

Mail completed form to:

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

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RECEIVED

JUN 16 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): Mike Garry

COMPANY (If applicable) Northern Natural Gas ADDRESS 47493 272<sup>nd</sup> St. Harrisburg, SD 57032 PHONE NUMBER 402-530-3835

SIGNATURE OF COMPLAINANT: DATE: 6/13/06 EMAIL ADDRESS: mike.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: Poinsett Colony PHONE NUMBER: RR 1, Box 146

ADDRESS: Estelline, SD 57234

WAS A LOCATE REQUESTED FROM SD ONE CALL? YES  NO X LOCATE TICKET #: START DATE ON TICKET:

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

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: NNG high pressure gas pipeline OPERATOR OF FACILITY (IF KNOWN): Northern Natural Gas

OPERATOR ADDRESS: 47493 272<sup>nd</sup> St., Harrisburg, SD 57032 PHONE NUMBER: 402-530-3835

DEPTH OF COVER: PRESSURE: 500# 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  NO

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? YES  NO X

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:

The Poinsett Colony did not make a one call ticket before excavating near our high pressure pipeline. We were notified by another utility of the work next to our pipeline. Per our operating procedures, we were required to lower the line pressure in the pipeline before we could safely examine the area for damage. This involved personnel to man valves and reduce pressure. There were also many personnel on a company conference bridge monitoring the situation. This all took place late on Friday evening, June 9<sup>th</sup>. All of the time involved in the incident was on overtime rates.

**VI. PROBABLE VIOLATION**

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

49-7A-5

**ADDRESS/LOCATION OF PROBABLE VIOLATION:** Hamlin County, Sec 25, T114, R51W, .5 miles south of the intersection of 465Ave. and 188 St.

**DATE/TIME OF PROBABLE VIOLATION** June, 09,2006

**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:** Levi Tschetter

**DESCRIPTION OF PROBABLE VIOLATION:**

Excavation without one call ticket

**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: