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**From:** [donotreply@sdonecall.com](mailto:donotreply@sdonecall.com)[SMTP:DONOTREPLY@SDONECALL.COM]

**Sent:** Thursday, January 22, 2015 4:21:45 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:** Nebraska Public Power District

**Contact Person:** T.J. Rutledge

**Phone:** 308-430-1692 **Ext:**

**Street Address or PO Box:** P.O. Box 551

**City:** Chadron

**State:** NE

**Zip:** 69337

**Fax:** 308-432-9217

**Email Address:** [tjrutle@nppd.com](mailto:tjrutle@nppd.com)

**Date:** 1/22/2015

### **2. Action Requested Against:**

**Name of excavator / facility operator:** Doug O'Bryan Contracting Inc.

**Phone:** 605-685-6281 **Ext:**

**Street Address Or PO Box:** 21617 U.S. 18

**City:** Martin

**State:** SD

**Zip:** 57551

**Fax:** --

**Email Address:**

**Is this party aware of your allegations?:** Yes

**Provide detail including whom you spoke with:** O'Bryan Contracting Inc. excavated two miles east of Pine Ridge on Highway 18 north side of highway and dug into our underground 7200V primary system, damaging the wire, conduit, and underground transformer. I spoke with Doug O'Bryan regarding this issue.

### **3. Basic Facts:**

**Street Address / location of alleged violation:** East Highway 18

**City:** Pine Ridge

**State:** SD

**Date of alleged violation:** 10-31-2014

**Time of alleged violation:** 1:35 p.m.

**Describe your allegation:** O'Bryan Contracting Inc. was excavating on an expired locate South Dakota State Law 20:25:03:05.01. And additionally a meet request was made that we had no notification of, the area they were excavating in does not match the locate, and did not comply with the South Dakota Operations Manual for Facility Operators and Excavator's Page 9, because we were never contacted asking why we didn't locate the excavation site.

**Do you believe the alleged violation to be intentional?:** No

**Why or why not?:** Because NPPD did not locate the area prior to excavation, because we didn't receive the 10/7/14 locate from SD One Call. I feel they considered they were free to dig since NPPD had no markings.

#### **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 the excavator wait until the start date / time on the ticket before commencing excavation?:** Yes

**If no, when did excavation begin (date and time)?:** 10/07/2014 11:35 a.m.

**Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?:** NA

**Explain:**

**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

**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:** Underground Primary, Conduit, Pad Mount Transformer

**Operator of facility (if known):** Nebraska Public Power District

**Operator address (Street or PO Box):** P.O. Box 551

**City:** Chadron

**State:** NE

**Zip:** 69337

**Phone:** 877-275-6773

**Depth of Cover:** 48"

**Pressure:**

**Voltage:** 7,200

**# of cable pairs:** 1 Cable

#### **5. Damages**

**Was the facility damaged?:** Yes

**If yes, provide detail and an estimate of damage:** Conduit Damaged, Conductor Damage, Broken busing off a single phase pad mount transformer. We had to repair the conduit, replace the run of cable, and replace the single phase pad mount transformer. DMG Material & Supplies: \$3,789.74 DMG Labor: \$2,378.00 DMG Vehicle: \$ 443.50 DMG Overhead: \$ 926.83 Total: \$7,547.07

**Were damages on public right of way or private property?:** Private

**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):** One customer was without power from 1:12 P.M. until 5:12 P.M.

**Other information regarding injuries or damages:** I contacted Doug O'Bryan on two occasions regarding the bill for the damage and has refused to pay.

## **6. Statutory Violation**

**Specific statute(s) or rule(s) you believe were violated:** South Dakota Statute 20:25:03:05 South Dakota Operations Manual for Facility Operators and Excavators Page 9 Paragraph 8.

**Other information to support your position:**