

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: August 27, 2026

RE: ND One-Call Complaint
Case No. DM-26-244

On June 26, 2026, the Commission received a North Dakota One-Call complaint from Joey Patnaude, of Grand Forks, North Dakota, alleging that, in 2010, his neighbor, Casimir Schudrowitz, violated N.D.C.C. Chapter 49-23, the One-Call Excavation Notice System, by relocating an underground natural gas service line from Mr. Schudrowitz's property onto Mr. Patnaude's property to accommodate the installation of a concrete pad on Mr. Schudrowitz's property.

Staff investigated the complaint and reviewed the available North Dakota One-Call records. Staff was unable to determine whether a North Dakota One-Call ticket was obtained for the alleged excavation. Staff contacted the North Dakota One-Call Operations Center (NDOC) for additional information and confirmed that, pursuant to N.D.C.C. § 49-23-04(5)(a), NDOC maintains excavation notices for six years. Because the alleged excavation occurred in 2010, records relating to the excavation, if any, are no longer available through NDOC.

Staff also followed up with Mr. Patnaude to determine whether he had additional evidence supporting the alleged violation. Based on the information available to Staff, Staff did not identify evidence sufficient to establish that an excavation occurred in violation of the requirements of N.D.C.C. Chapter 49-23 or that Mr. Schudrowitz failed to comply with the applicable One-Call requirements.

The location of an underground facility relative to property boundaries, or the fact that a facility is located on property other than the property being served, is not addressed by N.D.C.C. Chapter 49-23. Accordingly, while there may be a separate issue concerning the location of the natural gas service line on Mr. Patnaude's property while providing service to Mr. Schudrowitz's property, that issue does not, based on the information available to Staff, establish a violation of N.D.C.C. Chapter 49-23.

Based on its investigation, Staff finds insufficient evidence to establish that Mr. Schudrowitz violated N.D.C.C. Chapter 49-23.

Accordingly, Staff recommends the Commission take no further action regarding the complaint and close the case.