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

Sent: Tuesday, July 23, 2013 11:14:04 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 Energy

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: 7/23/2013

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: 57014

Fax: --

Email Address:

Is this party aware of your allegations?: Yes

Provide detail including whom you spoke with: Ken spoke with the 3rd party contractor locating for Century Link in Mitchell.

3. Basic Facts:

Street Address / location of alleged violation: 1123 S Anderson St

City: Mitchell

State: SD

Date of alleged violation: 07/17/2013

Time of alleged violation: 9:30 a.m.

Describe your allegation: Contractor did not locate within the time required by SD One Call Law. NorthWestern employee, Ken Schoenfelder, received an email at 12:45 pm on 7/17/2013 in regards to Locate 131960200. Attached is a copy of the ticket and email. Locate ticket 131960200 was due on 7/17/2013 at 9:30 am per SD One Call Law. At 12:45 pm on 7/17/2013 – 3 hours after the due date Ken Schoenfelder the originator and NorthWestern employee received an email from Century Link indicating he had agreed to extension on the ticket. NorthWestern was never contacted and does/did not agree to the terms on the email. No call was ever made by Century Link to Ken Schoenfelder on this ticket.

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

Why or why not?: On going issue

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 131960200

Start date and time on ticket: 07/17/2013 9:30 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:

6. Statutory Violation

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

Other information to support your position: NorthWestern understands once in a while a locator may need more time than the ticket affords due to emergencies that pop up but what we are experiencing doesn't fit into that category. NorthWestern also understands and tries to work with all operators when circumstances require. However this issue started at the onset of the construction year and continue to be the norm rather than exception. In addition it is not unique to one geographical area.