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**MAY 04 2015**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

May 1, 2015

MR LARRY L JANES  
EXECUTIVE DIRECTOR  
SOUTH DAKOTA ONE CALL/SOUTH DAKOTA 811  
C/O PUBLIC UTILITIES COMMISSION  
500 EAST CAPITOL AVENUE  
PIERRE SD 57501

Subject: Complaints OC15-001 and OC15-005

Dear Mr. Janes:

This letter is in follow-up to the South Dakota One Call Notification Board Enforcement Panel meeting of March 27, 2015 and the subsequent Enforcement Panel findings regarding the referenced complaints. By way of this letter, I wanted to first express my disappointment with the Panel's findings and secondly reiterate that as stated in Nebraska Public Power District's (NPPD) response to Complaint OC15-001, NPPD never received the original Locate Request and has no record of receiving the original Locate Request that was a part of the referenced complaints.

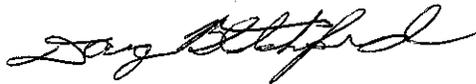
We at NPPD feel that we are being penalized for something for which we had no knowledge of until such time that the excavator damaged the NPPD facilities on 10/31/14. NPPD in follow-up requested a copy of the Locate Request, which was then received via email on 11/4/14. In addition, as was outlined in Complaint OC15-005, the excavator excavated on an expired permit and failed to ensure that all locates had been marked. Therefore, NPPD feels that with regard to the referenced complaints, the excavator had a far greater responsibility for violation of the South Dakota One Call Rules and Regulations and yet was assessed the same penalty as NPPD under Complaint OC15-005.

In summary, we considered requesting a hearing in follow-up to the Panel's findings to be able to review our position, but after further consideration, felt that it would be best to simply follow-up and outline NPPD's position with a letter and offer a suggestion for improving the overall process. As indicated earlier, NPPD failed to locate facilities, but this was due to the fact that NPPD did not receive the Locate Request and has no record of receiving the original Locate Request. NPPD does pay a service fee to the SD One Call Center to receive the Locate Requests and have them emailed to several NPPD individuals, but for whatever reason, this specific Locate Request was not received by NPPD. It is NPPD's position, that the apparent lack of a Locate Request confirmation/verification of receipt mechanism, documenting the receipt of the Locate Requests, identifies a potential weakness in the overall process. As the Locate Request

occurs at the initial stages of the overall process, a mechanism to confirm receipt of the Locate Request, would appear to be an item that might prevent similar occurrences and is offered for consideration, as a "Lessons Learned" comment for potential improvement in the process.

We had wanted to provide this suggestion for consideration, but also to document our concern, due to the fact that we would not want this same scenario to occur again, especially within the next twelve months and be subject to the potential for an increased penalty under the regulations, since this would be an additional violation within a twelve month timeframe. Thank you for your consideration on this matter and if you should have any questions or need any additional information, please feel free to contact me.

Sincerely,



Douglas Blatchford  
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cc: T. J. Ruthledge