



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) Montana Dakota Utilities			
Contact Person Scott Volk	Email Address scott.volk@mdu.com	Telephone Number 701-739-7275	
Mailing Address PO Box 777	City Devils Lake	State ND	Zip Code 58301
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) Storms Construction			
Contact Person Jerred Storms	Email Address stormsconstruction@midconetwork.com	Telephone Number 701-663-5565, 701-527-5502	
Mailing Address 2120 40th Ave SE #3	City Mandan	State ND	Zip Code 58554

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.
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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 checked="" 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: Failed to Maintain Locate Marks

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event July 24, 2024	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) 3rd St South of Old Elderly Center, Fort Totten, ND	One-Call Ticket Number 24076124
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.) 2" Plastic Gas Main	Operator(s) Affected Montana Dakota Utilities	
Estimated Value of Damage \$2,718.33	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected 30
Description of the alleged violation/concern. If more space is required, attach additional page(s). On 07/24/2024, Storms Construction was digging to find a torque wrench that was left in the ground with a backhoe. Drew Beckman was the operator. The ticket number was #24076124. At this time Storms Construction did not maintain locate marks. He knew the locate was there, but thought he was on the other side of it. The 2 plastic gas main was again hit. 30 customers were interrupted. All tenants in the Old Elderly Center were evacuated. This is the second damage by this company in the same area in one month. (Previous damage occurred in the same location on 07/02/2024.) At this time Storms Construction was advised to verify where the gas is at and to maintain marks. Locate ticket, damage photos, and damage invoice attached.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name SCOTT VOLK	Date 8/23/2024
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Please email the completed form to ndpsc@nd.gov, fax to 701-328-2410, or mail to: Public Service Commission

Bauske, Shelly A.

From: nd@occinc.com
Sent: Thursday, August 8, 2024 9:10 AM
To: Hansen, Melissa
Subject: Ticket-24076124

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

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

North Dakota One Call

Ticket No: 24076124 LORG RESPOT
Original Call Date: 07/02/24 09:00 am
Work to Begin Date: 07/06/24 12:01 am
Expiration Date: 07/27/24 12:01 am
File Attachments have been added to this ticket.

Caller Information

Company Name: STORMS CONSTRUCTION INC
Contact Name: STORMS CONSTRUCTION INC **Phone:** (701)663-5565
Alt. Contact: JERRED STORMS **Alt. Phone:** (701)527-5502
Caller Address: 2120 40TH AVE SE #3 **Caller ID:** 39718
MANDAN, ND 58554
Email Address: stormsconstruction@midconetwork.com

Dig Site Information

Type of Work: INSTALL WATER MAIN
Work Being Done For: J70 CROW HILL
White Lining/Site Identification: MAP
Depth: OVER 10FT **Explosives:** N **Tunneling/Boring:** Y

Dig Site Location

County: BENSON **Place:** FORT TOTTEN CDP
City Limits: Y
Address:
Street: BIA 7
Intersecting Street: 4TH AVE

Location of Work:

FROM ABOVE INTERSECTION TRAVEL 825 FEET STRAIGHT NORTH, TURN EAST AND TRAVEL 668 FEET STRAIGHT EAST, TURN SOUTH AND TRAVEL 825 FEET STRAIGHT SOUTH, TURN WEST AND TRAVEL 668 BACK TO STARTING POINT

Remarks:

UPDATE: RAIN DELAYED >>

Caller Twp:		Rng:		Sect-Qtr:			
Map Twp:	152N	Rng:	65W	Sect-Qtr:	17-SE,16-SW		
Map Coord NW Lat:	47.9804581	Lon:	-98.9986220	SE Lat:	47.9793019	Lon:	-98.9958117

MEMBERS:

District	Company Name	Status
MDU08	MONTANA DAKOTA UTILITIES CO	Marked
NDTELE01	NORTH DAKOTA TELEPHONE CO	Marked (pl)
NORTHN01	NORTHERN PLAINS ELECTRIC COOP	Marked
OTPNDE01	OTTER TAIL POWER COMPANY	Clear/No conflict











INVOICE

SOLD TO:

STORMS CONSTRUCTION
 PO BOX 1112
 MANDAN ND 58544

Invoice Number: 55039
Customer Number: 1080654
Invoice Date: 08/05/24
Reference Number: DVL MDUG-20240724-22277
Amount Due: \$2,718.33
Due Date: 09/04/24

Please return upper portion of invoice with payment.

Terms: DUE IN 30 DAYS

Reference: 3RD ST AND 4TH AVE, FT TOTTEN

Line	Due Date	Descripton	Amount
001	09/04/24	REPAIR GAS MAIN	2,718.33
		\$1,771.50 - LABOR	
		\$454.65 - EQUIPMENT	
		\$121.54 - MATERIALS	
		\$370.64 - GAS LOSS	
		CAUSE OF DAMAGE: BACKHOE	
		OPERATOR: DREW BECKMAN	
		DATE OF INCIDENT: 07/24/2024	
Please put invoice number 55039 on payment.			
Total	Tax Rate	Tax	Total Amount Due
\$2,718.33			\$2,718.33

Payment Options:

Credit/Debit Card, echeck, PayPal, Venmo, Amazon Pay, Apple Pay, Google Pay
 Payments can be made online or by phone using our independent service provider.
 A processing fee will be charged for each transaction.

Pay Online:

MDU - www.montana-dakota.com/invoices
 GPNG - www.gpng.com/invoices

Pay by Phone: 833-425-1700

Pay by Mail:

Montana-Dakota Utilities Co.
 Attn: Revenue Accounting
 400 North 4th St
 Bismarck, ND 58501-4022

Customer Service Questions:

877-610-4881

MISC ACCTS RECEIVABLE - T & M BILLING CALCULATOR (ADDENDUM C) {as of 10/1/21}

CUSTOMER: STORMS CONSTRUCTION 1080654

REFERENCE: DVL MDUG-20240724-22277

GA RATE as of 1/01/18=

0.90%

Electric or Gas	CLASSIFICATION	REGULAR TIME LABOR			OVERTIME LABOR			DOUBLETIME LABOR			TOTAL
		UNITS	RATE	AMOUNT	UNITS	RATE	AMOUNT	UNITS	RATE	AMOUNT	
E	Work Lead/Dist Rep	0.00	81.10	0.00	0.00	96.47	0.00	0.00	128.63	0.00	0.00
E	LineTech/Service Tech	0.00	75.82	0.00	0.00	90.19	0.00	0.00	120.25	0.00	0.00
G	Work Lead/Dist Rep	0.00	74.42	0.00	0.00	88.53	0.00	0.00	118.04	0.00	0.00
G	Welder/Service Tech	0.00	67.67	0.00	0.00	80.50	0.00	0.00	107.33	0.00	0.00
G	Fitter Oper/Serv Fitter	8.00	65.16	521.28	14.00	77.51	1,085.14	0.50	103.35	51.68	1,658.10
E/G	Field Op Coordinator	0.00	69.98	0.00	0.00	83.24	0.00	0.00	110.99	0.00	0.00
E/G	Supv Eng Services/Sr Eng	1.00	97.60	97.60	0.00	116.10	0.00	0.00	154.80	0.00	97.60
		8.00		\$ 618.88	14.00		\$ 1,085.14	0.50		\$ 51.68	\$ 1,755.70
										GA Loading =	\$ 15.80
											\$ 1,771.50

MILEAGE VEHICLES

	MILES	RATE	AMOUNT	TOTAL
1/2 ton pickups and full-size SUVs (managers & supv) Class 14	64	0.68	43.52	43.52
3/4 ton pickups & all vans (serv tech, gas district rep.) Class 16	64	1.63	104.32	104.32
1 ton pickups & trucks (welding trucks) Class 18	0	1.20	0.00	0.00
1 ton manlifts Class 20	173	1.75	302.75	302.75
Trucks 19,501-33,000 GVWR (heavier manlifts) Class 22	0	3.50	0.00	0.00
Large trucks (line trucks, truck tractors) Class 26	0	6.00	0.00	0.00

HOURLY VEHICLES & EQUIPMENT

	HOURS	RATE	AMOUNT	TOTAL
Manlift & other trucks under 33,000 GVW Class 31	0.00	65.00	0.00	0.00
Manlift & other trucks over 33,000 GVW Class 33	0.00	150.00	0.00	0.00
Line Trucks Class 43	0.00	172.50	0.00	0.00
Walk-behind Trenchers Class 51	0.00	120.00	0.00	0.00
Ride-on Trenchers/Plows Class 53	0.00	180.00	0.00	0.00
Mini Excavator/Skid Steer Class 58	0.00	25.00	0.00	0.00
Excavac Class 66	0.00	105.00	0.00	0.00
Welder Class 77	0.00	10.00	0.00	0.00

REPAIR GAS MAIN

3RD ST AND 4TH AVE, FT TOTTEN, ND
BACKHOE
DREW BECKMAN

7/24/2024

\$ 450.59

GA Loading = \$ 4.06

\$ 454.65

SUBCONTRACT CHARGES = \$ -

GA Loading = \$ -

\$ -

MUP MATERIALS = \$ 104.75

MARKUP @ 15% \$ 15.71

MATERIAL SUBTL = \$ 120.46

GA Loading = \$ 1.08

MATERIAL COST = \$ 121.54

	Cost Center	Resource	Sub Acct.
Bismarck-120, Mobridge-210, Minot-200, Jamestown-280 --->	280	5941	28870
90.6 Gas Loss = \$ 370.64	12ND	4950	017

SUBTOTAL = \$ 2,311.04

GAS LOSS/GA= \$ 407.29

TOTAL = \$ 2,718.33

REPORT OF DAMAGE TO COMPANY-OWNED PROPERTY

(NOTE: Please refer to the bottom of this form before proceeding with completion.)

Part A

Owner of Property: _____	District: DEVILS LAKE	Town: Ft Totten, ND
Time of Damage: 5:22 PM	Date of Damage: 7/24/2024	
Name of Location Where Damage Occurred: 3RD ST & 4TH AVE		
Location of Damaged Property: FT TOTTEN, ND		
Rural Location: _____		
Estimated Amount of Loss: _____	First Responder Order No. (If applicable): MDUG-20240724-22277	
CC&B Account # (If Applicable): _____	MDU Service Order No. (If applicable): _____	
If damaged meter, meter number: _____	Additional Work Order (If applicable): _____	
<u>Description and Cause of Loss or Damage</u>		Type of meter: _____
CONTRACTOR DIGGING BUT DID NOT MAINTIAN LOCATE MARKS, HIT MAIN WITH BACKHOE		

Part B

Did Loss or Damage Originate on our Premises? (If no, Explain): _____
If an Explosion, did a Fire Ensur? _____ (How was Fire Extinguished?)
If Electrical Property is Involved, Fill in the Following Supplemental Data:
Type of Equipment Involved: _____
Damage caused by Electrical Arcing, Short Circuit or Other Failure, Give Approximate Cause

If Electrical, Did a Fire Ensur? _____

Part C

If damage was caused by excavation, was location of our facilities requested prior to digging? _____ Y		
Location requested by: _____	Time: _____	Date: _____
Line Locate Number: 24076124		
Company property located on:		
Damage notification by: _____	Time: _____	Date: _____
Was damager a subcontractor: _____	If yes, for whom: _____	
Who to bill for damages:		
Name of who to Bill: STORMS CONSTRUCTION	Name of Equipment Operator: DREW BECKMAN	
Address of who to Bill: 2120 40TH AVE SE #3	Type of equipment: BACKHOE	
MANDAN, ND 58554	Operator's Address: _____	
Phone # of who to Bill: 701-663-5565	Operator's Phone #: _____	
Name of Insurer: _____		
Insurance Policy #: _____	Was a Police Report made: _____	If yes, please attach report

REPORT OF DAMAGE TO COMPANY-OWNED PROPERTY

Others involved in Property Damage:

<u>Names of Persons Involved</u>	<u>Address</u>	<u>Phone Number</u>
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Witnesses to Property Damage:

<u>Names of Witnesses</u>	<u>Address</u>	<u>Phone Number</u>
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In case of line break, complete the following:

<u>Decatherms of gas to bill:</u> 90.6 DKT	<u>Size of hole(in):</u> 2"	<u>Time line blew:</u> 35 MIN	<u>Time</u>	<u>Date</u>
				7/24/2024

Part D

<u>Names of Persons Injured</u>	<u>Address</u>	<u>Extent of Injury</u>
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Person Filling Out Form: BRETT PETERSON

Date: 7/24/2024

Approved By: _____

Date: _____

CC&B Account #: _____ CC&B Field Activity ID: 9426464321

Instructions

Email this completed form to MDURA - Accounts Receivable: MDURA.AccountsReceivable@mdu.com

Use this form to make an immediate preliminary report of all damage to or loss of company-owned property:

If damage is caused by any of the following, complete Parts A, B, & D, if applicable.

- 1) Fire, lightning, inherent explosion, implosion, windstorm, tornado, flood, electrical arcing, short circuit, hail, riot and civil commotion, vandalism, malicious mischief, aircraft, or smoke damage.
- 2) An accident to boilers and/or machinery (an accident being a sudden and accidental breakdown of an object or part of an object).
- 3) Loss of or damage to property during the physical process of installation, movement or dismantling including while awaiting installation.

If damage was caused by others, complete Parts A, C & D, if applicable.

Name	Employee #	Hours	Unit #	Hours/Miles
NOTE: DOUBLE TIME ON PCAD				
ORDER SHOULD BE FOR				
FITTER/OPERATOR NOT				
WORKING LEAK				