

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 June 30, 2009 4:46 pm

I. ACTION REQUESTED BY:

COMPLAINT FILED BY: Company

PERSON FILING COMPLAINT: William P. Heaston

COMPANY: Northern Hills Transport, LLC/South Dakota Network, LLC

ADDRESS: 2900 W. 10th Street, Sioux Falls, SD 57104

PHONE NUMBER: (605) 978-3596

EMAIL: bill.heaston@sdncommunications.com

DATE: June 30, 2009

II. ACTION REQUESTED AGAINST:

NAME OF EXCAVATOR/FACILITY OPERATOR: Haywire Fencing

PHONE NUMBER: (605) 892-3782

ADDRESS: 19107 Windswept Lane, Belle Fourche, SD 57717

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: Fiber Optic Cable - 36 strand

OPERATOR OF FACILITY: Northern Hills Transport, LLC

OPERATOR ADDRESS: 2900 W. 10th Street, Sioux Falls, SD 57104

PHONE NUMBER: (605) 978-3511

DEPTH OF COVER: 36-48 inches

PRESSURE:

VOLTAGE:

NUMBER OF CABLE REPAIRS:

IV. MARKING

WERE FACILITIES MARKED? No

WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? No

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? No

WAS THE FACILITY ACCURATELY MARKED (WITHIN 18 INCHES)? No

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: \$4,942.93

NUMBER OF CUSTOMERS AFFECTED: 0

DAMAGED IN: Public

PHOTOS OF THE DAMAGED FACILITY: Yes

ADDITIONAL INFORMATION: Photos only of repaired area

VI. PROBABLE VIOLATION

SPECIFIC STATUTE(S) OR RULE(S) THAT WAS VIOLATED: SDCL 49-7A-5, 49-7A-10, 49-7A-12

ADDRESS/LOCATION OF PROBABLE VIOLATION: Exit 52, east bound lane, I-90

DATE/TIME OF PROBABLE VIOLATION: May 27, 2009 7:45 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: Contractor was drilling holes for placing chain link fence poles in Interstate exit ROW when he cut fiber optic cable. Contractor apparently working for SD DOT and did not call for cable locate.