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**From:** donotreply@sdonecall.com[SMTP:DONOTREPLY@SDONECALL.COM]  
**Sent:** Monday, March 24, 2014 2:20:25 PM  
**To:** PUC Docket Filings  
**Subject:** One Call Reply Form  
**Auto forwarded by a Rule**

**1. Complaint Docket Number:** OC14-003

## **2. Respondent Information**

**Complaint filed on behalf of (company name):** Rapid Construction, LLC

**Contact Person:** Bruce Jensen

**Phone:** 605-343-5162 **Ext:**

**Street Address or PO Box:** 2783 Plant Street

**City:** Rapid City **State:** SD **Zip:** 57702

**Fax:** 605-341-6343

**Email Address:** brucerconst@rushmore.com

**Date:** 3/24/2014

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

**Provide detail including whom you spoke with:** Spoke with MDU emergency responder and also with MDU construction Technocian (Jamie Overbee), on scene, and Wade Jutilla, MDU, inquired about locate ticket, on phone, was away from documents so could not give him Locate Ticket Number. First indication of complaint was receipt of Letter.

## **3. Basic Facts**

**Do you dispute the alleged violation of SD One Call statute or rule occurred?:** Yes

**If yes, what specifically do you dispute?:** Locate was requested for this work, Ticket # 1405001452. Utilities Cleared. Excavating trench for WREA, CenturyLink, WideOpenWest, MidContinent, and MDU installations, per WREA route flagging. Utility trench location outside Right of Way (ROW, in drainage and utility Easement 8' inside all lot lines. Unintentional line strike on 20 Feb 2014 was located on southwest quadrant of Melano Street and Tupelo Drive intersection. Gas feed to the Brookfield Subdivision-Ph III came in on the north side of Melano street across Tupelo/Calla Drive, and crossed to the south side of Melano Street on the west side of the Tupelo Drive intersection. The Utility Layout Drawing shows the gas feed on south side of Melano Street.

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

**If yes, please explain:** Locate was requested for this work, Ticket # 1405001452. Utilities Cleared. Excavating trench for WREA, CenturyLink, WideOpenWest, MidContinent, and MDU installations, per WREA route flagging. Utility trench location outside Right of Way (ROW, in drainage and utility Easement 8' inside all lot lines. Unintentional line strike on 20 Feb 2014 was located on southwest quadrant of Melano Street and Tupelo Drive intersection. Gas feed to the Brookfield Subdivision-Ph III came in on the north side of Melano street across Tupelo/Calla Drive, and crossed to the south side of Melano Street on the west side of the Tupelo Drive intersection. The Utility Layout Drawing shows the gas feed on south side of Melano Street. Gas Main blew gas for 45 Minutes due to Emergency Responder applying line clamp down stream of the line strike, in accordance with locate drawing, not understanding the feed was from the north, and the tail end of the bore turned to run east, behind the row line to the end of line marker.

#### **4. Excavation / Locate Information:**

**Was a locate requested from SD One Call?:** Yes

**If a locate was requested:**

**Locate ticket #:** 1405001452

**Start date and time on ticket:** 02/21/2014 7:00 p.m.

**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?:** Yes

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

**Were facilities marked?:** Yes

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

**Was the excavation site pre-marked with white paint?:** No

**Was the facility marked accurately (within 18 inches)?:** No

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

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

**If not, provide detail:** The facilities were marked for locate by WREA Route Flagging. The utilities were cleared for excavation by locators and verbally acknowledged. Hand excavation was not performed due to being in excess of 3 feet from end of line marker. MDU 2" HDPE line was hit, so no marked within 18". Reasonable care was taken to maintain locate flags for the life of the project, and multiple locats and refresh locates were called for.

#### **5. Damages:**

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

**If no, provide detail:** 2" HDPE line was severed, 2 technicians, with 2 trucks, responded for approximately 2.5 to 3 hours, and performed butt fusion weld repair.

**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:** Line strike was downstream from all users, no interruption of service to users.

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

**If yes, provide detail:** No injuries occurred or were reported.

**Length of hospitalization:** None

**Were there any fatalities?:** No

**If yes, explain:** No fatalities occurred or were reported.

**Other information regarding injuries or damages:** None

#### **6. Statutory Violation**

**Do you believe the statutes listed (if any) by the complainant were violated?:** No

**Why or why not?:** Locates were called on this project and refreshed for different phases of work. Hand excavation has been performed where excavation was known to be in close proximity to located facilities. Locators have been consistent in contacting and verifying utilities are clear or marked.

**Future Compliance:**

**Describe your plans and procedures to ensure compliance with SD One Call statutes and rules:** Planning to set up a locate calendar to track locates and re-locates, to verify work periods are within active locates. Plan to expand proximity for hand locating buried utilities to verify pipe running same direction as paint/flags.

**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:** I am unaware of previous complaints being filed. I am aware of other calls for line hits on active and abandoned facilities, as a result of both contractor issues and bad locates, or out of spec installations (shallow phone lines that came up in excavator tracks while walking down grassed road ditch)