
From: donotreply@sdonecall.com[SMTP:DONOTREPLY@SDONECALL.COM]
Sent: Friday, June 28, 2013 10:13:55 AM
To: PUC Docket Filings
Subject: New One Call Complaint Form
Auto forwarded by a Rule

1. Action Requested By:

Complaint filed on behalf of or by: Northwestern
Contact Person: Melissa Baruth
Phone: 605-353-7462 **Ext:**
Street Address or PO Box: 600 Market Street
City: Huron
State: SD
Zip: 57350
Fax: 605-353-7519
Email Address: melissa.baruth@northwestern.com
Date: 6/28/2013

2. Action Requested Against:

Name of excavator / facility operator: Century Link
Phone: 800-283-4237 **Ext:**
Street Address Or PO Box: 101 S Main Ave
City: Sioux Falls
State: SD
Zip: 57104
Fax: --
Email Address:

Is this party aware of your allegations?: Yes

Provide detail including whom you spoke with: Regarding locate ticket 131760092 - Larry Janes, Dan Kaiser
Century Link and Chuck Learn Century Link

3. Basic Facts:

Street Address / location of alleged violation: 1310 W 2nd St
City: Redfield

State: SD

Date of alleged violation: 06/27/2013

Time of alleged violation: 8:15 a.m.

Describe your allegation: Contractor did not locate in the time required by SD One Call Law. NorthWestern employee, Ron Fink, received a email at 11:44 am 6/27/2013 in regards to Locate 131760092. Northwestern (Ron Fink) is the originator of locate 131760092 which I have attached a copy of this ticket. Locate ticket 131760092 was due on 6/27/2013 8:15 am per SD One Call Law. At 11:44 am 6/27/2013 -- 3.5 hours after the due date Ron Fink the originator and NorthWestern employee received an email from Century Link indicating we had agreed to an extension on the ticket. NorthWestern never was contacted and does not agree to the terms on the email. No call was ever made by Century Link to Ron Fink. The only notification NorthWestern received was the email below 3.5 hours after the locate was due. The email is a lie -- as we were never contacted or agreed to the terms. NorthWestern had not yet dug but plans to do so on July 1.

Do you believe the alleged violation to be intentional?: Yes

Why or why not?: NorthWestern has had numerous issues with Century Link this spring in not responding to locates in the required time frame required by SD One Call. This is not isolated to any area -- it is across the system from Huron to Aberdeen. NorthWestern Huron Area Manager, Rick Hoffman, has spoken with the local Huron Century Link employees. After no improvement Larry Janes was contacted the week of May 1 in search of a solution and Century Link contact. NorthWestern then provided examples of tickets to Larry Janes and Century Link, Dam Kaiser, Director of Engineering and Construction. The week of June 10 NorthWestern again contacted Century Link, Bill Pierce in Aberdeen regarding not locating in the required time frame. Bill was responsive and we have seen some improvements but even with improvement there are still locates not being completed in the required time frame.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 131760092

Start date and time on ticket: 06/27/2013 8:15 a.m.

Did the excavator wait until the start date / time on the ticket before commencing excavation?: Yes

If no, when did excavation begin (date and time)?:

Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?: NA

Explain:

Were buried facilities exposed by hand or non-invasive equipment prior to excavation?: NA

Were facilities marked?: No

Was the marking complete prior to the start time on the ticket?: No

Did the excavator pre-mark with white paint?:

Was the facility marked accurately (within 18 inches)?:

Did the excavator use reasonable care to maintain locate marks for the life of project?:

Type of facility involved: Cable

Operator of facility (if known): Century Link

Operator address (Street or PO Box):

City:

State:

Zip:

Phone: --

Depth of Cover:

Pressure:

Voltage:

of cable pairs:

5. Damages

Was the facility damaged?: No

If yes, provide detail and an estimate of damage:

Were damages on public right of way or private property?:

Was anyone injured as a result of facility damage?: No

If yes, provide detail:

Length of hospitalization:

Were there fatalities?: No

If yes, provide detail:

Was operator service affected?: No

If yes, provide detail (how many customers for how long):

Other information regarding injuries or damages: NorthWestern has provided 3 locate examples (Locate 130920176, 131220214, and 131220204) we provided to Dan Kaiser, Century Link the first week of May.

6. Statutory Violation

Specific statute(s) or rule(s) you believe were violated: 49-7A-8

Other information to support your position: Northwestern has attempted on several levels to resolve Century Link's locating issue and their inability to consistently complete tickets in the required time frame required by SD One Call law. NorthWestern is concerned for safety of our employees, public and contractors.

NorthWestern comes to the complaint process to try and change the behavior and process of Century Link before injury does occur.