

Douglas, Tina (PUC)

From: PUC Docket Filings
Sent: Friday, July 26, 2013 11:44 AM
To: Douglas, Tina (PUC); Van Gerpen, Patty; Mohr, Leah; Lashley, Joy (PUC); Dickerson, Sherry
Subject: FW: New One Call Complaint Form
Attachments: Cleary Building Corp.pdf

From: donotreply@sdonecall.com[SMTP:DONOTREPLY@SDONECALL.COM]
Sent: Friday, July 26, 2013 11:43:58 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: Brad Wenande
Phone: 605-668-4609 **Ext:**
Street Address or PO Box: 313 Cedar Street
City: Yankton
State: SD
Zip: 57078
Fax: 605-668-4620
Email Address: brad.wenande@northwestern.com
Date: 7/26/2013

2. Action Requested Against:

Name of excavator / facility operator: Cleary Building Corp
Phone: 605-428-4381 **Ext:**
Street Address Or PO Box: 517 W 4th St
City: Dell Rapids
State: SD
Zip: 57022
Fax: --
Email Address: cwallum@clearybuildings.com

Is this party aware of your allegations?: Yes

Provide detail including whom you spoke with: I did not personally speak with Casey Wallum but the Northwestern Energy employee completing the locate ticket did contact Mr. Wallum via telephone.

3. Basic Facts:

Street Address / location of alleged violation: 601 Oak St
City: Springfield
State: SD

Date of alleged violation: 07/10/2013

Time of alleged violation: 4:27 p.m.

Describe your allegation: On the above date, Mr. Wallum, or a representative of his company, called an emergency locate (Ticket number 131910743) to install a pole building. This does not meet the criteria for an emergency in SD. When contacted by the Northwestern Energy employee assigned the locate ticket, Mr. Wallum was told that this work did not meet the stipulations of an emergency. Mr. Wallum told the Northwestern Energy employee that he did not care for his attitude.

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

Why or why not?: Mr. Wallum, or a Cleary Building Corp representative, was read the definition of what qualifies as an emergency in SD by the One Call operator. This work clearly does not meet that definition. The Cleary Building representative disregarded the law and chose to have the operator issue an emergency ticket despite the fact that it did not qualify for such. In addition, Mr. Wallum's response to the Northwestern employee clearly shows he was aware that this was inappropriate.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 131910743

Start date and time on ticket: 07/10/2013 6:30 p.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?: Yes

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

Did the excavator pre-mark with white paint?: NA

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

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

Type of facility involved: Electric

Operator of facility (if known): Northwestern Energy

Operator address (Street or PO Box): 313 Cedar Street

City: Yankton

State: SD

Zip: 57078

Phone: 605-668-4609

Depth of Cover: NA

Pressure: NA

Voltage: NA

of cable pairs: NA

5. Damages

Was the facility damaged?: NA

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: SDCL 49-7A-1, Section III, Part 2, Emergency Requests Excavator provided misrepresentation of an emergency excavation.

Other information to support your position: