
From: donotreply@sdonecall.com[SMTP:DONOTREPLY@SDONECALL.COM]

Sent: Tuesday, July 30, 2013 4:10:53 PM

To: PUC Docket Filings

Subject: New One Call Reply Form

Auto forwarded by a Rule

1. Complaint Docket Number: OC13-013

2. Respondent Information

Complaint filed on behalf of (company name): Sterling Lone star

Contact Person: Anthony Pence

Phone: 832-330-8650 **Ext:**

Street Address or PO Box: 2807 NW 7th

City: Lincoln **State:** Nebraska **Zip:** 68521

Fax: --

Email Address: tspence74@live.com

Date: 7/30/2013

Were you previously aware of these allegations: Yes

Provide detail including whom you spoke with: I, Anthony Pence, spoke with Larry Janes E.D. on July 22, 2013 at 0855 A.M. to get further clarification as to the proceedings this notice and what further steps are needed to be taken.

3. Basic Facts

Do you dispute the alleged violation of SD One Call statute or rule occurred?: No

If yes, what specifically do you dispute?:

Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?: Yes

If yes, please explain: It was an unintentional action. The excavation was only to install the pole for a earth based satellite antenna and not to remove, modify, or alter existing premises gas line. The pole was to be set 36" deep and secured with 120lbs of concrete as per standard install requirements.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: No

If a locate was requested:

Locate ticket #:

Start date and time on ticket:

Did excavation begin before the start date / time on the ticket?: NA

Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment?: NA

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

Were facilities marked?: NA

Was the marking complete prior to the start time on the ticket?: NA

Was the excavation site pre-marked with white paint?: NA

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

Was there reasonable care to maintain locate marks for the life of project?: NA

Did the complainant correctly describe the type of facility involved?: Yes

If not, provide detail:

5. Damages:

Did the complainant correctly describe the damages that resulted from the alleged violation?: Yes

If no, provide detail:

Were damages in public right of way or private property?: Private

Did complainant correctly describe how operator service was affected?: Yes

If no, provide detail:

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

If yes, provide detail:

Length of hospitalization:

Were there any fatalities?: No

If yes, explain:

Other information regarding injuries or damages:

6. Statutory Violation

Do you believe the statutes listed (if any) by the complainant were violated?: Yes

Why or why not?: The contractor should have rescheduled dig in lieu of acquiring a utilities locate.

Future Compliance:

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules: The contractor consistently digs the 36" holes for satellite antennas as a requirement for additional mount options for private residencies. The contractor has installed a multitude of these same pole mounts all over Iowa, South Dakota, Minnesota, Missouri, and Nebraska before and since this occurrence in the past 12 months. The one call always has a part of installation procedures on every call. The incident here was an unintentional action that could have been avoided had proper install protocol been observed. Sterling Lone Star has implemented company procedures the have already been enforced numerous times even at a loss of profit for the contractor. The enforcement rules are that no attempt shall be made by Sterling Lone Star to dig holes at any depth or with any digging means (tools)without prior markings and permission from the states (or any states) one call advisory service. Sterling Lone Star has already rescheduled numerous install locations to await utilities to be marked by one call. These reschedules require the contractor to return to the site at personal loss of profit due to loss of time (to be doing another job) and fuel for traveling to the site again from wherever he is at. This singular incident will not be repeated in the near or far future by Sterling Lone Star. It is a very expensive and unprofessional mistake.

Past Violations:

Has a complaint been filed against you in the past for SD One Call violations?: No

If yes, when was it filed?:

Other Information:

Please provide any additional information to support your position: