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

Sent: Friday, August 29, 2014 11:56:41 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: South Dakota Network, dba: SDN Communications

Contact Person: Bill Heaston

Phone: 605-978-3596 **Ext:**

Street Address or PO Box: 2900 West 10th Street

City: Sioux Falls

State: SD

Zip: 57104

Fax: 605-334-4782

Email Address: bill.heaston@sdncommunications.com

Date: 8/29/2014

2. Action Requested Against:

Name of excavator / facility operator: Q3 Contracting

Phone: 605-321-6698 **Ext:**

Street Address Or PO Box: 5112 N National Ave

City: Sioux Falls

State: SD

Zip: 57104

Fax: --

Email Address: jessica.cain@q3contracting.com

Is this party aware of your allegations?: Yes

Provide detail including whom you spoke with: Mark Cook, foreman from Q3 Contracting was on site and spoke with SDN representative. Marie Eggler, Claims Manager for Q3 Contracting emailed SDN Communications acknowledging receipt of invoice for damages and asked us to provide her the fiber count number and pre/post photos and damage investigation report from the locate company, ELM. All the requested info has been provided.

3. Basic Facts:

Street Address / location of alleged violation: North side of A Ave & Blackhawk

City: Sioux Falls

State: SD

Date of alleged violation: 05/30/2014

Time of alleged violation: 2:00 p.m.

Describe your allegation: Q3 Contracting used a bore machine on the North side of Blackhawk Ave which was not marked or called in for locates therefore negligently damaging 2 fiber optic cables belonging to SDN Communications.

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

Why or why not?: They were not there by mistake, they were doing the job they were hired to do but failed to call in for locates on the North side of Blackhawk Ave.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 1414338137

Start date and time on ticket: 05/28/2014 10:30 a.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?: No

Explain: Q3 Contracting was using a bore machine on the North side of Blackhawk Ave which was not covered by the One Call Ticket and they failed to make a request for locates on the North side of Blackhawk.

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?: No

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

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

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

Type of facility involved: 2 - 96 count fiber optic cables

Operator of facility (if known): SDN Communications

Operator address (Street or PO Box): 2900 West 10th Street

City: Sioux Falls

State: SD

Zip: 57104

Phone: 605-978-3596

Depth of Cover: 36 inches

Pressure:

Voltage:

of cable pairs: 2

5. Damages

Was the facility damaged?: Yes

If yes, provide detail and an estimate of damage: Attached are photos of the damage, ELM Locate report, and Invoice documentation.

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): 17 major circuits were affected by this causing 17 business customers to be without service during business 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 49-7A-10 Liability for Damage to Underground Facility

Other information to support your position: Q3 Contracting was using a bore machine on the North side of Blackhawk Ave which was not covered by the SD One Call Ticket. They failed to call in for additional locates and went ahead and used the bore machine and negligently damaging 2 fiber optic cables belonging to SDN Communications.