



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

**RESPONSE REQUIRED BY
March 7, 2025**

February 14, 2025

Joseph L Currier
Dakota Fence Company
1110 25th Ave N
Fargo ND 58102-1889

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 Dakota Fence Company filed by the North Dakota Public Service Commission (Commission) on November 7, 2024, Case Number DM-24-367. 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 March 7, 2025**, 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 Dakota Fence Company, 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 with any questions regarding this correspondence.

Sincerely,

A handwritten signature in blue ink, appearing to read "Konrad Crockford".

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) Public Service Commission			
Contact Person Konrad Crockford	Email Address kcrockford@nd.gov	Telephone Number 701-328-4097	
Mailing Address 600 E. Boulevard Ave. Dept. 408	City Bismarck	State ND	Zip Code 58505-0480
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) Dakota Fence Co.			
Contact Person Janelle Martell	Email Address jmartell@3dspecialties.com	Telephone Number 701-258-9095	
Mailing Address 1720 12th St.	City Bismarck	State ND	Zip Code 58504

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 checked="" 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 type="checkbox"/> Write Issue/Concern: _____			

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 08-23-2024 @ 10:50 AM	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) McKenzie Dr. SW & Dutton Circle SE, Mandan, ND	One-Call Ticket Number 24109197
Underground Facility Affected <input 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.)		Operator(s) Affected
Estimated Value of Damage	Injuries (List Number, If Any) Fatalities _____ Injuries _____ Hospitalizations _____	Number of Customers Affected
Description of the alleged violation/concern. If more space is required, attach additional page(s). Dakota Fence installed crosswalk signs located at the above location. While Dakota Fence filed an excavation notice for the crosswalk sign located on the south side of McKenzie Dr. SW (24109197), they did not file an excavation notice for the sing installed on the north side of the street. Additionally, Dakota Fence installed a stop sign at the intersection McKenzie Dr. SW and Dutton Circle SE without filing an excavation notice. See attached pictures.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature <i>Konrad Crockford</i>	Printed Name Konrad Crockford	Date 11-01-2024
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Photo 1: Dakota Fence at the location of installation with North crosswalk sign already installed.



Photo 2: Closeup of North cross walk sign installed without on-call ticket.



Photo 3: Stop sign not yet installed. The red circle shows lath stake painted pink is marking location of where the stop sign is to be installed.



Photo 4: Picture of stop sign at intersection of McKenzie Sr. SW and Dutton Circle SE

