

## **COMPLAINT**

Allegation of Probable Violation(s) of South Dakota One Call Laws

Received On November 6, 2007 9:36 am

### **I. ACTION REQUESTED BY:**

COMPLAINT FILED BY: Company

PERSON FILING COMPLAINT: Ginny Beck

COMPANY: Crooks Municipal Utilities

ADDRESS: 108 East Main P O Box 785

PHONE NUMBER: (605) 543-5238

EMAIL: ginnybeck@juno.com

DATE: November 6, 2007

### **ii. ACTION REQUESTED AGAINST:**

NAME OF EXCAVATOR/FACILITY OPERATOR: Solid Fence Company

PHONE NUMBER: (605) 213-4283

ADDRESS: 27087 Katie Rd. suite 3 Tea, SD 57064

WAS A LOCATED REQUESTED FROM SD ONE CALL? Yes

LOCATE TICKET#: 073090341

START DATE ON TICKET: November 7, 2007

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

WERE BURIED FACILITIES EXPOSED BY HAND OR NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION? No

### **III. FACILITY INVOLVED (IF ANY)**

TYPE OF FACILITY INVOLVED: natural gas

OPERATOR OF FACILITY: Crooks Municipal Utilities

OPERATOR ADDRESS: 108 East Main St P O Box 785

PHONE NUMBER: (605) 543-5238

DEPTH OF COVER: 18 inches

PRESSURE: 50 psi

VOLTAGE:

NUMBER OF CABLE REPAIRS:

**IV. MARKING**

WERE FACILITIES MARKED? No

WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? N/A

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? N/A

WAS THE FACILITY ACCURATELY MARKED (WITHIN 18 INCHES)? N/A

DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? N/A

HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY? No

IS THERE AGREEMENT? No

IF NO, PLEASE EXPLAIN:

**V. DAMAGE (IF ANY)**

FATALITIES:

INJURIES:

LENGTH OF HOSPITALIZATION:

ESTIMATED PROPERTY DAMAGE:

NUMBER OF CUSTOMERS AFFECTED:

DAMAGED IN:

PHOTOS OF THE DAMAGED FACILITY: No

ADDITIONAL INFORMATION:

**VI. PROBABLE VIOLATION**

SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED: 49-7A

ADDRESS/LOCATION OF PROBABLE VIOLATION: 405 S. Susan Ave

DATE/TIME OF PROBABLE VIOLATION: November 5, 2007 12:00 pm

HAVE YOU DISCUSSED THE PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED AGAINST? False

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

DESCRIPTION OF PROBABLE VIOLATION: Excavation was nearly finished when the locate ticket was called in. I drove by 405 South Susan on Monday 11/5 and noticed an auger being loaded in a truck and posts already set on both sides of the property. I called the finance officer at 1:34pm and asked if a building permit had been issued to that property for a fence. She indicated that there had been. I indicated to her that I had just received the locate ticket for the work that was not to start until 11/7/07 at 11:26pm  
I had not marked gas nor did I see any other flags from any other utility.