

Mail completed form to:

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

RECEIVED - 004

JUN 09 2006

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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* X PERSON FILING COMPLAINT (Please print):

COMPANY (If applicable) Northern Natural Gas ADDRESS 47493 272nd St. PHONE NUMBER 402-530-3840

SIGNATURE OF COMPLAINTANT: *Mike Garry* DATE: 5/30/06 EMAIL ADDRESS: mlke.garry@nngco.com

*If the complaint is filed 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: Hail Electric PHONE NUMBER: 605-796-4072

ADDRESS: PO BOX 206, Weensocket, SD 57385

WAS A LOCATE REQUESTED FROM SD ONE CALL? YES X NO LOCATE TICKET #: 061450307 START DATE ON TICKET: 05/30/06

DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION? YES NO X

WERE BURIED FACILITIES EXPOSED BY HAND OR WITH NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION? YES NO X

III. FACILITY INVOLVED (IF ANY)

TYPE OF FACILITY INVOLVED: High Pressure Gas Pipeline OPERATOR OF FACILITY (IF KNOWN): Northern Natural Gas

OPERATOR ADDRESS: 47493 272nd St, Harrisburg, SD PHONE NUMBER: 402-530-3840

DEPTH OF COVER: PRESSURE: 787 VOLTAGE: NUMBER OF CABLE PAIRS:

IV. MARKING

WERE FACILITIES MARKED? YES NO X WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? YES X NO

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? YES NO

WAS THE FACILITY MARKED ACCURATELY (WITHIN 18 INCHES)? YES NO

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:

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-5/49-7A-8

ADDRESS/LOCATION OF PROBABLE VIOLATION: 40853 US HWY 14 and 403rd AVE.

DATE/TIME OF PROBABLE VIOLATION 5/26/06

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: Travis Coulthard

DESCRIPTION OF PROBABLE VIOLATION:

Keith Zobel of Northern Natural Gas contacted Heil Electric on Friday morning, May 26, 2006 to discuss the specifics of the one call ticket # 061450307. The person at the Heil Electric office informed Keith that the work had already started at the site. The ticket start date was not good until Tuesday, May 30, 2006 at 11:08 a.m. CDT. Keith then contacted at the site and told them to stop excavation until he arrived on site. When Keith arrived he noted that the contractor had already excavated approx. 150' of trench for electric wire. The excavator was approx. 100' from our high pressure (787#) 8" Huron branchline. Keith informed the contractor on site that the ticket was not legal until the following Tuesday. The contractor on site informed Keith Zobel that their boss had told them that everything was clear to proceed with the installation. Keith Zobel marked our pipeline and allowed the contractor to cross. Keith told the contractor that Northern Natural Gas would be filling a complaint with SDOC that they were in violation of the one call law.

COMMITTEE/BOARD ACTION

FOR PROBABLE CAUSE COMMITTEE / BOARD USE ONLY

REMARKS

RECOMMENDATION

FOR ENFORCEMENT COMMITTEE USE ONLY

NO VIOLATION EXISTS

VIOLATION OF SOUTH DAKOTA STATUTE(S) OR RULES(S):

WARNING LETTER: PROPOSED PENALTY (\$):

COMMENTS:

DISPOSITION

FOR BOARD USE ONLY

NO VIOLATION EXISTS

VIOLATION OF SOUTH DAKOTA STATUTE(S) OR RULES(S):

WARNING LETTER: PENALTY (\$):

COMMENTS:

OTHER:

South Dakota One Call SEQUENTIAL NUMBER 0003 C.D.C. = NN2

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

Transmit: 05/25/06 At: 1130 CDT

Prepared: 25-MAY-06 Time: 1114 CDT By: WAD

Ticket No.: 061450307

061450307

Operators Notified:

DAK=/DAKOTA ENL RGY / HUR=/CITY OF HURON / UWS=/WEST LOCAL -ELM/
P02=/NWPS-ELECTRIC / P10=/NWPS GAS / NNE=/N NATURAL GAS /
DME=/DM&E RAILROAD / M02=/MCL HURON / MDR=/MID DAKOTA WTR /

Excavator Information:

Caller: GREG HEIL Phone: 605 796 4072

Excavator: HEIL ELECTRIC
Address: PO BOX 206
City: WOODSOCKET, SD 57385
Phone: 605-796-4072 Fax: 605-796-4073

Contact: GREG HEIL Phone: 605-350-2263
Alt. Contact: STEVE KAYSER Phone: 605-350-2261 CELL

Location Information:

County: BEADLE City/Village: HURON

Map Ref: 44216-098102 Grids: 42
Exc. Site Address: 40253 US HWY 14
Nearest Intersection: 403RD AVE
Type of Work: TRENCHING FOR ELFC LINE
Work Being Done For: DAKOTA TURKEY GROWERS CORP OFC
Depth: 2FT Explosives: N Tunnel/Bore: N
Start Date: 05/30/06 Time: 1108 CDT Duration: 02 DAYS
Meeting Required: N Best Time to Contact: 0800 - 0500

Exc. Site (Marking Instr.): R.O.W.: N TRSQ:
MARK PARKING LOT AREA BETWEEN FRONT OF BLDG AND RD

GPS Lat/Long:

Remarks:

EXPIRES JUN 20 @ 11:08 CDT

End Ticket