

February 24, 2005

South Dakota One Call Notification Board
1012 N Sycamore Ave
Sioux Falls, SD 57110-5747

RE: Complaint OC05-001 by Kaneb Pipeline

The site in question had previously been located by ticket #043430057 (marked "Locate #1) dated December 10, 2004. A SD One call ticket #050240005 (marked Locate #2) was the new locate ticket set for January 26, ²⁰⁰⁵. All the marks from the first locate ticket were still clearly visible, specifically the complainant's markings. Action Electric called to have the spot "remarked", but the previous ticket had expired. We then requested a new locate ticket. Our employee assumed that a "respot" (only 24 hours notice) had been done and began digging. All the flags and paint marks on the curb and other areas were still clearly visible as digging began and the complainant arrived on scene. Pictures provided by the complainant and included with notations clearly show three flags still marking this pipeline area. A paint mark on curb was also visible. The hole that we drilled was 27' from the flagged and posted area on the pipeline. We feel that although we may have been in technical violation of SD One Call Law, we were in "safe" compliance. In another area of the Kaneb complaint, they mention that we did not have them on site when we crossed their line. As we hand dug this area, we did not feel it necessary to have them on site during a hand dig. After some conversation with them, we better understand their position and will now have them on site during a hand dig. This is outside the requirements of SD One Call Law. In light of the previous locate, legible flags, and markings and the care used to hand dig over the complaints pipeline, I would request this complaint be dismissed.

Sincerely,



Kevin Buehner
President

Heather Kappes

Locate #1

Royal ✓

From: Automailer_DO_NOT_REPLY@1-call.com
Sent: Wednesday, December 08, 2004 8:51 AM
To: Heather Kappes
Subject: Text of SDOC Ticket 043430057

South Dakota One Call

~~SDOC Ticket Number: 043430057~~
Web Ticket Number: ptn04343095016624

KAN:KANE PIPE LINE COMPANY
M08:MIDAMERICAN ENERGY COMPANY, INC.
N11:XCEL ENERGY
SFA:CITY OF SIOUX FALLS
UWS:QWEST LOCAL NETWORK
LCR:LINCOLN COUNTY RURAL WATER SYSTEM, INC.
N06:XCEL ENERGY
SFC:MIDCONTINENT COMMUNICATIONS

Prepared:08-DEC-04 Time:0948 By:NET-HEATHER KAPPES
Type:ROUTINE
Start Date: 10-DEC-04 Time: 0900

Location Information:
County:LINCOLN
City/Village:SIOUX FALLS

Street Information
Street:
Nearest Intersection:
Type of Work: TRENCHING, DRILLING, BORING, ELECTRIC
Location of Work
MARK 15' BEHIND CURB ON N SIDE 77TH ST FROM MINN AVE TO 300' PAST

R.O.W.: Y Depth (ft): 10 Explosives: N Tunnel/Bore: Y
Meeting Required:N
Work Being Done For:LANDSCAPE GARDEN CENTER

Excavator Information:
Caller: HEATHER KAPPES Phone: 605-334-8141
Address: 5200 W 9TH ST
City: SIOUX FALLS, 5200 W 9TH ST 57107

Excavator: ACTION ELECTRIC
Address: 5200 W 9TH ST
City: SIOUX FALLS, SD 57107
Phone: 605-334-8141 Fax: 605-336-2644

Contact Information:
Contact: HEATHER KAPPES Phone: 605-334-8141
Alt. Contact: ROYAL Phone: 605-940-2811
Best Time to Contact: 0800-1200

Grids:
43288-096438 43288-096436

MTR: Township:100N Range:50W Section:15
NE: NW: SE:x SW:

GPS:
Latitude: deg min sec
Longitude: deg min sec

Remarks:
MARK 15' BEHIND CURB ON N SIDE OF 77TH ST FROM MINN AVE
TO 300' PAST S AUDIE DR WHERE THE CURB ENDS

Heather Kappes

Locate #2

From: Automailer_DO_NOT_REPLY@1-call.com
Sent: Monday, January 24, 2005 8:08 AM
To: Heather Kappes
Subject: Text of SDOC Ticket 050240005

South Dakota One Call
SD1C Ticket Number: 050240005
Web Ticket Number: ptn05024090804969

KAN:KANE PIPE LINE COMPANY
M08:MIDAMERICAN ENERGY COMPANY, INC.
N11:XCEL ENERGY
SFA:CITY OF SIOUX FALLS
SFC:MIDCONTINENT COMMUNICATIONS
SFL:CITY OF SIOUX FALLS - LIGHT
UWS:QWEST LOCAL NETWORK
LCR:LINCOLN COUNTY RURAL WATER SYSTEM, INC.
N06:XCEL ENERGY

Prepared:24-JAN-05 Time:0907 By:NET-HEATHER KAPPES
Type:ROUTINE
Start Date: 26-JAN-05 Time: 0900 Duration: 14 DAYS

Location Information:
County:LINCOLN
City/Village:SIOUX FALLS

Street Information
Street:0 0 W 77TH ST
Nearest Intersection:S MINNESOTA AVE
Type of Work: TRENCHING, DRILLING, BORING, ELECTRIC
Location of Work
MARK 15' BEHIND CURB ON N SIDE OF 77TH ST FROM MINN. AVE TO 300'

R.O.W.: Y Depth (ft): 10 Explosives: N Tunnel/Bore: Y
Meeting Required:N
Work Being Done For:LANDSCAPE GARDEN CENTER

Excavator Information:
Caller: HEATHER KAPPES Phone: 605-334-8141
Address: 5200 W 9TH ST
City: SIOUX FALLS, 5200 W 9TH ST 57107

Excavator: ACTION ELECTRIC
Address: 5200 W 9TH ST
City: SIOUX FALLS, SD 57107
Phone: 605-334-8141 Fax: 605-336-2644

Contact Information:
Contact: HEATHER KAPPES Phone: 605-334-8141
Alt. Contact: DUSTIN Phone: 605-940-7253
Best Time to Contact: 0800-1200

Grids:
43290-096438 43288-096438
43288-096436 43290-096436

MTR: Township:100N Range:50W Section:15
NE: NW: SE:x SW:

JPS:
Latitude: deg min sec
Longitude: deg min sec

Remarks:

Flag

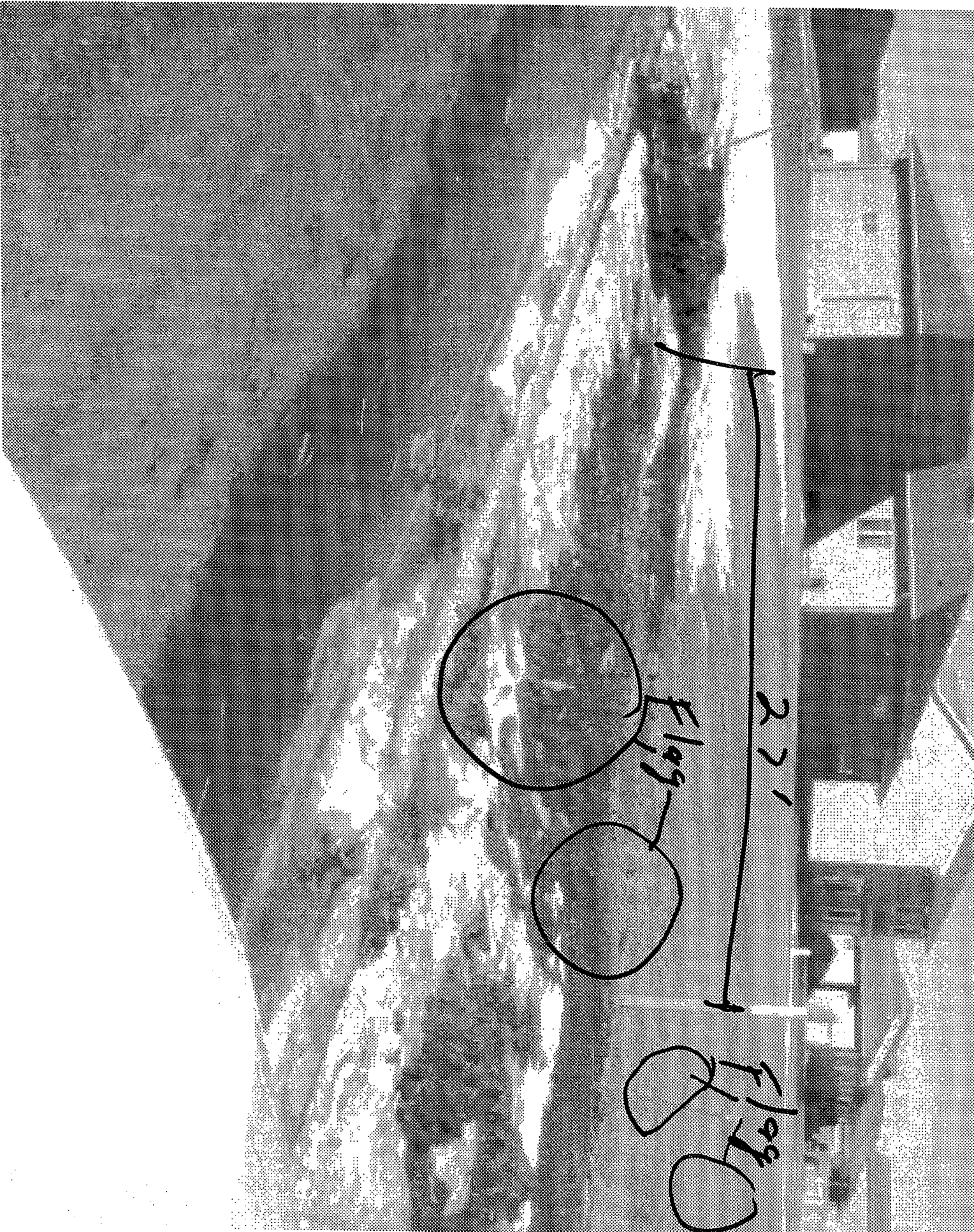
Flag

Flag

Flag

271





221

F199

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F199