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

Sent: Tuesday, November 19, 2013 3:20:37 PM

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: Montana-Dakota Utilities Co.

Contact Person: Wade Jutila

Phone: 605-355-4034 **Ext:**

Street Address or PO Box: PO Box 1060

City: Rapid City

State: SD

Zip: 57709

Fax: 605-355-4036

Email Address: wade.jutila@mdu.com

Date: 11/19/2013

2. Action Requested Against:

Name of excavator / facility operator: Heavy Constructors, Inc.

Phone: 605-342-3152 **Ext:**

Street Address Or PO Box: PO Box 3239

City: Rapid City

State: SD

Zip: 57709

Fax: 605-342-8262

Email Address:

Is this party aware of your allegations?: No

Provide detail including whom you spoke with:

3. Basic Facts:

Street Address / location of alleged violation: 2125 Jackson Blvd.

City: Rapid City

State: SD

Date of alleged violation: 10/23/2013

Time of alleged violation: 10:20 a.m.

Describe your allegation: Contractor struck 4 inch plastic natural gas main at approximately 36" depth while digging out soft spots for paving work. An approximate 2"x3" hole resulted causing and emergency uncontrolled gas release situation in a busy construction zone with nearby traffic.

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

Why or why not?: Line was not hand exposed and a valid one call ticket for the nature of the work being performed was not available. No marks were present indicating if the area had ever been located the marks were not maintained by the contractor as required. Contractor did have a ticket for "Installing Water" in the area that was called in on 10/17/2013 Ticket#132380222

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

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?: No

Explain:

Were buried facilities exposed by hand or non-invasive equipment prior to excavation?: No

Were facilities marked?: No

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

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?: No

Type of facility involved: 4" Plastic Natural Gas Main

Operator of facility (if known): Montana-Dakota Utilities Co.

Operator address (Street or PO Box): PO Box 1060

City: Rapid City

State: SD

Zip: 57709

Phone: 605-355-4034

Depth of Cover: 36 inches

Pressure: 34 psig

Voltage:

of cable pairs:

5. Damages

Was the facility damaged?: Yes

If yes, provide detail and an estimate of damage: An approximately 2"x3" section of pipe wall was missing from the damage. Uncontrolled gas release occurred for approximately 1.5 hours. Estimated cost of repair is \$1200.

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

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?: Yes

If yes, provide detail (how many customers for how long): 3 customers were out of service for approximately 2 hours.

Other information regarding injuries or damages:

6. Statutory Violation

Specific statute(s) or rule(s) you believe were violated: 49-7A-5. Notification of proposed excavation.

Contractor had no valid ticket for nature of work being performed. 20:25:03:05:02. Excavator responsibilities for the preservation of marks. If line had been previously located contractor did not preserve marks.

20:25:03:05:03. Excavator responsibilities when excavating. Line was not exposed in a manner that would prevent damage to facility.

Other information to support your position: