

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 September 8, 2009 9:32 am

I. ACTION REQUESTED BY:

COMPLAINT FILED BY: Company
PERSON FILING COMPLAINT: William P. Heaston
COMPANY: South Dakota Network, LLC
ADDRESS: 2900 W. 10th Street, Sioux Falls, SD 57104
PHONE NUMBER: (605) 978-3596
EMAIL: bill.heaston@sdncommunications.com
DATE: September 8, 2009

ii. ACTION REQUESTED AGAINST:

NAME OF EXCAVATOR/FACILITY OPERATOR: Sharpe Enterprises, Inc.
PHONE NUMBER: (605) 945-1265
ADDRESS: P.O. Box 580, Fort Pierre, SD 57532
WAS A LOCATED REQUESTED FROM SD ONE CALL? Yes
LOCATE TICKET#: 092360042
START DATE ON TICKET: August 26, 2009
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 and conduit
OPERATOR OF FACILITY: South Dakota Network, LLC
OPERATOR ADDRESS: 2900 W. 10th Street, Sioux Falls, SD 57104
PHONE NUMBER: (800) 247-1442
DEPTH OF COVER:
PRESSURE:
VOLTAGE:
NUMBER OF CABLE REPAIRS: 24

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)? 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: 0

INJURIES: 0

LENGTH OF HOSPITALIZATION: 0

ESTIMATED PROPERTY DAMAGE: \$10,000.00

NUMBER OF CUSTOMERS AFFECTED: 100

DAMAGED IN: Public

PHOTOS OF THE DAMAGED FACILITY: Yes

ADDITIONAL INFORMATION: This is additional clarifying information requested by One Call for complaint # 001046. See additional sheet with attachments. There may be some confusion as to who the respondent is due to locates requested by two different parties.

VI. PROBABLE VIOLATION

SPECIFIC STATUTE(S) OR RULE(S) THAT WAS VIOLATED: 49-7A-8

ADDRESS/LOCATION OF PROBABLE VIOLATION: 800 Governors Dr - in front of Mackay State Library

DATE/TIME OF PROBABLE VIOLATION: August 26, 2009 7:00 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: Excavation begun before start time and before facilities were located and marked.