



**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 Utilites			
Contact Person Kim Obritsch	Email Address kim.obritsch@mdu.com	Telephone Number 701-290-7365	
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) BEK Consulting, LLC			
Contact Person Lonny Kern	Email Address	Telephone Number 701-690-1185	
Mailing Address 3180 Hwy 22 N. PO Box 1010	City Dickinson	State ND	Zip Code 58601

**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: BEK Consulting dug through MDU's underground 3 phase primary

**SECTION IV – DESCRIPTION/DAMAGE**

Date and Time of Event 9/14/2024 8:00 AM MDT	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) 1230 Sims Dickinson, ND-- Museum Drive	One-Call Ticket Number 24123157
Underground Facility Affected <input checked="" type="checkbox"/> Electric <input 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.) 3- 1/0 JCNP UG primary cable	Operator(s) Affected MDU	
Estimated Value of Damage \$3,500	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected 7
Description of the alleged violation/concern. If more space is required, attach additional page(s). BEK Consulting failed to locate MDU's 3 phase primary properly per ND dig law causing damage to MDU facilities. Locates where current and visible. This was the second damage caused by BEK Consulting in 4 days to MDU facilities.		

**SECTION V – SIGNATURE OF COMPLAINANT**

Signature <i>Kim Obritsch</i>	Printed Name Kim Obritsch	Date 9/16/2024
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Please email the completed form to [ndpsc@nd.gov](mailto:ndpsc@nd.gov), fax to 701-328-2410, or mail to: Public Service Commission  
 600 E. Boulevard Ave. Dept 408  
 Bismarck, ND 58505-0480