



**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) Picard Excavating			
Contact Person Taylor Picard	Email Address picardexcavating@gmail.com	Telephone Number 701-263-1280	
Mailing Address 4 21st St	City Minot	State ND	Zip Code 58703

**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: <u>Excavator failed to maintain clearance</u>			

**SECTION IV – DESCRIPTION/DAMAGE**

Date and Time of Event 09/05/2024 8:40 AM	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) Across the road from 2408 15th St NW, Minot, ND	One-Call Ticket Number 24110841
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 Main	Operator(s) Affected Montana Dakota Utilities	
Estimated Value of Damage \$1,054.14	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected 8
Description of the alleged violation/concern. If more space is required, attach additional page(s). Contractor failed to maintain clearance and hit a 2" plastic main while digging for water. Public Awareness material was left with the contractor and told to maintain clearance. This is one of three hit lines by this contractor from the dates of September 5, 2024 through September 9, 2024. Two of which occurred on the same day (September 5, 2024). Locate ticket, damage photos and damage invoice attached.		

**SECTION V – SIGNATURE OF COMPLAINANT**

Signature <i>Scott Volk</i>	Printed Name SCOTT VOLK	Date 10/11/2024
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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

**Bauske, Shelly A.**

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**From:** nd@occinc.com  
**Sent:** Wednesday, October 9, 2024 7:39 AM  
**To:** Hansen, Melissa  
**Subject:** Ticket-24110841

**\*\* 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. \*\***

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## North Dakota One Call

**Ticket No:** 24110841 **LORQ ROUTINE**  
**Original Call Date:** 08/21/24 03:46 pm  
**Work to Begin Date:** 08/24/24 12:01 am  
**Expiration Date:** 09/14/24 12:01 am

Caller Information  
**Company Name:** PICARD EXCAVATING  
**Contact Name:** TAYLOR PICARD **Phone:** (701)263-1280  
**Alt. Contact:** TAYLOR **Alt. Phone:** (701)263-1280  
**Caller Address:** 4 21ST ST **Caller ID:** 40888  
MINOT, ND 58703  
**Email Address:** picardexcavating@gmail.com

Dig Site Information  
**Type of Work:** SEWER AND WATER INSTALL  
**Work Being Done For:** CONTRACTOR  
**White Lining/Site Identification:** OTHER  
**Depth:** 9FT **Explosives:** N **Tunneling/Boring:** N

Dig Site Location  
**County:** WARD **Place:** MINOT  
**City Limits:** Y  
**Address:** 2405  
**Street:** 15TH ST NW  
**Intersecting Street:** 24TH AVE NW

**Location of Work:**  
MARKING INSTRUCTIONS: MARK ENTIRE PROPERTY.

**Remarks:**

**Caller Twp:**

**Rng:**

**Sect-Qtr:**

**Map Twp:** 155N

**Rng:** 83W

**Sect-Qtr:** 11-NW

**Map Coord NW Lat:** 48.2625521 **Lon:** -101.3172079 **SE Lat:** 48.2623287 **Lon:** -101.3164294

**MEMBERS:**

<b>District</b>	<b>Company Name</b>	<b>Status</b>
MDU01	MONTANA DAKOTA UTILITIES CO	Marked
MIDCON26	MIDCONTINENT CABLE	Marked (marked main line)
MINOT01	CITY OF MINOT WATER SEWER DEPT	Marked
MINOT02	CITY OF MINOT LIGHTING SIGNALS	Marked
NDXCEL01	XCEL ENERGY	Marked
SOURIS01	SOURIS RIVER TELECOMMUNICATION	Marked



## INCIDENT INVESTIGATION #241582

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2415 15th street NW, Minot, ND

### LOCATION DETAILS

**Event Date:** 09/05/2024 08:44 AM America/Denver

**Right-of-Way:** Private Land

### AFFECTED FACILITY

**Event Type:** Underground Damage

**Type of Operation Affected:** Gas

**Line Size and Type:** 2" Plastic

**Facility part of joint trench:** Yes

**Asphalt or concrete removed:** No

**Damage Surface Type and Depth:** Dirt 48

**Arrival Date and Time:** 09/05/2024 08:44 AM America/Denver



**Distance from Ped to Ped:** 0ft

**Dimensions of Asphalt or Concrete Removed:** 0

**Repairs Taking Place Upon Arrival?** Yes

**Who Performed Repairs:** Utility Company

**Contractor Representative:**

**Contractor Representative Phone Number:**

**Personnel On Site:** 1 supervisor 3 tech

**Vehicles/Equipment Being Used For Repairs:** 4 trucks

**Guards or Barricades On Site:** 0

**Facilities Replaced or Repaired:** Repaired

**Replacement Type:** Permanant

**Occurred During:** Business Hours

**Time Occurred:** 8:50 AM America/Denver

## **DAMAGER**

**Company Name:** Picard Excavating

**Contact:** Taylor Picard

**Contact Phone:** (701) 263-1280

**Type of Work:** Sewer and water install

**Damage Responder:** Jude, Hintz

## **UTILITY INFORMATION**

**Utility Company Name:** Montana Dakota Utilities

**Utility Contact Name:** Shane

**Utility Contact Phone:**

**Utility Representative:** Shane

**Utility Rep Tech#:**

**Utility Rep. Present on Arrival:** No

## EXCAVATION INFORMATION

**Excavator Type:** Contractor

**Excavation Equipment:** Backhoe/Trackhoe

**Work Performed:** Water

**Excavator downtime?** Yes

**Downtime hours:** 1

**Downtime cost:** \$0

## NOTIFICATION AND LOCATING

**One Call Center notified:** Yes

**Locator Type:** Contract Locator

**Work area white-lined:** No

**Ticket Number:** 24110841

**Date Located:** 08/22/2024 08:54 AM America/Denver

**Located By:** Bradley Lawrence

## INTERRUPTION AND RESTORATION

**Event cause Interruption:** No

**Interruption hours:** 1

**Customers Affected (approx.):** 8

## ROOT CAUSE

**Root Cause:** Excavator dug prior to verifying marks by test-hole (pot-hole)

## COMMENTS

**Assessment Comments:** The contractor is installing new water and sewer and scraped the top of a gas main with the bucket of the track hoe. Marks and flags are accurate and still visible.

# INCIDENT AND SURVEY COMPARISON PHOTOS

## SURVEY PHOTO



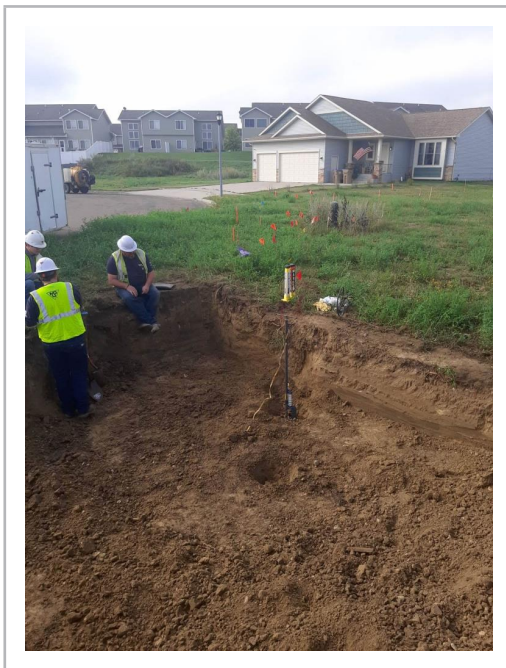
Date: 08/22/2024 09:53 AM America/Denver

Latitude: 48.262222

Longitude: -101.316389

Heading: 133 degrees

## INCIDENT COMPARISON PHOTO



Date: 09/05/2024 08:54 AM America/Denver

Latitude: 48.262484

Longitude: -101.316579

Heading: 158 degrees

# NEW INCIDENT PHOTOS



Date: 09/05/2024 08:45 AM America/Denver

Latitude: 48.262438

Longitude: -101.316574

Heading: 222 degrees



Date: 09/05/2024 08:45 AM America/Denver

Latitude: 48.262451

Longitude: -101.316578

Heading: 22 degrees



Date: 09/05/2024 08:45 AM America/Denver

Latitude: 48.262435

Longitude: -101.316568

Heading: 293 degrees



Date: 09/05/2024 08:53 AM America/Denver

Latitude: 48.262402

Longitude: -101.316611

Heading: 354 degrees

Lat: 48.2623931, Long: -101.316585, H: South



Ticket: 24110842.0 Timestamp: 8/22/2024 9:55:03 AM

Lat: 48.2623377, Long: -101.3165916, H: South



Ticket: 24110842.0 Timestamp: 8/22/2024 9:55:07 AM

# INVOICE

**SOLD TO:**

PICARD EXCAVATING  
 1820 1ST ST SE  
 MINOT ND 58701

**Invoice Number:** 55379  
**Customer Number:** 1526577  
**Invoice Date:** 09/18/24  
**Reference Number:** MNT MDUG-20240905-20170  
**Amount Due:** \$1,054.14  
**Due Date:** 10/18/24

Please return upper portion of invoice with payment.

**Terms:** DUE IN 30 DAYS

**Reference:** 2413 15TH ST NW, MINOT, ND

Line	Due Date	Description	Amount
001	10/18/24	REPAIR GAS MAIN	1,054.14
		\$504.83 - LABOR	
		\$74.79 - EQUIPMENT	
		\$285.54 - MATERIALS	
		\$182.85 - SUBCONTRACT	
		\$6.13 - GAS LOSS	
		CAUSE OF DAMAGE: BACKHOE OPERATOR: TAYLOR PICARD DATE OF INCIDENT: 09/05/2024	
Please put invoice number 55379 on payment.			
<b>Total</b>	<b>Tax Rate</b>	<b>Tax</b>	<b>Total Amount Due</b>
\$1,054.14			\$1,054.14

**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](http://www.montana-dakota.com/invoices)  
 GPNG - [www.gpng.com/invoices](http://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: PICARD EXCAVATING 1526577

REFERENCE: MNT MDUG-20240905-20170

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	1.00	74.42	74.42	0.00	88.53	0.00	0.00	118.04	0.00	74.42
G	Welder/Service Tech	1.00	67.67	67.67	0.00	80.50	0.00	0.00	107.33	0.00	67.67
G	Fitter Oper/Serv Fitter	4.00	65.16	260.64	0.00	77.51	0.00	0.00	103.35	0.00	260.64
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
		<u>6.00</u>		<u>\$ 500.33</u>	<u>0.00</u>		<u>\$ -</u>	<u>0.00</u>		<u>\$ -</u>	<u>\$ 500.33</u>

GA Loading = \$ 4.50  
 \$ 504.83

MILEAGE VEHICLES

	MILES	RATE	AMOUNT	TOTAL
1/2 ton pickups and full-size SUVs (managers & supv) Class 14	0	0.68	0.00	0.00
3/4 ton pickups & all vans (serv tech, gas district rep.) Class 16	24	1.63	39.12	39.12
1 ton pickups & trucks (welding trucks) Class 18	0	1.20	0.00	0.00
1 ton manlifts Class 20	0	1.75	0.00	0.00
Trucks 19,501-33,000 GVWR (heavier manlifts) Class 22	10	3.50	35.00	35.00
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

\$ 74.12

GA Loading = \$ 0.67

\$ 74.79

SUBCONTRACT CHARGES = \$ 181.22

GA Loading = \$ 1.63

\$ 182.85

MUP MATERIALS = \$ 246.08

MARKUP @ 15% \$ 36.91

MATERIAL SUBTL = \$ 282.99

GA Loading = \$ 2.55

MATERIAL COST = \$ 285.54

REPAIR GAS MAIN

2413 15TH ST NW, MINOT, ND

BACKHOE

TAYLOR PICARD

9/5/2024

	Cost Center	Resource	Sub Acct.
Bismarck-120, Mobridge-210, Minot-200, Jamestown-280 -->	200	5941	28870
1.6 Gas Loss = \$ 6.13	12ND	4950	017

SUBTOTAL = \$ 1,001.75

GAS LOSS/GA= \$ 52.39

TOTAL = \$ 1,054.14

# 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: MINOT	Town: <b>Minot, ND</b>
Time of Damage: <u>9:12 AM</u>		Date of Damage: <u>9/5/2024</u>
Name of Location Where Damage Occurred: <u>2413 15TH ST NW</u>		
Location of Damaged Property: <u>MINOT</u>		
Rural Location: _____		
Estimated Amount of Loss: _____	First Responder Order No. (If applicable): <u>MDUG-20240905-20170</u>	
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: _____
<u>Contractor hit 2" main twice today in the same spot, this is the first damage report. ELM Investigation # 241582</u>		

## 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: _____
<u>Damage caused by Electrical Arcing, Short Circuit or Other Failure, Give Approximate Cause</u>
_____
_____
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: <u>24110842</u>		
Company property located on:		
Damage notification by: <u>Taylor</u>	Time: _____	Date: <u>9/5/2024</u>
Was damager a subcontractor: _____	If yes, for whom: _____	
<b>Who to bill for damages:</b>		
Name of who to Bill: <u>Picard Excavating</u>	Name of Equipment Operator: <u>Taylor Picard</u>	
Address of who to Bill: <u>1820 1st St SE</u>	Type of equipment: <u>backhoe</u>	
<u>Minot, ND 58701</u>	Operator's Address: _____	
Phone # of who to Bill: <u>701-263-1280</u>	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:**

Decatherms of gas to bill: 1.6 DKT	Size of hole(in): 1/2"	Time line blew: 20 Min	<u>Time</u> 9/5/2024
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**Part D**

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

Date: 9/6/2024

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

CC&B Account #: \_\_\_\_\_ CC&B Field Activity ID: 0337246375

**Instructions**

Email this completed form to MDURA - Accounts Receivable: [MDURA.AccountsReceivable@mdu.com](mailto: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
SEE ATTACHED CHARGE FOR				
ELM DAMAGE INVESTIGATION				