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

Sent: Monday, January 26, 2015 3:49:13 PM

To: PUC Docket Filings

Subject: One Call Reply Form

Auto forwarded by a Rule

1. Complaint Docket Number: OC15-001

2. Respondent Information

Complaint filed on behalf of (company name): Nebraska Public Power District

Contact Person: Doug Blatchford

Phone: 402-563-5571 **Ext:**

Street Address or PO Box: 68601/1414 15th Street, PMB 499

City: Columbus **State:** NE **Zip:** 68602

Fax: 402-563-5511

Email Address: dmblatc@nppd.com

Date: 1/26/2015

Were you previously aware of these allegations: Yes

Provide detail including whom you spoke with: T. J. Rutledge, NPPD who spoke with Doug O'Byran of Doug O'Bryan Contracting on 11/3/14. T.J. Rutledge advised Doug O'Byran that NPPD was going to send Doug a bill for damages resulting from the excavation of 10/31/14.

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?: NPPD never received the original Locate Ticket # 14280099756 issued on 10/7/14 until NPPD requested a copy on 11/4/14. NPPD had no knowledge of the locate request until 11/4/14 and feels that the excavator was negligent in excavating on an expired locate ticket and in not confirming that all operator locates had been completed.

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

If yes, please explain:

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 1428009976

Start date and time on ticket: 10/07/2014 11:35 a.m.

Did excavation begin before the start date / time on the ticket?: No

Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment?: NA

Were buried facilities exposed by hand or non-invasive equipment prior to excavation?: NA

Were facilities marked?: No

Was the marking complete prior to the start time on the ticket?: No

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?: No

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?: Private

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?: NPPD never received the original Locate Ticket # 14280099756 issued on 10/7/14 until NPPD requested a copy on 11/4/14. NPPD had no knowledge of the locate request until 11/4/14. The excavator was negligent in excavating on 10/31/14 on a locate ticket that expired on 10/30/14 and was therefore not in compliance with SD Statute 49-7A-4, Rule 20:25:03:05.01. Additionally, in accordance with Statute 49-7A and Administrative Rules Article 20:25, the excavator failed to comply with the SD Operations Manual for Facility Operators and Excavators, which on Page 20, indicates that excavators are reminded not to begin excavation until all underground facilities have been marked.

Future Compliance:

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules: NPPD will continue to comply with SD One Call statutes and rules.

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: