
From: donotreply@sdonecall.com[SMTP:DONOTREPLY@SDONECALL.COM]

Sent: Tuesday, September 30, 2014 3:14:50 PM

To: PUC Docket Filings

Subject: One Call Reply Form

Auto forwarded by a Rule

1. Complaint Docket Number: OC14-020

2. Respondent Information

Complaint filed on behalf of (company name): Kerry's Landscaping and Irrigation

Contact Person: Chad Borchard

Phone: 605-690-8684 **Ext:**

Street Address or PO Box: 706 13th St W

City: Brookings **State:** SD **Zip:** 57006

Fax: --

Email Address: chad@sixmilennursery

Date: 9/30/2014

Were you previously aware of these allegations: Yes

Provide detail including whom you spoke with: Mark Aadland with NorthWestern Energy

3. Basic Facts

Do you dispute the alleged violation of SD One Call statute or rule occurred?: No

If yes, what specifically do you dispute?:

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

If yes, please explain:

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: No

If a locate was requested:

Locate ticket #:

Start date and time on ticket:

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?: NA

Were facilities marked?: NA

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

Was the excavation site pre-marked with white paint?: NA

Was the facility marked accurately (within 18 inches)?: NA

Was there reasonable care to maintain locate marks for the life of project?: NA

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

If not, provide detail:

5. Damages:

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

If no, provide detail:

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

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

If no, provide detail:

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?:

Future Compliance:

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules: We will ensure that all future lawn irrigation projects will not be initiated until 48 hours after a One Call locate request has been filed.

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: In 20 years of installing underground sprinkler systems we have never had an issue with our irrigation pipe pulling machine hitting an underground utility. It typically runs about 8-10" deep and prior to this incident we were of the (mistaken) belief that anything shallower than 12" did not require a locate. Ignorance of the rule is not an excuse, and we will ensure that going forward we will have a locate done prior to all lawn irrigation projects being initiated. We apologize for the inconvenience involved for all parties in this particular situation.