

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

Sent: Thursday, June 12, 2014 4:28:19 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: Mitchell Telecom

Contact Person: Mark Wilson

Phone: 605-796-4411 **Ext:** 129

Street Address or PO Box: 1801 North Main Street

City: Mitchell

State: SD

Zip: 57301

Fax: 605-990-1010

Email Address: mwilson@santel.coop

Date: 6/12/2014

2. Action Requested Against:

Name of excavator / facility operator: Schoenfelder Construction

Phone: 605-996-3254 **Ext:**

Street Address Or PO Box: 3131 West Havens

City: Mitchell

State: SD

Zip: 57301

Fax: --

Email Address: schoen3131@hotmail.com

Is this party aware of your allegations?: No

Provide detail including whom you spoke with: On June 10th, my staff notified me of two cut cables at a new apartment building construction site. When I arrived I spoke to Norm Schoenfelder.

3. Basic Facts:

Street Address / location of alleged violation: North Montana Street and West 8th Avenue

City: Mitchell

State: SD

Date of alleged violation: 06/10/2014

Time of alleged violation: 11:30 a.m.

Describe your allegation: Upon arrival I observed several pieces of Schoenfelder Construction heavy equipment moving dirt and an excavator. I found where one of our fiber optic cables and innerduct had been damaged cut clean off on the sides of the excavation site, like someone had cut them off cleanly with a saw or knife because there were no remnants of fiber or innerduct anywhere on the sides of the hole. I approached Norm Schoenfelder and he told me that he had cut the fiber and did not call SD 811 to notify them of the damaged facility.

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

Why or why not?: I feel he did cut the line on purpose because we didn't do like he told us to regarding burying the lines 6 feet deep. He is a contractor and does not own the utility right of way that our fiber is placed in. He told us we should wait until he is done or he will just cut our lines, twice he told separate people contracted to work for Mitchell Telecom. We could not delay our construction as our contractor is only available certain times of the month to do construction for us. Norm told Shane from R&L Construction and Jesse from ELM Locating, both contractors for Mitchell Telecom that they would just cut our lines if they were in the way. I intend to file a second complaint on another cable cut that Norm's company did on the same site.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 1416047251

Start date and time on ticket: 06/09/2014 12:30 p.m.

Did the excavator wait until the start date / time on the ticket before commencing excavation?: No

If no, when did excavation begin (date and time)?: 06/10/2014

Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?: No

Explain: Our fiber optic cable and innerduct were cut clean off on both sides of the excavator bucket trench, indicating it was either cut by the excavator bucket or a saw or knife.

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

Did the excavator pre-mark with white paint?: No

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

Did the excavator use reasonable care to maintain locate marks for the life of project?:
No

Type of facility involved: Telecommunications

Operator of facility (if known): Mitchell Telecom

Operator address (Street or PO Box): 1801 North Main Street

City: Mitchell

State: SD

Zip: 57301

Phone: 605-796-8129

Depth of Cover: 36"

Pressure:

Voltage:

of cable pairs: 4

5. Damages

Was the facility damaged?: Yes

If yes, provide detail and an estimate of damage: \$775

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?: 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:

Other information to support your position: