

1. COMPLAINT DOCKET NUMBER: OC16-010

2. RESPONDENT INFORMATION

Reply filed on behalf of (company name):New Wave Builders

Contact Person: Robert Suchor

Phone: (307) 756-2516

Ext:

Address or PO Box: 126 Pine Haven Rd
Pine Haven, Wisconsin 82721
United States

Fax:

Email: skydivewy@gmail.com

Date: Sep 22, 2016

Were you previously aware of these allegations?: No

Provide detail including whom you spoke with:

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?: This incident occurred on private property in an undeveloped subdivision.

Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?: Yes

If yes, please explain: This incident occurred during the construction phase of the subdivision.

4. EXCAVATION / LOCATE INFORMATION: if applicable

Was a locate requested from SD One Call?: No

Locate ticket #:

Start date on ticket:

Start time on ticket:

IMPORTANT: IF A LOCATE TICKET IS TO BE CONSIDERED AS EVIDENCE, A COPY OF THE LOCATE TICKET MUST BE ATTACHED WHEN SUBMITTING THIS FORM.

Did excavation begin before the start date / time on the ticket?: NA

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?: No

Were facilities marked?: No

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

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: (Please provide pictures)

Did the complainant correctly describe the damages that resulted from the alleged violation?: Yes

If no, provide detail:

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

Did complainant correctly describe how operator service was affected?: No

If no, provide detail: no services were affected.

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:

Other information regarding injuries or damages:

6. STATUTORY VIOLATION (if known):

Do you believe the statutes listed (if any) by the complainant were violated?: No

Why or why not?: This was a private line on private property.

7. FUTURE COMPLIANCE:

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules: Any digging done on private or public right of way will be required to have locates done no matter where the assumed utilities are located.

8. PAST VIOLATIONS:

Has a complaint been filed against you in the past for SD One Call violations?: No

If yes, when was it filed?:

9. OTHER INFORMATION:

Please provide any additional information to support your position: As an ongoing development dirt work is consistantly going on throughout the entire subdaviton. Locates have been called several times throught out the construction fase of the subdaviton. With on going work it is difficult to update locates every three days through out the 15 acre development.

LOCATE TICKETS, PHOTOS, WITNESS STATEMENTS AND ANY OTHER DOCUMENTATION TO SUPPORT YOUR ARGUMENT MUST BE ATTACHED WHEN SUBMITTING THIS FORM.

Attachment #1 [001.jpg](#)

Attachment #2 [20160922 101116.jpg](#)

Attachment #3 [20160922 101150](#)

Attachment #4 [Lot 4A 4B.jpg](#)

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