

APR 23 2004

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Mail completed form to: PUBLIC UTILITIES COMMISSION 500 EAST CAPITOL AVENUE PIERRE, SD 57501 ATTN: SOUTH DAKOTA ONE CALL BOARD

COMPLAINT

COMPLETE INFORMATION IS REQUIRED - ADDITIONAL PAGES MAY BE USED IF REQUIRED

ALLEGATION OF PROBABLE VIOLATION(S) OF SOUTH DAKOTA ONE CALL LAWS

I. ACTION REQUESTED BY:

Form I: COMPLAINT FILED BY INDIVIDUAL OR BUSINESS\* PERSON FILING COMPLAINT: Wayne Fletcher, dir of Public Works COMPANY: City of Brandon ADDRESS 304 S. Main Av. PO Box 95 Brandon, SD. 57005 PHONE NUMBER: 605-582-2273 EMAIL ADDRESS: wcityshop@alliancecom.net SIGNATURE OF COMPLAINANT: Wayne Fletcher DATE: 04-20-04

II. ACTION REQUESTED AGAINST:

Form II: NAME OF EXCAVATOR/FACILITY OPERATOR: Jeremy Scadden Construction PHONE NUMBER: 605-757-6616 ADDRESS: 120 Olson St. Valley Springs, SD. 57068 WAS A LOCATE REQUESTED FROM SD ONE CALL? YES NO X LOCATE TICKET #: None START DATE ON TICKET: DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION? YES NO N/A WERE BURIED FACILITIES EXPOSED BY HAND OR WITH NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION? YES NO N/A

III. FACILITY INVOLVED (IF ANY)

Form III: TYPE OF FACILITY INVOLVED: All Utilities in the City of Brandon Phone, Electric, Gas, Water, Sewer, Cable OPERATOR OF FACILITY (IF KNOWN): City of Brandon Water, and Sequer Dept. OPERATOR ADDRESS: PHONE NUMBER: 605-582-2273 DEPTH OF COVER: PRESSURE: VOLTAGE: NUMBER OF CABLE PAIRS:

**IV. MARKING**

WERE FACILITIES MARKED? YES \_\_\_ NO \_\_\_ N/A \_\_\_

WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? YES \_\_\_ NO \_\_\_ N/A \_\_\_

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? YES \_\_\_ NO \_\_\_ N/A \_\_\_

WAS THE FACILITY MARKED ACCURATELY (WITHIN 18 INCHES)? YES \_\_\_ NO \_\_\_ N/A \_\_\_

DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? YES \_\_\_ NO \_\_\_

HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY? YES \_\_\_ NO X

IS THERE AGREEMENT? YES \_\_\_ NO \_\_\_ IF NO, PLEASE EXPLAIN: \_\_\_ Mr Scaden has told my locate person that he is too busy to call in one call locates!

**V. DAMAGE (IF ANY)**

FATALITIES: \_\_\_\_\_ INJURIES: \_\_\_\_\_ LENGTH OF HOSPITALIZATION: \_\_\_\_\_

ESTIMATED PROPERTY DAMAGE (\$): \_\_\_\_\_ NUMBER OF CUSTOMERS AFFECTED: \_\_\_\_\_

DAMAGED IN: PUBLIC \_\_\_ PRIVATE \_\_\_ (RIGHT-OF-WAY) PHOTOS OF THE DAMAGED FACILITY? YES \_\_\_ NO \_\_\_

ADDITIONAL INFORMATION: \_\_\_\_\_

**VI. PROBABLE VIOLATION**

SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED: \_\_\_ 49-7A-5 Notification of proposed excavation. \_\_\_\_\_

ADDRESS/LOCATION OF PROBABLE VIOLATION: \_\_\_ 113 Country Club Ave., 2200 Byrum cir., 200 Seth St., 1705 Mulberry S.

\_\_\_ All in the city limits of Brandon, SD. \_\_\_\_\_

DATE/TIME OF PROBABLE VIOLATION: \_\_\_ within the last sever weeks \_\_\_\_\_

HAVE YOU DISCUSSED THIS PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED AGAINST: YES X NO \_\_\_

IF YES, NAME OF THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION: Jeremy Scadden

**DESCRIPTION OF PROBABLE VIOLATION:**

**Mr Scadded has excavated basements at 113 Country club Av., and at 2200 Byrum, Cir. Excavated water & sewer service line hookups at 200 Seth St. and 1705 Mulberry St..**

**He has been told in the past several years about doing one calls and was better for a while, but has been ignoring that here in the Last several weeks. We had discovered the work had been completed on some of these jobs, so we could not mark any utilities. Mr. Scadden had told me ion the past that he could not see the point of doing one calls in new developments as there was nothing in the area he digs in. He knows about where everything is.**

**Attach additional pages if required**