



Public Service Commission

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

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

**RESPONSE REQUIRED BY
SEPTEMBER 5, 2025**

August 14, 2025

Travis Jacobson
Montana-Dakota Utilities Co.
400 N 4th St
Bismarck ND 58501

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 Montana-Dakota Utilities Co. received by the North Dakota Public Service Commission (Commission) on January 15, 2025, from Earth Energy & Water Systems, Inc., New Salem, North Dakota, Case Number DM-25-25. The complaint identifies the location.

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 September 5, 2025**, with your written account of the event, including the applicable One-Call locate ticket number(s) for work performed at the location indicated above 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 Montana-Dakota Utilities Co., which may result in a 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 "K. 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) <i>Earth Energy & Water Systems, Inc.</i>			
Contact Person <i>Doravon Meuchel</i>	Email Address <i>earthenergywater@wastriv.com</i>	Telephone Number <i>701-220-8479</i>	
Mailing Address <i>3890 Judson St.</i>	City <i>New Salem</i>	State <i>ND</i>	Zip Code <i>58563</i>
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) <i>Montana Dakota Utilities</i>			
Contact Person	Email Address	Telephone Number <i>800-638-3278</i>	
Mailing Address <i>400 N. 4th St.</i>	City <i>Bismarck</i>	State <i>ND</i>	Zip Code <i>58501</i>

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: _____

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event <i>12-30-2024</i>	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) <i>Ash Ave, New Salem</i>	One-Call Ticket Number
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.)		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). <i>1st locate tickets they showed cleared - no conflict. but they were not located. Re-ticket due to separation they came & marked over the top of our holes. We were very close to hitting the line due to not being marked during 1st run.</i>		

SECTION V – SIGNATURE OF COMPLAINANT

Signature <i>[Handwritten Signature]</i>	Printed Name <i>Doravon Meuchel</i>	Date <i>1-8-25</i>
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Please email the completed form to ndpsc@nd.gov, fax to 701-328-2410, or mail to: Public Service Commission
600 E Boulevard Ave. Dept 408
Bismarck, ND 58505-0480