

**Sent:** Friday, December 06, 2013 11:23:40 AM

**To:** PUC Docket Filings

**Subject:** One Call Reply Form

**Auto forwarded by a Rule**

**1. Complaint Docket Number:** OC13-030

## **2. Respondent Information**

**Complaint filed on behalf of (company name):** Heavy Constructors, Inc.

**Contact Person:** Dennis Hammond

**Phone:** 605-787-2243 **Ext:**

**Street Address or PO Box:** 4101 Deadwood Ave

**City:** Rapid City **State:** South Dakota **Zip:** 57702

**Fax:** 605-342-8262

**Email Address:** [DennisH@heavyconstructors.com](mailto:DennisH@heavyconstructors.com)

**Date:** 12/6/2013

**Were you previously aware of these allegations:** No

**Provide detail including whom you spoke with:**

## **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?:** Gas main was buried approximately 10" from top of base course, not 36" as described in the complaint. (see attached pic) Gas main was buried approximately 48" from top of base course 15' east of damaged area. (see attached pic) Bobcat skid steer caused damage to gas line, not excavator.

**Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:** No

**If yes, please explain:** We believe that we had no need or reason to locate the pipe due to excavation depth needed to remove the soft spot in the grade.

## **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?:** Yes

**Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment?:** No

**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?:**

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

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

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

**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?:** Public

**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?:** No

**Why or why not?:**

## **Future Compliance:**

**Describe your plans and procedures to ensure compliance with SD One Call statutes and rules:** Call SD One Call before digging. Do not dig until marks have been made by qualified personnel. Maintain marking throughout the duration of the project. Maintain 18" clearance from lines with mechanical equipment. Hand expose all utility lines.

## **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:** At the time of the accident, at soft spot threatened asphalt paving operations to cease. Field workers were directed to remove the soft spot so paving operations could continue. An operator rushed to remove the soft spot in the grade and struck a shallow gas line. There was a valid ticket for water line installation but not for grading operations. Also, there were not markings for the gas line.