

**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 May 16, 2012 11:26 am

**I. ACTION REQUESTED BY:**

**COMPLAINT FILED BY:** Company  
**PERSON FILING COMPLAINT:** Ron E. Blum  
**COMPANY:** Montana-Dakota Utilities Co.  
**ADDRESS:** PO Box 1060, Rapid City, SD 57709  
**PHONE NUMBER:** (605) 355-4021  
**EMAIL:** ron.blum@mdu.com  
**DATE:** May 16, 2012

**ii. ACTION REQUESTED AGAINST:**

**NAME OF EXCAVATOR/FACILITY OPERATOR:** RCS Construction  
**PHONE NUMBER:** (605) 342-3787  
**ADDRESS:** 2400 Commerce Road, Rapid City, SD 57702 (PO Box 9337)  
**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:** natural gas service line  
**OPERATOR OF FACILITY:** Montana-Dakota Utilities Co.  
**OPERATOR ADDRESS:** PO Box 1060, Rapid City, SD 57709  
**PHONE NUMBER:** (605) 355-4021  
**DEPTH OF COVER:** unknown  
**PRESSURE:** 35 psig  
**VOLTAGE:**  
**NUMBER OF CABLE REPAIRS:**

IV. MARKING

**WERE FACILITIES MARKED?** N/A

**WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET?** N/A

**DID EXCAVATOR PRE-MARK WITH WHITE PAINT?** N/A

**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:**

**INJURIES:**

**LENGTH OF HOSPITALIZATION:**

**ESTIMATED PROPERTY DAMAGE:** \$500.00

**NUMBER OF CUSTOMERS AFFECTED:** 1

**DAMAGED IN:** Public

**PHOTOS OF THE DAMAGED FACILITY:** No

**ADDITIONAL INFORMATION:** Contractor was working on Sunday without valid locates. The service line was kinked shutting off gas to the home. The damage was not discovered until the next day when the customer called in no heat.

VI. PROBABLE VIOLATION

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

**ADDRESS/LOCATION OF PROBABLE VIOLATION:** 3936 Canyon Lake Dr., Rapid City, SD 57702

**DATE/TIME OF PROBABLE VIOLATION:** March 25, 2012 1:30 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:** Excavator did not have valid locates for this location on the date of the damage.