

HGC

October 22, 2007

South Dakota One-Call Notification Board
1012 N. Sycamore
Sioux Falls, SD 57103

RE: Administrative Rules Hearing - Proposed Rules Changes

Dear SD One Call Board Members:

The Municipal Utilities Committee of the Associated General Contractors of South Dakota, Inc. supports the proposed rule changes whereas utility companies/operators are responsible for locating underground facilities within the right-of-way. However, we have some concerns regarding the installation location requirement beginning on January 1, 2008.

We believe the proposed revisions provide enough flexibility for the utility companies/operators to locate their respective facilities with differing methods as long as they meet the accuracy requirements. The provision also anticipates future methods by allowing yet unforeseen technologies or methods.

A key component of these proposed rules is the requirement for the utility operator to provide any information on facilities installed, but are unable to locate. This enables the excavator/contractor to be aware of a facility and its approximate location, thus decreasing the chances of a utility being hit.

Our concern related to the January 2008 installation location requirement is one of awareness. Many projects are already under contract or are being let currently, and this installation location requirement is not anticipated in these projects. There are costs associated with locating utilities and this cost should not be bourn by the contractor without a method of payment or reimbursement set out in rules. We suggest SD One Call Board of Directors move this date back and embark on a statewide education process that explains all location requirements.

The South Dakota Department of Transportation has been very supportive and helpful in the review of these rule changes.

Sincerely,

Roger L. Hall, PE
Co-chairman Municipal Utilities Committee