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**From:** [donotreply@sdonecall.com](mailto:donotreply@sdonecall.com)[SMTP:[DONOTREPLY@SDONECALL.COM](mailto:DONOTREPLY@SDONECALL.COM)]

**Sent:** Monday, November 10, 2014 1:30:26 PM

**To:** PUC Docket Filings

**Subject:** One Call Reply Form

**Auto forwarded by a Rule**

**1. Complaint Docket Number:** 1423386464

## **2. Respondent Information**

**Complaint filed on behalf of (company name):** Black Hills Septic and Ditching Inc

**Contact Person:** Aaron Olson

**Phone:** 605-430-2453 **Ext:**

**Street Address or PO Box:** 1705 Rushmore Street

**City:** Rapid City **State:** SD **Zip:** 57702

**Fax:** --

**Email Address:** [aaronleeolson@gmail.com](mailto:aaronleeolson@gmail.com)

**Date:** 11/10/2014

**Were you previously aware of these allegations:** Yes

**Provide detail including whom you spoke with:** I was notified by Century Link via a bill in the mail for the line that was hit. I was also notified by a Hilary Avila who is a claims specialist for Century Link I believe. The following is her contact information: Hilary Avila Claims Management Resources Direct: 405-606-8325| Fax: 405-606-3195 General: 800-321-4158 | Address: 726 W. Sheridan, OKC, OK 73102 [havila@cmrclaims.com](mailto:havila@cmrclaims.com) | [www.cmrclaims.com](http://www.cmrclaims.com)

## **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?:** The fact that the line was not marked. The supplied pictures by the locator are of a previous locate done on the property that was requested by the property owner roughly two to three weeks earlier. This specific line was not marked for my request to SD One Call. I take pictures of all marked lines and this line was not marked. Myself, Aaron Olson, Larry Olson and Travis Bunkowski did not see any marked lines in this location prior to excavation. Other lines were marked however this one was not. I am requesting to see the pictures that were taken during the prior locate on this property.

**Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:** No

**If yes, please explain:** This was not intentional, the line was not marked.

#### **4. Excavation / Locate Information:**

**Was a locate requested from SD One Call?:** Yes

**If a locate was requested:**

**Locate ticket #:** 1423386464

**Start date and time on ticket:** 08/25/2014 12:15 a.m.

**Did excavation begin before the start date / time on the ticket?:** No

**Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment?:** Yes

**Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:** Yes

**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?:** Yes

**Did the complainant correctly describe the type of facility involved?:** Yes

**If not, provide detail:** Phone line.

#### **5. Damages:**

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

**If no, provide detail:** Unsure. One phone line was cut and the other was partially cut.

**Were damages in public right of way or private property?:** Public

**Did complainant correctly describe how operator service was affected?:** Yes

**If no, provide detail:** Claims to have lost service to customers.

**Was anyone injured as a result of facility damage?:** No

**If yes, provide detail:**

**Length of hospitalization:**

**Were there any fatalities?:** No

**If yes, explain:**

**Other information regarding injuries or damages:**

#### **6. Statutory Violation**

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

**Why or why not?:** No. The line was not marked prior to my excavation on the site. If it would have been marked I would have know its location and would have had dug around the utility like i did the other utilities in the dig area.

#### **Future Compliance:**

**Describe your plans and procedures to ensure compliance with SD One Call statutes and rules:** Call SD One Call like I currently do and always hand dig marked utilities.

#### **Past Violations:**

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

**If yes, when was it filed?:**

#### **Other Information:**

**Please provide any additional information to support your position:**