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RECEIVED

DEC 05 2007

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

December 3, 2007

Public Utilities Commission
Attn: South Dakota One Call Board
500 East Capitol Avenue
Pierre, SD 57501

Re: One Call Violation
Bowes Construction, Inc.
November 7, 2007
Volga, South Dakota

Dear Sir/Madam:

I am writing on behalf of Northern Natural Gas Company ("Northern") to request that the Enforcement Committee of the South Dakota One Call Board investigate and determine that Bowes Construction, Inc. has violated the South Dakota statutes and regulations relating to one call notification, and assess civil penalties. A standard One Call Complaint Form is enclosed.

On November 7, 2007, at approximately 1:50 p.m., Northern received a call from the city of Volga, South Dakota, concerning a pipeline hit on the north side of the city by Bowes Construction, Inc. Gas was blowing from Northern's damaged 6-inch pipeline at the time of the notification. The incident occurred in the NW¼ of Section 14, T110N, R51W in Brookings County, South Dakota, on the north side of State Highway 14 in the city of Volga. The location is UTM Coordinates N 44.33060 and W 96.92040. Pipeline pressure at the time of the incident was 691 psig.

Northern conducted a post-incident investigation following the incident, including interviews with Bowes Construction, Inc. employees, Northern employees, a NorthWestern Energy Corporation employee, and a city of Volga employee. The following is a summary of our findings.

A one-call ticket was submitted by Bowes Construction, Inc. on November 6, 2007, at 10:42 a.m. Excavation was to commence November 8, 2007, at 10:37 a.m. A copy of South Dakota One-Call Ticket #073100221 is enclosed. Work commenced on November 7, 2007, before authorized under South Dakota One-Call law and before the pipeline was located by Northern. Other utilities on the locate ticket similarly did not have an opportunity to mark their facilities. However, a permanent Northern line location marker was visible 510 feet east of the line hit. A picture of Northern's permanent pipeline marker is enclosed. Other utilities in the area of the incident were not flagged.

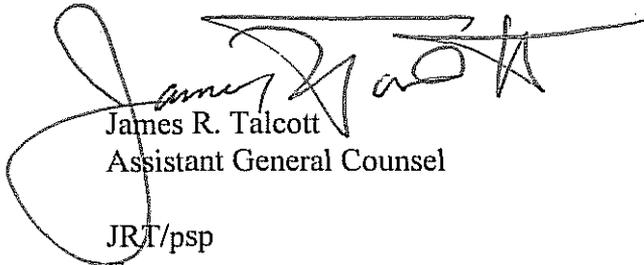
Review of the South Dakota One-Call ticket revealed that the location of the area of excavation was also incorrect. The ticket stated "mark beginning here and extend 900 feet N, then 60 feet W, then 600 feet E" from Highway 14. The location of the line hit was located at 1,619 feet from Highway 14.

The excavator was preparing a road bed at the time of the incident, and removed approximately 30 inches of cover from Northern's pipeline right of way. The pipeline originally had approximately 42 inches of cover. The excavator then used a ripper to mix the wet soil that was in the area of Northern's pipeline. The operator lowered the ripping teeth and proceeded to rip the soil and struck Northern's pipeline. Pictures of the excavator's equipment and the damaged pipeline are enclosed.

A representative of NorthWestern Energy Corporation stated that the excavator who hit the Northern pipeline then resumed work in the area of NorthWestern Energy Corporation's pipeline and came within 6 inches of the pipeline. The NorthWestern Energy Corporation employee promptly stopped Bowes Construction, Inc. from working on the road. A picture of the roadwork in relation to the NorthWestern Energy Corporation pipeline is enclosed.

We respectfully request that your office investigate these violations of the South Dakota One-Call statutes and regulations by Bowes Construction, Inc. Please contact me should you have any questions.

Very truly yours,



James R. Talcott
Assistant General Counsel

JRT/psp
Enc.

c: Tom Mertz
Brian Cahoon
Becki Sans Souci
Mike Garry

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

ONE CALL COMPLAINT FORM
South Dakota One Call Notification Board
c/o South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre SD 57501-5070
Telephone (605) 339-0529
www.sdonecall.com

1. ACTION REQUESTED BY

Complaint filed by: Northern Natural Gas Company
Person filing complaint: James R. Talcott
Company: Northern Natural Gas Company
Address: 1111 South 103rd Street, Omaha, NE 68124
Phone Number: (402) 398-7003
Email Address: Jim.Talcott@nngco.com
Date: December 3, 2007

*Note if you are filing on behalf of a company, please make sure you have the proper authority to file the complaint

2. ACTION REQUESTED AGAINST

Name of excavator/facility operator: Bowes Construction, Inc.
Phone Number: (605) 693-3557
Address: 2915 22nd Avenue South, Brookings, SD 57006
Was a locate requested from SD One Call? Yes
Locate ticket #: 073100221 Start date on ticket: 11/08/07

Did excavator wait until the start date/time on the ticket before commencing excavation? No

Buried facilities exposed by hand or non-invasive
equipment prior to excavation? No

FACILITY INVOLVED (if any)

Type of Facility involved: Natural Gas Pipeline
Operator of facility (if known): Northern Natural Gas Company
Operator address: 1111 South 103rd Street, Omaha, NE 68124
Phone Number: (402) 398-7003
Depth of cover: Approximately 42 inches Pressure: 691 psig
Main size: 6-inch

3. MARKING

Were facilities marked? No
Was the marking complete prior to the start time on the ticket? N/A
Did the excavator pre-mark with white paint? No
Was the facility marked accurately (within 18 inches)? N/A
Have you discussed the previous statements with the other party? Yes
Did the excavator use reasonable care to maintain locate marks for the life of project?
N/A

Have you discussed the previous statements with other party? Yes

Is there agreement? N/A

If no please explain: Excavator commenced excavation prior to 48 hr. start time

4. DAMAGE (if any)

Fatalities: None Injuries: None

Estimated property damage(s): Approximately \$60,000

Number of customers affected: Approximately 20 persons evacuated; no service interruption

Damaged in: Private ROW

Photos of damaged facility: See attached.

Additional Information: See cover letter and attachments

5. PROBABLE VIOLATION

Specific statute(s) or rule(s) that was violated: SDCL 49-7A-5: Excavator failed to provide 48 hour notice before commencing excavation. Excavator commenced excavation on November 7, 2007, one day after contacting one-call notification center. The start date on One-call ticket #073100221 was November 8, 2007. Furthermore, the excavator did not furnish the One-call Center with an accurate description of the proposed excavation. Finally, excavator resumed excavation following incident nearly striking another natural gas pipeline.

Address/location of probable violation: NW 1/4, Section 14, T110 N, R51, Brookings County, SD

Date of probable violation: November 7, 2007 Time of probable violation: Approximately 1:50 PM

Have you discussed this probable violation with the party this action is filed against?

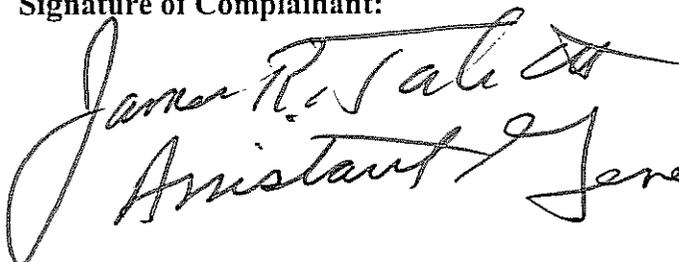
Yes

Name of party with whom you discussed the probable violation: Jason Bowes, Charlie Siver, Shane Freese, Derek Hawley

Description of probable violation: Bowes Construction contacted the South Dakota One-call center on November 6, 2007, to report proposed excavation at Industrial Drive and Highway 14 in Volga, SD. The start date on ticket #073100221 was November 8, 2007, but Bowes Construction commenced excavation on November 7, 2007 before the utilities could be marked. Furthermore, the excavator did not furnish the One-call Center with an accurate description of the proposed excavation. The excavator resumed excavation following the incident and nearly struck another natural gas pipeline.

Include other documents or photos with this complaint: Yes

Signature of Complainant:


Assistant General Counsel

South Dakota One Call Ticket

South Dakota One Call SEQUENCE NUMBER 0221 CDC - XPR

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

Transmit: 11/06/07 At: 1044 CST

Prepared: 06-NOV-07 Time: 1042 CST By: LEA

Ticket No.: 073100221

Operators Notified:

BKA=/BROOKINGS CATV / TPT=/INTRSTATE-ELM / VOL=/VOLGA CITY /
RNZ=/N NATURAL GAS / F09=/HWPS-GAS / UN1=/OWEST LOCAL /

Excavator Information:

Caller: PAUL MCCARTY Phone: 605-693-3557

Excavator: BOWES CONSTRUCTION
Address: 2915 22ND AVE S
City: BROOKINGS, SD 57006
Phone: 605-693-3557 Fax: 605-693-3589
Email: BCI@IPCTEL.COM

Contact: PAUL MCCARTY Phone: 605-695-2337
Alt. Contact: CHARLIE SIVER Phone: 605-693-3557

Location Information:

County: BROOKINGS City/Village: VOLGA

Map Ref: 44196-096550 Grids: 10
Exc. Site Address: 0 INDUSTRIAL DR
Nearest Intersection: HWY 14
Type of Work : EXCAV ROAD & BLDG SITE
Work Being Done For: CITY OF VOLGA/LANCE VANDERWAL
Depth: 3 FT Explosives: N Tunnel/Bore: N
Start Date: 11/08/07 Time: 1037 CST Duration: 99 DAYS
Meeting Required: N Best Time to Contact: 0800 - 0500
Exc. Site (Marking Instr.): R.O.W.: Y TRSQ:
MARK BEGINNING HERE & EXTEND 900FT N THEN 60FT W THEN 500FT E
GFS Lat/Long: -
Remarks and Driving Directions:
EXPIRES NOV 29 @ 10:37 CST
FROM ABOVE INTER GO 1000FT N TO END OF RD
N44 19 44.79 W96 55 13.75

Total Grids: 10

44196-096550, 44196-096552, 44196-096554, 44198-096550, 44198-096552,
44198-096554, 44196096548A, 44196096548C, 44198096548A, 44198096548C

Total TRSQs: 2

110N 51W 14-SE, 110N 51W 14-SW

End Ticket

Photos

Incident Location

Looking North



NorthWestern Energy pipeline marker in background is 280 feet north of line hit location.

Incident Location

Looking South



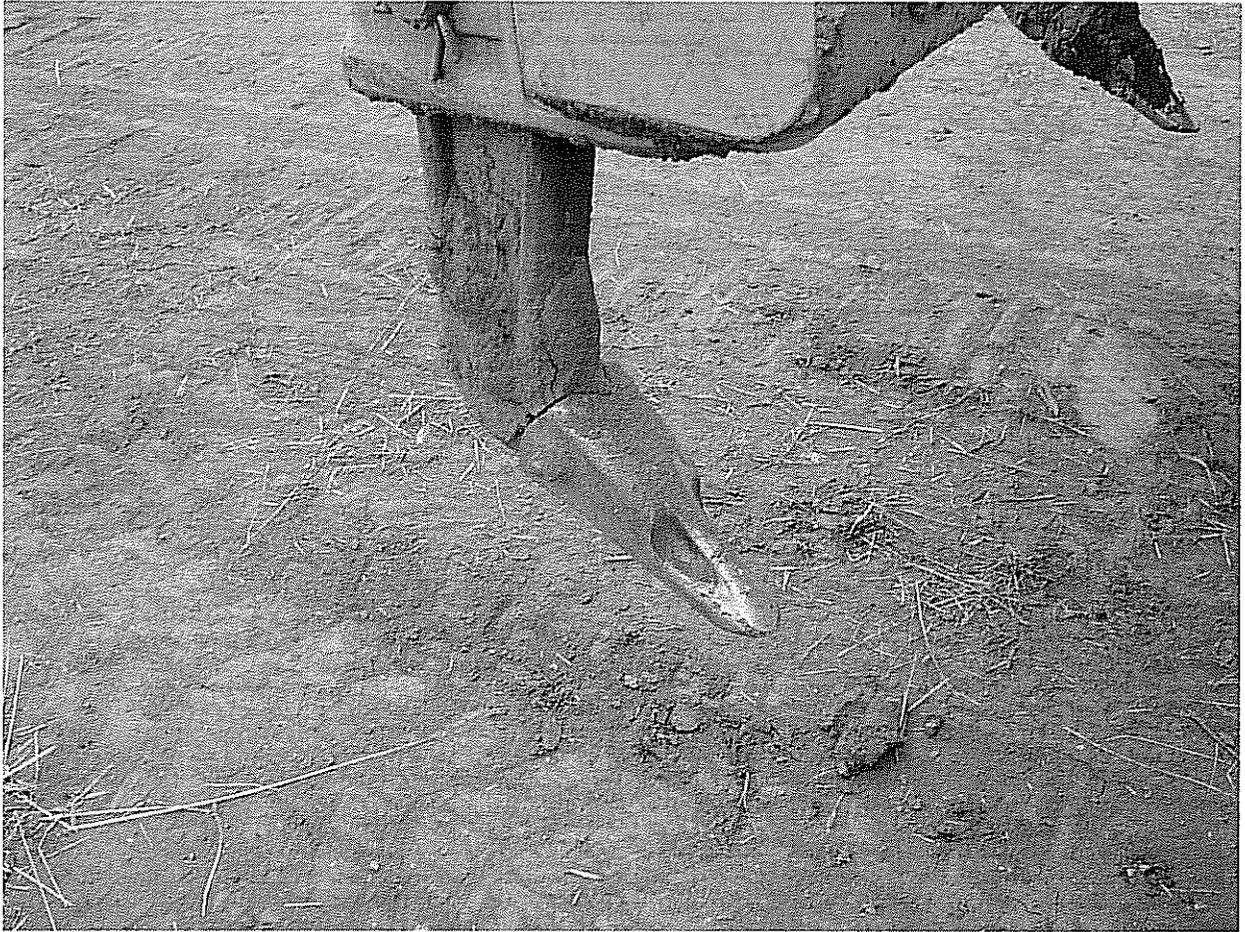
Newly constructed building located 618 feet from line hit; several people were evacuated from this building.

Ripper



Tooth on right side damaged the pipeline.

Ripper Tooth



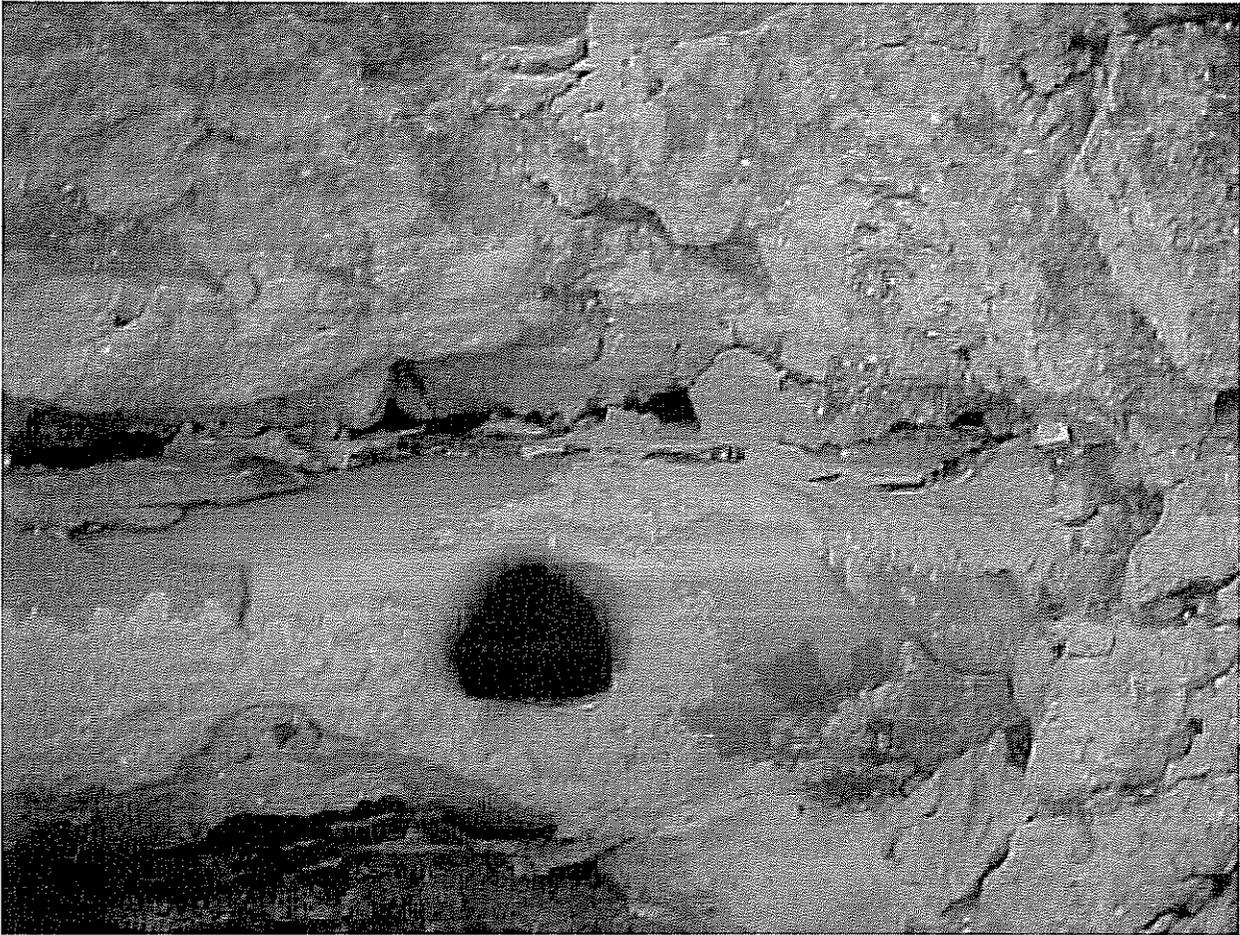
Ripper tooth matches pipeline puncture.

Scraper



Scraper used to move dirt from right of way.

Puncture Before Removal of Soil



Puncture Site



Northern Natural Gas Pipeline Sign



Looking east 510 feet from pipeline hit.

Aerial Photo with Distances

