

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

M E M O R A N D U M

TO: Commissioners Christmann, Haugen-Hoffart, and Kringstad
Brian Johnson, Executive Secretary

FROM: Konrad Crockford, Director, Compliance Division

DATE: February 20, 2026

RE: North Dakota One-Call Complaint
Case Numbers DM-24-372 and DM-24-373

On November 26, 2024, a North Dakota One-Call Complaint was received from Kinder Morgan alleging that Chris Glenn violated N.D.C.C. Chapter 49-23 One-Call Excavation Notice System by failing to provide a locate notice prior to beginning excavation.

The complainant alleges Mr. Glenn installed a concrete approach and conducted an excavation to install a culvert and slope the county road ditch in front of his home address without a One-Call ticket.

Staff investigated the complaint. According to Mr. Glenn, he consulted with the county prior to cleaning sediment that washed down his driveway to the ditch and culvert. He removed the sediment from these areas and restored the area to the original grade. He also installed a concrete approach over the existing grade to help stabilize his driveway. The county installed another culvert across the road to aid drainage of the area. The law does not prohibit concrete from being installed over the existing grade. The practice of removing gravel road material from the ditch to be brought back onto the road is a common practice used by counties and townships when maintaining their gravel roads.

Based on the investigation, there is not sufficient evidence to support a violation; therefore, Staff does not intend to file a formal complaint. Additionally, Staff recommends that no further action be taken, and the case be closed.