



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

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.
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>Excavator failed to maintain clearance</u>	

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 09/09/2024 12:09 PM	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) Empty lot across the street from 2408 15th St NW, Minot, ND	One-Call Ticket Number 24110839
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 \$1,701.43	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 2" plastic main for the 3rd time from the time frame of September 5 through September 9, 2024. Tech stated "clearly marked locates". Locate ticket, damage photos, and damage invoice attached.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Scott Volk	Date 10/11/2024
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Please email the completed form to ndpsc@nd.gov, fax to 701-328-2410, or mail to: Public Service Commission
 1 DM-24-357 Filed 10/11/2024 Pages: 17 600 E. Boulevard Ave. Dept 408
 North Dakota One-Call Complaint Bismarck, ND 58505-0480

Bauske, Shelly A.

From: nd@occinc.com
Sent: Friday, September 20, 2024 10:44 AM
To: Hansen, Melissa
Subject: Ticket-24110839

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: 24110839 **LORQ ROUTINE**
Original Call Date: 08/21/24 03:45 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
MINOT, ND 58703 **Caller ID:** 40888
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: 2409
Street: 15TH ST NW
Intersecting Street: 24TH AVE NW
Location of Work:



INCIDENT INVESTIGATION #241640



2405 15th street , Minot , ND

LOCATION DETAILS

Event Date: 09/09/2024 11:33 AM America/Denver

Right-of-Way: Unknown/Other

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: 09/09/2024 11:33 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: Taylor Picard

Contractor Representative Phone Number: (701) 263-1280

Personnel On Site: 1 supervisor

Vehicles/Equipment Being Used For Repairs: 1 truck

Guards or Barricades On Site: 0

Facilities Replaced or Repaired: Repaired

Replacement Type: Permanant

Occurred During: Business Hours

Time Occurred: 11:33 AM America/Denver

DAMAGER

Company Name: Picard excavating

Contact: Taylor Picard

Contact Phone: (701) 263-1280

Type of Work: Water and sewer service 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: 24110839

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

Located By: Bradley Lawrence

INTERRUPTION AND RESTORATION

Event cause Interruption: Yes

Interruption hours: 1

Customers Affected (approx.): 8

ROOT CAUSE

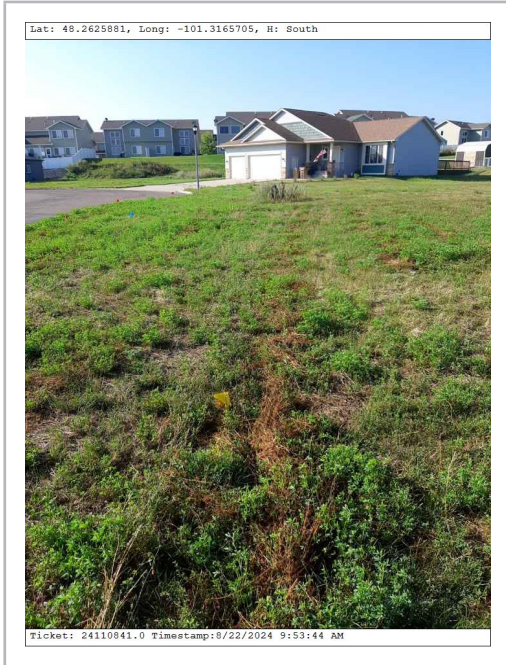
Root Cause: Excavator dug prior to verifying marks by test-hole (pot-hole)

COMMENTS

Assessment Comments: Excavator hit a gas main while digging for a water install. Marks and flags are still visible and accurate.

INCIDENT AND SURVEY COMPARISON PHOTOS

SURVEY PHOTO



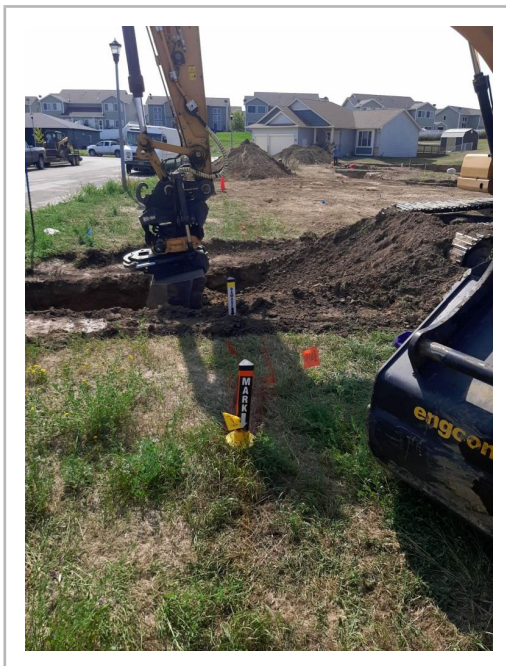
Date: 08/22/2024 09:53 AM America/Denver

Latitude: 48.262500

Longitude: -101.316389

Heading: 168 degrees

INCIDENT COMPARISON PHOTO



Date: 09/09/2024 11:47 AM America/Denver

Latitude: 48.262730

Longitude: -101.316583

Heading: 155 degrees

SURVEY PHOTO



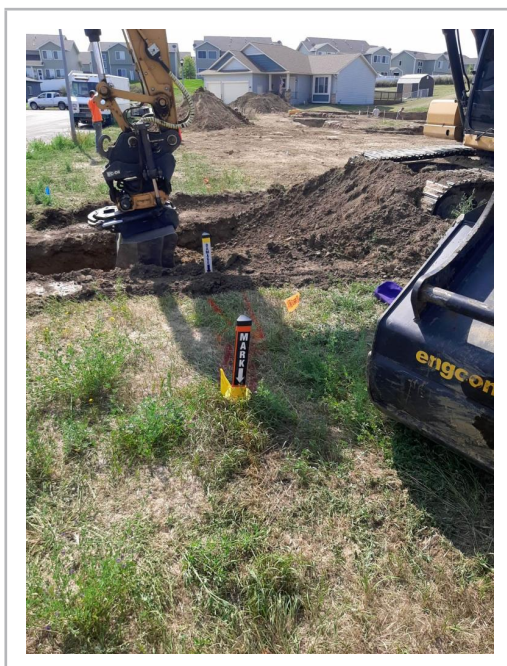
Date: 08/22/2024 09:53 AM America/Denver

Latitude: 48.262500

Longitude: -101.316389

Heading: 158 degrees

INCIDENT COMPARISON PHOTO



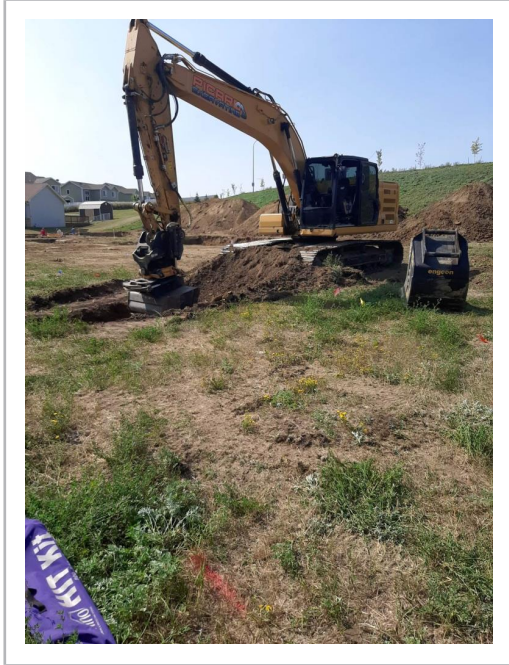
Date: 09/09/2024 11:48 AM America/Denver

Latitude: 48.262718

Longitude: -101.316573

Heading: 171 degrees

NEW INCIDENT PHOTOS

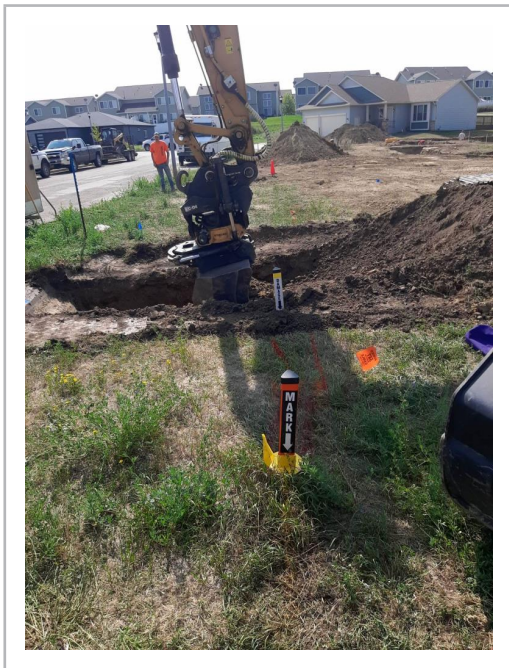


Date: 09/09/2024 11:42 AM America/Denver

Latitude: 48.262733

Longitude: -101.316510

Heading: 200 degrees



Date: 09/09/2024 11:48 AM America/Denver

Latitude: 48.262727

Longitude: -101.316585

Heading: 191 degrees

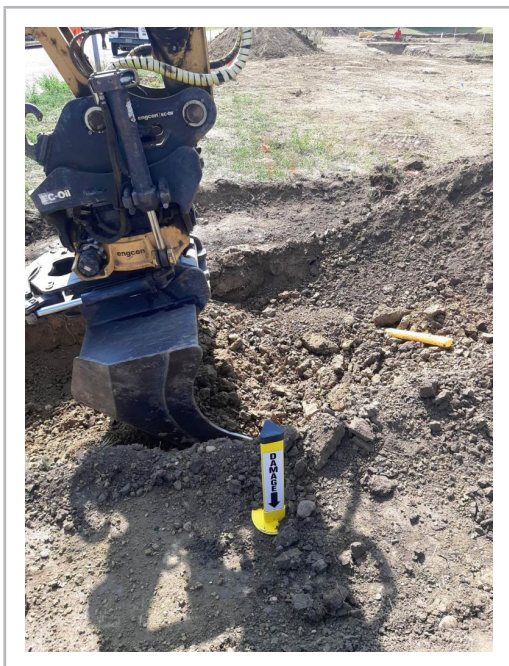


Date: 09/09/2024 11:48 AM America/Denver

Latitude: 48.262686

Longitude: -101.316572

Heading: 220 degrees



Date: 09/09/2024 11:48 AM America/Denver

Latitude: 48.262685

Longitude: -101.316580

Heading: 189 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: 55431
Customer Number: 1526577
Invoice Date: 09/25/24
Reference Number: MNT MDUG-20240909-21149
Amount Due: \$1,701.43
Due Date: 10/25/24

Please return upper portion of invoice with payment.

Terms: DUE IN 30 DAYS

Reference: 2405 15TH ST NW, MINOT, ND

Line	Due Date	Description	Amount
001	10/25/24	REPAIR GAS MAIN	1,701.43
		\$1,012.56 - LABOR	
		\$135.35 - EQUIPMENT	
		\$148.68 - MATERIALS	
		\$182.85 - SUBCONTRACT	
		\$221.99 - GAS LOSS	
		CAUSE OF DAMAGE: EXCAVATOR OPERATOR: TEGAN LAMOTTE DATE OF INCIDENT: 09/09/2024	
Please put invoice number 55431 on payment.			
Total	Tax Rate	Tax	Total Amount Due
\$1,701.43			\$1,701.43

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: PICARD EXCAVATING 1526577

REFERENCE: MNT MDUG-20240909-21149

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	5.00	74.42	372.10	0.00	88.53	0.00	0.00	118.04	0.00	372.10
G	Welder/Service Tech	5.00	67.67	338.35	0.00	80.50	0.00	0.00	107.33	0.00	338.35
G	Fitter Oper/Serv Fitter	3.00	65.16	195.48	0.00	77.51	0.00	0.00	103.35	0.00	195.48
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
		13.00		\$ 1,003.53	0.00		\$ -	0.00		\$ -	\$ 1,003.53

GA Loading = \$ 9.03
\$ 1,012.56

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	28	1.63	45.64	45.64
1 ton pickups & trucks (welding trucks) Class 18	0	1.20	0.00	0.00
1 ton manlifts Class 20	22	1.75	38.50	38.50
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	2.00	25.00	50.00	50.00
Excavac Class 66	0.00	105.00	0.00	0.00
Welder Class 77	0.00	10.00	0.00	0.00

\$ 134.14

GA Loading = \$ 1.21

\$ 135.35

SUBCONTRACT CHARGES = \$ 181.22

GA Loading = \$ 1.63

\$ 182.85

MUP MATERIALS = \$ 128.13

MARKUP @ 15% \$ 19.22

MATERIAL SUBTL = \$ 147.35

GA Loading = \$ 1.33

MATERIAL COST = \$ 148.68

REPAIR GAS MAIN

2405 15TH ST NW, MINOT, ND

EXCAVATOR

TEGAN LAMOTTE

9/9/2024

	Cost Center	Resource	Sub Acct.
Bismarck-120, Mobridge-210, Minot-200, Jamestown-280 -->	200	5941	28870
57.9 Gas Loss = \$ 221.99	12ND	4950	017

SUBTOTAL = \$ 1,447.02

GAS LOSS/GA= \$ 254.41

TOTAL = \$ 1,701.43

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: Minot, ND
Time of Damage: 12:14 PM Date of Damage: 9/9/2024
Name of Location Where Damage Occurred: 2405 15th St NW
Location of Damaged Property: Minot, ND
Rural Location: _____
Estimated Amount of Loss: _____ First Responder Order No. (If applicable): MDUG-20240909-21149
CC&B Account # (If Applicable): _____ MDU Service Order No. (If applicable): _____
If damaged meter, meter number: _____ Additional Work Order (If applicable): _____
Description and Cause of Loss or Damage Type of meter: _____
3rd hit on our 2" main within days, ELM 241640, pressure 15/60

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?

Location requested by: _____ Time: _____ Date: _____
Line Locate Number: 24110839

Company property located on:

Damage notification by: Tegan Lamotte Time: _____ Date: 9/9/2024
Was damager a subcontractor: _____ If yes, for whom: _____

Who to bill for damages:

Name of who to Bill: Picard Excavating Name of Equipment Operator: Tegan Lamotte
Address of who to Bill: 1820 1rst St SE Type of equipment: excavator
Minot, ND 58701 Operator's Address: _____
Phone # of who to Bill: 701-263-1280 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: 57.9 dkt	Size of hole(in): 2"	Time line blew: 45 min	<u>Time</u> 9/9/2024
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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: 9/10/2024

Approved By: _____

Date: _____

CC&B Account #: _____ CC&B Field Activity ID: 0335608539

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
SEE ATTACHED CHARGE FOR				
ELM INVESTIGATION				