR 15 FT TO THE BEGINNING OF THE ROUTE.

Remarks:

Caller Information

Company: NORTH CENTRAL SERVICES

Call Back:

Contact Email: d111.coyle1987@gmail.com

Work For: BEK TELEPHONE

Contact Name: DONNIE COYLE

Phone: 612-741-8241

Type: MEMBER

Alt. Contact: BRIAN

Phone: 320-372-0744

Members Notified

Code	Company Name	Phone
ACAM01	BEK COMMUNICATIONS	(701)475-1230
ATT01	AT&T CORP.	(800)252-1133
CASWTR01	CASS RURAL WATER D	(701)428-3139
OTPND01	OTTER TAIL POWER C	(800)257-4044
SPRINT01	SPRINT NEXTEL	(800)521-0579

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: 46.9076735 **Lon:** -97.3486883 **SE Lat:** 46.9070807 **Lon:** -97.3452817

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/.



wd: Ticket: 24068866

message

onnie Coyle <d111.coyle1987@gmail.com>
o: schuppertmike@gmail.com <schuppertmike@gmail.com>

Thu, Aug 8, 2024 at 1:07 F

----- Forwarded message -----

From: <nd@occinc.com>
Date: Thu, Jun 20, 2024 at 9:25 AM
Subject: Ticket: 24068866
To: <d111.coyle1987@gmail.com>

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.

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 #:	24068866			
Original Call Date:	06/20/24	Time:	9:22 AM CT	Type: WEB
Work to Begin Date:	06/25/24	Time:	12:01 AM CT	
Expiration Date:	07/16/24	Time:	12:01 AM CT	

Work Information

Location: County:	CASS	City:	WHEATLAND CDP	City Limits:	Y
Address / Street:	0 5TH ST				
Near Intersection:	149TH AVE SE				
Map Twp:	140N	Rng:	53W	Sect-Qtr:	35-NW,34-NE,27-SE,26-SW

Excavation Type:

Depth:	8FT	Explosives:	N	Tunneling/Boring:	Y
---------------	-----	--------------------	---	--------------------------	---

White lining/site identification: PROJECT STAKING

Type of Work: MAINLINE FIBER

Extent of Work:

MARKING INSTRUCTIONS: MARK 50 FT EITHER SIDE OF THE FLAGGED ROUTE - MARK 50 FEET EITHER SIDE OF WHITE FLAGGED ROUTE. MARK FOLLOWING THE ROUTE N FOR 867 FT.

GOOGLE DRIVING DIRECTIONS:
FROM THE INTERSECTION OF 5TH ST AND 149TH AVE SE, HEAD EAST ON 35TH ST SE/WILLIAM ST FOR 26 FT HEAD S FOR 10 FT TO THE BEGINNING OF THE ROUTE.

Remarks:

Caller Information

Company: NORTH CENTRAL SERVICES

Call Back:

Contact Email: d111.coyle1987@gmail.com

Work For: BEK TELEPHONE

Contact Name: DONNIE COYLE

Phone: 612-741-8241

Type: MEMBER

Alt. Contact: BRIAN

Phone: 320-372-0744

Members Notified

Code	Company Name	Phone
ACAM01	BEK COMMUNICATIONS	(701)475-1230
ATT01	AT&T CORP.	(800)252-1133
CASELE01	CASS COUNTY ELECTR	(701)356-4471
CASWTR01	CASS RURAL WATER D	(701)428-3139
OTPNDE01	OTTER TAIL POWER C	(800)257-4044
SPRINT01	SPRINT NEXTEL	(800)521-0579

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: 46.9074439 **Lon:** -97.3456427 **SE Lat:** 46.9047922 **Lon:** -97.3452067

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/.



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) Cass Rural Water District			
Contact Person Brent Brinkman	Email Address brent.brinkman@cassruralwaterdistrict.com	Telephone Number 701-428-3139	
Mailing Address 131 maple st	City Kindred	State ND	Zip Code 58051
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) North Central Services Inc			
Contact Person Donnie Coyle	Email Address d111.coyle1987@gmail.com	Telephone Number 612-741-8241	
Mailing Address 5487 Hart Lane NW	City Bimidji	State MN	Zip Code 56601

SECTION III – ALLEGED VIOLATION

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

Operator failed to mark or clear underground facility within locate period. 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.).

Excavation started prior to underground facility locate. Excavator failed to provide locate notice prior to beginning excavation.

Excavator failed to conduct the excavation in a careful and prudent manner. 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 July 8, 2024	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) SE corner of williams st & 5th st in wheatland	One-Call Ticket Number 24066560
Underground Facility Affected <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Cable <input type="checkbox"/> Communications <input checked="" 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.) Pvc 2 inch	Operator(s) Affected Crew of three guys	
Estimated Value of Damage 2461.36	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected 9 houses
Description of the alleged violation/concern. If more space is required, attach additional page(s). On July 8, 2024 North Central Services bored through our 2 inch pvc waterline at 8 ft of depth in the southeast corner of williams st and 5th st in wheatland ND. Our waterline was marked with blue locate flags and was located to the best of our ability off of our 1980 as-builts. The flages where 11 ft off from where they hit the waterline NCS had a Backhoe on site but they would not look for the water line and proceeded to bore without verifying our water line location or depth. Where the water line was damaged NCS was boring at a depth of 8 feet. As a result, CRWD had 9 people out of water for a total of 4 hrs until the repair was completed. Abill was sent to NCS for \$2461.36		

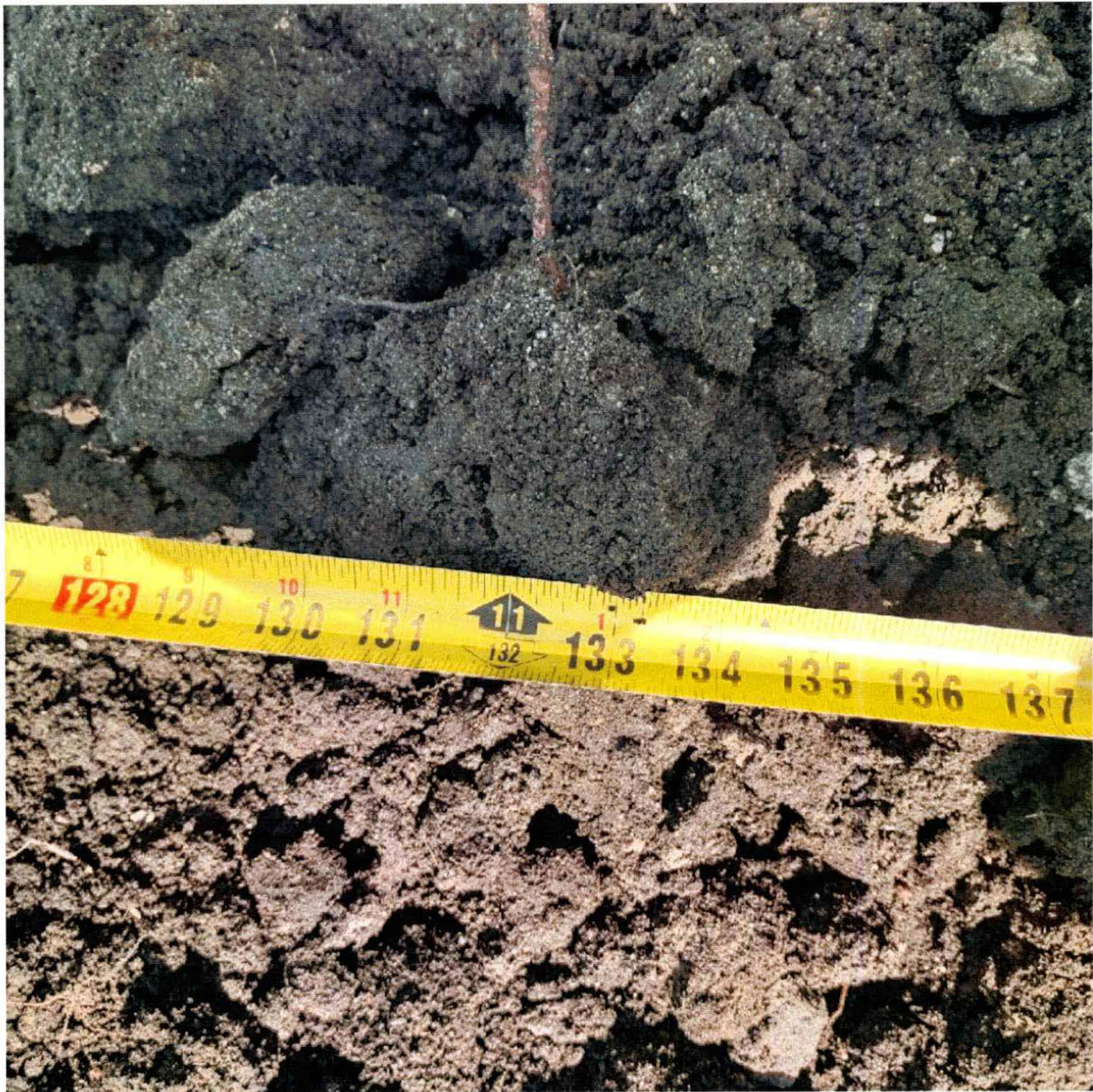
SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Brent Brinkman	Date 7-10-2024
---------------	---------------------------------------	--------------------------









On July 8, 2024 North Central Services bored through our 2" pvc watermain in the southeast corner of Willams St and 5th St in Wheatland ND. Our waterline was marked with blue locate flags and was located to the best of our ability using as-builts from 1978. NCS had a backhoe on site and did not look for our line and proceeded to bore without verifying our water line location or depth. Where the water line was damaged NCS was boring at a depth of 8'. As a result, CRW had 9 people out of water for a total of 4 hours until the repair was completed. A bill was sent to NCS for \$2461.36.

A handwritten signature in black ink, appearing to be a stylized name, possibly "W. H. H.", written in a cursive style.

Bauske, Shelly A.

From: Brent Brinkman <brent.brinkman@cassruralwaterdistrict.com>
Sent: Wednesday, July 10, 2024 12:48 PM
To: -Info-Public Service Commission
Cc: William Reis
Subject: Hit Water line
Attachments: img20240710_12350126.pdf

You don't often get email from brent.brinkman@cassruralwaterdistrict.com. [Learn why this is important](#)

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Cass Rural Water District has had problems with a project of BEK communications installing fiber line this will be the 4th time we have been hit on this project and the contractor refuses to look for our waterline and they have told use the will not be paying the bills for repairs to the water lines they have hit. I have summited this complaint along with two others to the PSC. I have never went through this prosses before just wondering what the standard protocol is.

Thanks for your time

Brent Brinkman
Assistant Manager
701-428-3139