

ONE CALL COMPLAINT FORM
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, Sd 57501-5070

COMPLAINT

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

Received On August 21, 2008 2:25 pm

I. ACTION REQUESTED BY:

COMPLAINT FILED BY: Company

PERSON FILING COMPLAINT: Dan Wolf

COMPANY: NorthWestern Energy

ADDRESS: 313 Cedar St. Yankton, SD 57078

PHONE NUMBER: (605) 668-4608

EMAIL: dan.wolf@northwestern.com

DATE: August 21, 2008

ii. ACTION REQUESTED AGAINST:

NAME OF EXCAVATOR/FACILITY OPERATOR: Vanderpol Dragline Inc.

PHONE NUMBER: (605) 996-2036

ADDRESS: 1001 Hot Rod Rd. Mitchell, SD 57301

WAS A LOCATED REQUESTED FROM SD ONE CALL? No

LOCATE TICKET#:

START DATE ON TICKET:

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: 4" Gas Main

OPERATOR OF FACILITY: NorthWestern Energy

OPERATOR ADDRESS: 600 Market St. W. Huron, SD 57350

PHONE NUMBER: (180) 024-5697

DEPTH OF COVER: 6" (During Const)

PRESSURE: 56lbs

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? No

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

DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? No

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

IS THERE AGREEMENT? No

IF NO, PLEASE EXPLAIN:

V. DAMAGE (IF ANY)

FATALITIES: 0

INJURIES: 0

LENGTH OF HOSPITALIZATION: 0

ESTIMATED PROPERTY DAMAGE:

NUMBER OF CUSTOMERS AFFECTED: 10

DAMAGED IN: Public

PHOTOS OF THE DAMAGED FACILITY: Yes

ADDITIONAL INFORMATION: Gas main was in same location as main damaged 2 days earlier.

VI. PROBABLE VIOLATION

SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED: On 8-20-2008, after damaging the line 2 days previous, the excavator continued the process of road construction and again damaged a gas main in the same location. NorthWestern requests that the second violation be treated under SDCL 49-7A-19.

ADDRESS/LOCATION OF PROBABLE VIOLATION: Just North of SD Hwy 25 and Dollard Ave in Scotland, SD

DATE/TIME OF PROBABLE VIOLATION: August 20, 2008 7:15 am

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: Hit gas main in same location as was damaged 2 days previous.