



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
February 25, 2026**

February 4, 2026

Brad Hollenbeck
Registered Agent for
Keller Construction LLC
3131 Bay Shore Bend
Mandan ND 58554

Keller Construction LLC
7700 Mount Royal Ln
Rapid City SD 57702-8763

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 Keller Construction LLC received by the North Dakota Public Service Commission (Commission) on March 17, 2025, from Kinder Morgan, Case Number DM-25-93. 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 February 25, 2026**, 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 Keller Construction LLC 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) Kinder Morgan			
Contact Person Ryan Farmer	Email Address ryan_farmer@kindermorgan.com	Telephone Number 701-339-6090	
Mailing Address 611 37th Ave SE bldg. 29	City Williston	State ND	Zip Code 58801
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) Keller Construction			
Contact Person Kirby Keller	Email Address kirbykeller23@gmail.com	Telephone Number 605-845-6253	
Mailing Address 7700 Mount Royal Lane	City Rapid City	State SD	Zip Code 57702

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

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 3/17/25 4:15pm	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) Lat: 48.038891, Long: -103.455716	One-Call Ticket Number 25010478
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 checked="" 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.) 4" Steel Crude Oil Pipeline/16" Poly Natural Gas Pipeline		Operator(s) Affected Kinder Morgan
Estimated Value of Damage 0	Injuries (List Number, If Any) 0 Fatalities 0 Injuries 0 Hospitalizations	Number of Customers Affected 0
Description of the alleged violation/concern. If more space is required, attach additional page(s). KM rep met with the contractor on site to observe work for ticket 25009532. They discussed poles to be placed outside of the scope of this ticket. KM rep made the contractor aware they did not have an active One Call for that area. The contractor called in ticket 25010478 while on site. KM rep left to hook up to locate the new ticket and the contractor had already augered in new poles along the scope of work for the new ticket prior to the ticket start date and time. As of this writing no member companies have responded to this ticket.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Ryan Farmer	Date 3/17/25
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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