

**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 12, 2011 12:09 pm

**I. ACTION REQUESTED BY:**

**COMPLAINT FILED BY:** Company

**PERSON FILING COMPLAINT:** Todd Chambers

**COMPANY:** Watertown Municipal Utilities

**ADDRESS:** 901 4th Avenue SW Watertown SD 57201

**PHONE NUMBER:** (605) 882-6233

**EMAIL:** tchambers@watertownmu.com

**DATE:** September 12, 2011

**II. ACTION REQUESTED AGAINST:**

**NAME OF EXCAVATOR/FACILITY OPERATOR:** Hobart Construction/Wyatt Keever

**PHONE NUMBER:** (605) 886-4355

**ADDRESS:** 2605 Stadheim Dr. Watertown SD 57201

**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:** 2 inch natural gas service line (abandoned)

**OPERATOR OF FACILITY:** Watertown Municipal Utilities

**OPERATOR ADDRESS:** 901 4th Avenue SW Watertown SD 57201

**PHONE NUMBER:** (605) 882-6233

**DEPTH OF COVER:** 2-3 feet

**PRESSURE:** 60 psi when it was used

**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?** N/A

**HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY?** Yes

**IS THERE AGREEMENT?** No

**IF NO, PLEASE EXPLAIN:** When I arrived on site I asked Wyatt Keever if they had a locate ticket for this job. He checked with someone and returned to me indicating they did not. I personally delivered the attached violation letter to the operator (Wyatt Keever) of Hobart Constructions mini excavator on 8/24/11 at about 2pm. I told him that he should stop any excavation activity until a locate request is generated by them and locates are complete. I then took the attached pictures showing the extent of the excavate and damage to our abandoned pipe. As we were leaving the site they continued to dig the remainder of the area without requesting a locate. No request was made for the excavation on this site.

#### V. DAMAGE (IF ANY)

**FATALITIES:** 0

**INJURIES:** 0

**LENGTH OF HOSPITALIZATION:** 0

**ESTIMATED PROPERTY DAMAGE:** \$0.00

**NUMBER OF CUSTOMERS AFFECTED:** 0

**DAMAGED IN:** Private

**PHOTOS OF THE DAMAGED FACILITY:** Yes

**ADDITIONAL INFORMATION:** Hobart Construction called the Utilities to tell us they encountered a gas line while digging behind Angus-Palm. This alerted us that no locates had been requested at this location. When we arrived on site we determined the gas line was an old service line that we had previously abandoned.

#### VI. PROBABLE VIOLATION

**SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED:** 49-7A, 49-7A-5, 49-7A-19 Intentional Violation,

**ADDRESS/LOCATION OF PROBABLE VIOLATION:** Angus Palm 315 Airport Drive Watertown SD rear of building

**DATE/TIME OF PROBABLE VIOLATION:** August 24, 2011 2:00 pm

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

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

**DESCRIPTION OF PROBABLE VIOLATION:** Hobart Construction did not request a locate for their work and they continued to dig after they were instructed to call in a locate request intentionally violating the One Call Statues. They have not called in a request for this project to date.