

**ONE CALL COMPLAINT FORM**  
South Dakota One Call Notification Board  
c/o South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
Telephone (605) 339-0529  
www.sdonceall.com

**RECEIVED**  
JUL 23 2007  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

**1. ACTION REQUESTED BY**

Complaint filed by:  Individual  Company

Person filing complaint: John McNamara

Company: One Call Systems

Address: 115 Evergreen Heights Dr

Phone Number: 412 415 5020 Ext: \_\_\_\_\_

Email Address: jmcmamara@1-call.com

Date: 7/18/07

\* Note if you are filing on behalf of a company, please make sure you have the proper authority to file the complaint.

**2. ACTION REQUESTED AGAINST**

Name of excavator/facility operator: D&D trailer park AKA S.P.O.T

Phone Number: 605-854-3982 Ext: \_\_\_\_\_

Address: 305 HWY 14 E DeSmet SD 57231

Was a locate requested from SD One Call?  Yes  No

Locate ticket #: 053390103 Start date on ticket: 12/2/05 1549 CST

Did excavator wait until the start date/time on the ticket before commencing excavation?

Yes  No  N/A

Buried facilities exposed by hand or non-invasive

equipment prior to excavation?  Yes  No  N/A

**3. FACILITY INVOLVED (if any)**

Type of facility involved: \_\_\_\_\_

Operator of facility (if known): \_\_\_\_\_

Operator address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Depth of cover: \_\_\_\_\_

Pressure: \_\_\_\_\_

Voltage: \_\_\_\_\_

# of cable repairs: \_\_\_\_\_

**4. MARKING**

Were facilities marked?  Yes  No  N/A

Was the marking complete prior to the start time on the ticket?  Yes  No  N/A

Did the excavator pre-mark with white paint?  Yes  No  N/A  
 Was the facility marked accurately (within 18 inches)?  Yes  No  N/A  
 Have you discussed the previous statements with the other party?  Yes  No  
 Did the excavator use reasonable care to maintain locate marks for the life of project?  
 Yes  No  N/A  
 Have you discussed the previous statements with other party?  Yes  No  N/A  
 Is there agreement?  Yes  No  
 If no please explain Operator refuses to accept locate requests.

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**5. DAMAGE (if any)**

Fatalities  Injuries  Length of hospitalization   
 Estimated property damage(s)   
 Number of customers affected   
 Damaged in:  Public  Private  
 Photos of damaged facility   
 Additional information

**6. PROBABLE VIOLATION**

Specific statute(s) or rule(s) that was violated: SDCL 49-7A-2 all operators are subject to this Chapter and the rules promulgated thereto. ARSD 20:25:03 Item 2 shall respond to notification of excavation, including emergency notices, as required by SDCL 49-7A and ARSD 20:25; and ARSD 20:25:03 Item 3 shall establish a means of receiving notification of excavation from the one call notification center.

Address/location of probable violation: 305 hwy 14E De Smet SD 57231  
 Date of probable violation: 12/5/05 Time of probable violation: 15:33  
 Have you discussed this probable violation with the party this action is filed against?  
 Yes  No

Name of party with whom you discussed the probable violation: Letter sent to party since party refuses to talk. Letter refused to be accepted at post office. Refusal attached.  
 Description of probable violation: On 12/5/05 the Customer Service Rep from One Call Systems Inc. vendor for the South Dakota One Call System attempted to provide ticket information to this facility Operator and the party refused to accept the information and terminated the call. The attempt to Provide this information is as requested by the underground facility operator (see attached member information) The recording of this call is available upon request.

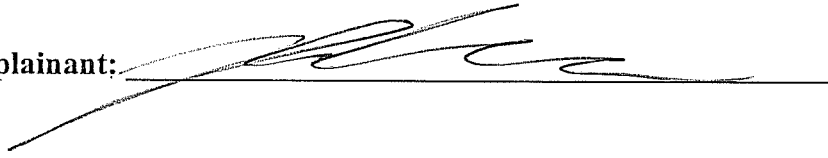
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Include other documents or photos with this complaint:  Yes  No

Signature of Complainant:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned to the right of the text "Signature of Complainant:".