



Public Service Commission  
State of North Dakota

COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

**RESPONSE REQUIRED BY  
December 27, 2024**

December 5, 2024

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

Corporation Service Company  
Registered Agent for JR Civil LLC  
418 N 2<sup>nd</sup> St  
Bismarck, ND 58501

Alex Heesch  
JR Civil LLC  
PO Box 51330  
Billings, MT 59105-1330

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 JR Civil LLC received by the North Dakota Public Service Commission (Commission) on September 11, 2024, from Montana-Dakota Utilities Co., Dickinson, North Dakota, Case Number DM-24-333. The location is identified in the complaint.

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 27, 2024**, with your written account of the event, including the applicable One-Call locate ticket number(s) for work performed at the location identified in the complaint 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 JR Civil LLC, which may result in a civil 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](mailto:kcrockford@nd.gov) with any questions regarding this correspondence.

Sincerely,

Konrad Crockford  
Director, Compliance Division

Enclosure: North Dakota One-Call Complaint



**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 Ryan Berger	Email Address ryan.berger@mdu.com	Telephone Number 701-290-2464	
Mailing Address 1133 West Broadway	City Dickinson	State ND	Zip Code 58601
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) JR Civil			
Contact Person Alex Heesch	Email Address	Telephone Number 406-200-5058	
Mailing Address 536 Kathy Lane	City Billings	State MT	Zip Code 59105

**SECTION III – ALLEGED VIOLATION**

<b>OPERATOR – A person or entity who owns or operates an underground facility (i.e.: natural gas, electric, sewer, etc.).</b>	
<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.
<b>EXCAVATOR – A person or entity who conducts excavation (i.e.: homeowner, property owner, company, etc.).</b>	
<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.
<b>OTHER – May be issue/concern with One-Call Center or other alleged violation that is not listed under operator or excavator.</b>	
<input checked="" type="checkbox"/> Write Issue/Concern: JR Civil hit MDU owned natural gas lines 3 times since July 25th, 2024 resulting in damages.	

**SECTION IV – DESCRIPTION/DAMAGE**

Date and Time of Event 9/9/2024	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) 55 2nd Ave. W. Rhame ND/ Intersecting 1st.St. W.	One-Call Ticket Number 24113342
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.) .75 plastic gas line	Operator(s) Affected Montana Dakota Utilities	
Estimated Value of Damage \$3,000	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected 1
Description of the alleged violation/concern. If more space is required, attach additional page(s). 7/25/2024 damaged .75 plastic gas line, 309 North Ave. Rhame N.D. ticket # 24081492 8/27/2024 damaged .75 plastic gas line, 305 1st Ave. West, Rhame N.D.ticket #24113342		

**SECTION V – SIGNATURE OF COMPLAINANT**

Signature <i>Ryan Berger</i>	Printed Name Ryan Berger	Date 9-10-2024
---------------------------------	-----------------------------	-------------------

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