



2915 22nd Avenue South

Brookings SD 57006

605.693.3557

605.693.3589 fax

www.bowesconstruction.com

RECEIVED

DEC 24 2007

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

December 10, 2007

South Dakota One Call Notification Board
C/O Public Utilities Commission
500 E Capital Avenue
Pierre SD 57501

RE: Notice of Complaint OC07-009
Filed by Northern Natural Gas Company

Dear Sir/Madam:

I am responding on behalf of Bowes Construction, Inc. to the said alleged complaint, in regards to the incident in Volga, SD on November 7, 2007 involving One Call Ticket #073100221.

The typical procedure for Bowes Construction is a scheduling meeting to take place on Friday's at 11:00 a.m. After this meeting the appropriate people are to line up the necessary information and schedule with sources outside of our company, "anything needed for the project" including One Call.

The original intention of this project was to simply remove 8 to 10" of topsoil, and place a total of 8" of granular materials on top of this surface, thus we originally were not to be even excavating to depths of more than 12" for sure. It is our practice to call for locates regardless to comply with SD One Call Procedures and to help prevent contact with buried utilities. Even though our original intention did not fall under: Excavation as defined under SDCL-7A-1 paragraph 3.

After reviewing the situation that occurred, we believe there were several factors that contributed to this occurrence.

1. The one call did not take place in a timely matter after the meeting.
2. The assumption was made that everything was in place by our on-site supervisors, and in the haste to get the project going-was not followed up on.
3. Statements made by the representation of the City of Volga, and the Landowner to our operators, as to the depth of the gas-line, (about 6'), and that they had nothing in the way. Misled our operators' judgment.
4. The Scope of the work changed when the City became concerned with the drainage of the street and directed our people in the field to remove more material to make the street drain to the North,-thus lowering the cover over the said line even more.
5. It is the operator of that blade, first season in this capacity and is still learning the position. He made an onsite call which would have been the normal procedure to rip up the dirt to dry out the material and relay it, which was the final step in puncturing the line. The original quote did not include the processing of any material to dry it out, or to under cut. This was a decision made onsite. It was never the intent to excavate to this depth and certainly not to disregard the waiting period for the one call to lapse, with these factors it led to very unfortunate and serious situation.

In regards to the Complaint of Failure to provide an accurate description by the complainant. I believe in the remark and driving instructions. The statement goes 1,000 ft North to "**end of road**", should have taken the locator to the appropriate starting point as the asphalt and curb and gutter end there.

Bowes Construction spends every day with many different projects underway, almost all of which have equipment digging in and around buried utilities. We try very hard to avoid these types of situations, and feel we have a good repor with the local utilities in and round the state of South Dakota.

Bowes Construction has since had many discussions about this incident and the steps in which we should take to insure this does not happen in the future.

It will be standard operating procedure for Bowes Construction that the onsite person in charge "shall not excavate anything without a copy of the One Call Ticket, with the starting date and time having already lapsed, along with a copy of the quote, drawing or plans. Failure to follow this procedure will result in reprimand.

I believe that the Management of Bowes Construction strives very hard to maintain a safe environment in which our people work, our customers, and the public, are all a part of. Bowes Construction tries very had to comply with all State and Federal Standards. I feel we have a good safety record, with very minimal incidents. This situation is not and will not be taken lightly in the future. We are very fortunate, that "only a line needed to be fixed, and some gas was lost." The outcome could have been much different.

In reply to resuming excavation- the blade operator only intended on brushing the tracks shut before leaving the site for the evening, and had no intentions of digging. As to the exact depth or distance from the line belonging to Northwestern Public Service. I would question the exactness of the given depths of 6" as being a known fact.

From this point on this can only be looked at as an opportunity to teach from personal experience, and to do our best to educate our employees, co-workers, and others of the consequences at hand.

Sincerely,

A handwritten signature in cursive script that reads "Charles D. Siver". The signature is written in black ink and is positioned below the word "Sincerely,".

Charles Siver
Operations Manager