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

Sent: Monday, April 20, 2015 11:19:13 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: Kenneth J. Erickson

Contact Person: Kenneth J. Erickson

Phone: 605-393-7104 **Ext:**

Street Address or PO Box: 4605 Chalkstone Drive Apt. 1

City: Rapid City

State: SD

Zip: 57701

Fax: --

Email Address: [Kenneth J Erickson@msn.com](mailto:Kenneth_J_Erickson@msn.com)

Date: 4/20/2015

2. Action Requested Against:

Name of excavator / facility operator: Joe Muth and Jeremy Muth

Phone: 605-391-2426 **Ext:**

Street Address Or PO Box: 2700 West Main Street

City: Rapid City

State: SD

Zip: 57702

Fax: --

Email Address:

Is this party aware of your allegations?: No

Provide detail including whom you spoke with: Backhoe operator but I do not know his name or employer

3. Basic Facts:

Street Address / location of alleged violation: 4660 Coal Bank Drive

City: Rapid City

State: SD

Date of alleged violation: 04/10/2015

Time of alleged violation: 7:40 a.m.

Describe your allegation: Site abuts my property and is an apartment building under construction-- Developers Joe Muth and Jeremy Muth. Backhoe operator was trenching near the property line and cut the CenturyLink cable. I spoke briefly to him and he admitted he had cut the cable ("yeah, a couple" was his reply). I reported the outage to CenturyLink, to Rapid City Planning Engineering, and Rapid City Mayor's office. I was without landline and DSL service from approximately 07:40 to approximately 14:30 on 4/10/15. There were marking flags near the property line.

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

Why or why not?: I suspect negligence. There were marking flags near the property line.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Not Sure

If a locate was requested:

Locate ticket #:

Start date and time on ticket:

Did the excavator wait until the start date / time on the ticket before commencing excavation?: Not Sure

If no, when did excavation begin (date and time)?: 04/10/2012 7:00 a.m.

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

Explain: As the excavator is working for the developers Joe Muth and Jeremy Muth or their contractor, I have no details as to instructions given to the excavator

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

Were facilities marked?: NA

Was the marking complete prior to the start time on the ticket?:

Did the excavator pre-mark with white paint?:

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

Did the excavator use reasonable care to maintain locate marks for the life of project?:

Type of facility involved: apartment building construction

Operator of facility (if known): Joe Muth and Jeremy Muth

Operator address (Street or PO Box): 2700 West Main Street

City: Rapid City

State: SD

Zip: 57702

Phone: --

Depth of Cover:

Pressure:

Voltage:

of cable pairs:

5. Damages

Was the facility damaged?: Yes

If yes, provide detail and an estimate of damage: CenturyLink and/or developer's contractor repaired the damaged telephone cable.

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): I own and reside in 7-unit apartment building. Owner's unit plus any of the other 6 units with CenturyLink service were affected.

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: CenturyLink Repair Reference #0106155 dated 4/10/15.

Telephone discussion with City of Rapid City Planning Department Engineering-- Nicole on 4/10/15.

Voicemail left with City of Rapid City Mayor's office, David Kneafsey, Executive Assistant, on 4/10/15.