



ND ONE-CALL COMPLAINT

Public Service Commission

SFN 59067 (1-14)

To allege a violation of the One-Call Excavation Notice System Law: North Dakota Century Code Chapter 49-23

PART A – WHO IS SUBMITTING THIS COMPLAINT (COMPLAINANT)

Company/Person Midcontinent Communications/Robert Johnson	Street Address 5030 Gateway Dr St. B	City Grand Forks	State and Zip Code ND 58203
Telephone and Cell Phone Number (701) 335-4228	Email Address robert_johnson@mml.net		Date 9/11/2015
<input type="checkbox"/> Complainant is willing and able to testify on the complaint if matter goes to formal hearing			

PART B – WHO VIOLATED THE ONE-CALL REGULATIONS (RESPONDENT)

Company/Person North Country Contracting LLC/Nick Wurzel	Street Address 1620 25th St S	City Moorhead	State and Zip Code MN 56560
Telephone and Cell Phone Number (701) 866-5135			Email Address

PART C – ALLEGED VIOLATION

<input checked="" type="checkbox"/> Operator failed to provide or update the information provided to the notification center on a timely basis <input checked="" type="checkbox"/> Excavator failed to provide excavation or location notice at least 48 hours before beginning any excavation <input checked="" type="checkbox"/> Excavator failed to provide required information in excavation or location notice <input type="checkbox"/> Notification center failed to transmit the notice to every operator that has an underground facility in the area of the excavation <input type="checkbox"/> Notification center failed to inform the excavator of the names of operators of underground facilities in the area <input checked="" type="checkbox"/> Operator failed to locate and mark underground facility within 48 hours <input checked="" type="checkbox"/> Excavation started prior to underground facility locate <input type="checkbox"/> Operator failed to mark underground facility within 24 inches horizontally <input type="checkbox"/> Excavator failed to renew excavation or location request prior to the expiration of the twenty-one-day period <input checked="" type="checkbox"/> Excavator failed to conduct the excavation in a careful and prudent manner to avoid damage of underground facilities <input type="checkbox"/> Excavator failed to maintain the markings during excavation <input type="checkbox"/> Other (identify the specific section of NDCC Chapter 49-23) _____
Location of Violation: NE corner of intersection 27th Ave and 32nd St W Williston, ND
Date and Time of Violation: 9/10/2015 1:00pm
Description (summarize the observations on which you rely to allege the violation) <i>If more space is required, please provide the description on a separate page.</i> NCC was digging to place storm sewer to connect to the retention pond for Fairhills subdivision. When Jim Smith (Midco employee) arrived he asked Nick Wurzel (NCC employee) for a locate ticket number. Nick was unable to provide a ticket number. NCC cut completely through our .715 cable in the ground and had both ends pulled up out of the trench. NCC did not have locates and shouldn't have been digging.

PART D – DAMAGE

Fatalities no	Injuries no	In-patient Hospitalization no
Underground facility type(s) and Operator(s) affected: Midcontinent Communications .715 hardline		
Estimated Value of Damage (damage as defined under NDCC Chapter 49-23): \$ \$2,050		Number of Customers Affected 0
Other impact of event:		
Please attach photos of Event Area or Damaged Facility		

PART I – SIGNATURE

Signature of Person Filing Complaint Darryl Cross	Date 9/11/2015
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Send Completed, Original Complaint To:
Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480
Telephone: (701) 328-2400









