



Southeastern Electric Cooperative, Inc.

PO Box 388 • 501 South Broadway Avenue • Marion, SD 57043-0388
Telephone: 605-648-3619 • Facsimile: 605-648-3778 • E-mail sec@southeasternelectric.com

UC04-007

Alcester Office
PO Box 105
605 SD Highway 11
Alcester, SD 57001-0105
Telephone: 605-934-1961
Facsimile: 605-934-1964
Toll-Free in SD: 1-800-333-2859

August 27, 2004

RECEIVED

AUG 30 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501

Attention: South Dakota One Call Board

Dear Board:

Enclosed is a filled out complaint form and a letter sent to this individual or company earlier this year asking them to be more responsible for the work he does around our lines. Southeastern Electric Cooperative has many sensitive loads, and he has time and again to follow the regulations.

Southeastern is asking for your help in this matter for it seems just billing him for the damages and sending him letters is not enough.

Please review and let us know of your findings.

If you have any questions or need more information, please let me know.
Thanks.

Respectfully,

Tim Chance
Operations' Manager – East

TC:kw

Mail completed form to:

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

0004-007

RECEIVED

AUG 30 2004

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Date Docketed AUG 30 2004

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:

COMPLAINT FILED BY INDIVIDUAL OR BUSINESS* PERSON FILING COMPLAINT: Tim Chance at Southeastern Electric Cooperative, Inc

COMPANY: Southeastern Electric Cooperative, Inc ADDRESS: P.O. Box 105 Alcester, SD 57001-0105 PHONE NUMBER: 605-934-1961

SIGNATURE OF COMPLAINANT: *Tim Chance* DATE: 8-09-04 EMAIL ADDRESS: sec@southeasternelectric.com

*If the complaint is files on behalf of a Company, the person signing this form should have the proper authority to file the complaint.

II. ACTION REQUESTED AGAINST:

NAME OF EXCAVATOR/FACILITY OPERATOR: Western Contracting - Marshall Johnson PHONE NUMBER: 310-0811 ?? (Cell)

ADDRESS: 103 Railway Steet - Box 64 Hurley, SD 57036

WAS A LOCATE REQUESTED FROM SD ONE CALL? YES NO LOCATE TICKET #: 042080339

START DATE ON TICKET: 7-28-04 10:55 AM

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)

TYPE OF FACILITY INVOLVED: Electrical OPERATOR OF FACILITY (IF KNOWN): Southeastern Electric Cooperative, Inc

OPERATOR ADDRESS: P.O. Box 388 Marion SD 57043-0348 PHONE NUMBER: 605-648-3619

DEPTH OF COVER: 2 ft was rough grade PRESSURE: _____ VOLTAGE: 240/120 NUMBER OF CABLE PAIRS: 2
1 hit then also 6 ft away

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

IS THERE AGREEMENT? YES NO IF NO, PLEASE EXPLAIN: There is no agreement

V. DAMAGE (IF ANY)

FATALITIES: Secondary cable, transformer and meter socket INJURIES: no LENGTH OF HOSPITALIZATION:
none

ESTIMATED PROPERTY DAMAGE (\$): 600. (Estimate??) NUMBER OF CUSTOMERS AFFECTED: 6

DAMAGED IN: PUBLIC PRIVATE (RIGHT-OF-WAY)

PHOTOS OF THE DAMAGED FACILITY? YES NO

ADDITIONAL INFORMATION: Enclosed is a letter sent to him, on a another location that he had hit SE facilities without a locate

VI. PROBABLE VIOLATION

SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED: _____

ADDRESS/LOCATION OF PROBABLE VIOLATION: 4712 S. Wilson Ave.

DATE/TIME OF PROBABLE VIOLATION: 9.30 Am 7-27-04

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

IF YES, NAME OF THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION: Name ??

Norbert Sonen SE Cable locator talk tp the operator that works for this company and the name of the operator is unknown

DESCRIPTION OF PROBABLE VIOLATION: Digging before the 48 hours is up



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January 16, 2004

Marshall Johnson
103 Railway Street
Box 64
Hurley, SD 57036

Dear Mr. Johnson:

On January 9th, 2004, your company dug through Southeastern Electric Cooperative's (Southeastern) underground cables located at 935 Ryan Drive in Sioux Falls, South Dakota. To the best of our knowledge there was no locate ticket registered for your company or you were using an illegal ticket called in by another party. Based on our conversation with our employees at the site, you also requested another locate from them for another area without calling that into the South Dakota One Call system.

Southeastern Electric Cooperative (Southeastern) has many sensitive loads such as people on oxygen machines, baby monitors, hospitals and large commercial loads employing hundreds of people, which all are affected when cables are cut from improper digging. We want our contractors to know that we are willing to work within the laws of the State of South Dakota as they relate to proper locate tickets for the work that needs to be done, but we also want you to understand that SEC and our members will not tolerate work being completed without the proper notifications being made. Because of this instance and others like it in the past, Southeastern will not tolerate contractors who do not obey the South Dakota One Call laws.

This incident will be placed in our file and if we have any more problems of this nature from your company in the future, Southeastern will turn them over to the South Dakota One Call Board of Directors or legal authorities to handle these incidents in the future.

Regulations are sometimes hard to follow, but they are in place for a reason. The South Dakota One Call Laws are designed to protect all parties involved with digging activities and if everyone puts their best effort forward in following them these incidents can be avoided. We ask that you please keep this in mind as you proceed with your work in the future. Thanks in advance for your cooperation on this important matter!

Respectfully yours,

Tim Chance
Operation's Manager-East



South Dakota One Call

From: <Automailer_DO_NOT_REPLY@1-call.com>
To: <exedir@sdonecall.com>
Sent: Tuesday, August 31, 2004 7:25 AM
Subject: OCS Ticket Transmission

South Dakota One Call SEQUENCE NUMBER 0001 CDC = SD1

Type: *** R O U T I N E *** Class: TRANSMIT

Transmit: 08/31/04 At: 0719 CDT

Prepared: 26-JUL-04 Time: 1055 CDT By: BSC

Ticket No.: 042080339

Operators Notified:

LCR=/LINCOLN RRL WTR/ LUE=/SE ELE COOP / M06=/MEC-SIOUX FALLS/
M07=/MEC-SIOUX FALLS/ N15=/XCEL ENERGY / NN1=/N NATURAL GAS /
PWN=/PRAIRIE WAVE / SFA=/SIOUX FALLS WTR/ SFC=/MCC SIOUX FALLS/
SFL=/SIOUX FALL-LGHT/ SFR=/SIOUX FAL-TRFIC/ UWS=/QWEST LOCAL-ULS/
LIN=/SE ELE COOP-ALR/ MCW=/MINNEHAHA WTR /

Excavator Information:

Caller: TIM Phone: 605-310-0811

Excavator: JOHNSON DIGGING

Address: PO BOX 64

City: HURLEY, SD 57036

Phone: 605-310-0811 Fax: 605-498-8109

Contact: TIM JOHNSON Phone: 605-310-0811

Alt. Contact: Phone:

Location Information:

County: MINNEHAHA City/Village: SIOUX FALLS

Map Ref: 43300-096488 Grids: 15

Exc. Site Address: 4712 WILSON AVE

Nearest Intersection: W 53RD ST

Type of Work : INSTALL SEWER AND WATER

Work Being Done For: EQUITY HOMES

Depth: 10FT Explosives: N Tunnel/Bore: N

Start Date: 07/28/04 Time: 1055 CDT Duration: 02 DAYS

Meeting Required: N Best Time to Contact: 0800 - 0500

Exc. Site (Marking Instr.): R.O.W.: N TRSQ:

CALLER SAYS LOCATE ENTIRE FRONT OF PROPERTY

GPS Lat/Long:

Remarks:

EXPIRES AUG 18 @ 10:55 CDT

End Ticket

Sep 30 04 02:49z

JOHNSON DIGGING
BOX 64
HURLEY SD 57036

TO: SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

FROM: JOHNSON DIGGING

RE: NOTICE OF COMPLAINT

In the matter of the Complaint OC04-007 filed by Southeastern Electric Company, Inc., regarding a failure to provide notification of proposed excavation as required by SDCL 49-7A-5

We (Johnson Digging) had a mix up in our schedules. We had two crews working. They were supposed to go to another location and instead went to the 4712 Wilson location.

This area is being highly developed and there are locates for several different contractors. It is a confusing area when there are so many different activities taking place at the same time.

There were flags at the 4712 Wilson location which our crew mistook to be the locates we had called in for. As a result they proceeded with the work.

We are sorry this situation occurred and will take every precaution possible in the future to insure that this will not take place again.

Johnson Digging



Marshall Johnson

