
From: donotreply@sdonecall.com[SMTP:DONOTREPLY@SDONECALL.COM]
Sent: Sunday, December 28, 2014 11:18:50 AM
To: PUC Docket Filings
Subject: New One Call Complaint Form
Auto forwarded by a Rule

1. Action Requested By:

Complaint filed on behalf of or by: AGK Electric

Contact Person: Tony Kronaizl

Phone: 605-661-6897 **Ext:**

Street Address or PO Box: 319 Prentis Ave.

City: Vermillion

State: SD

Zip: 57069

Fax: --

Email Address: tonykronaizl@yahoo.com

Date: 12/28/2014

2. Action Requested Against:

Name of excavator / facility operator: City of Vermillion

Phone: 605-677-7084 **Ext:**

Street Address Or PO Box: 25 Center St.

City: Vermillion

State: SD

Zip: 57069

Fax: --

Email Address: jasona@cityofvermillion.com

Is this party aware of your allegations?: Yes

Provide detail including whom you spoke with: I was selected as contractor for a street lighting project on North Norbeck St and directional drilling was needed for the project. The proper protocol was followed and my directional drilling subcontractor began excavation around October 10th. All locates were carefully examined and exposed by hand at the time of excavation. Excavation was completed with no problems that we were aware of. In the early part of December the City of Vermillion was notified that the sewer for 612 North Norbeck St. had been backing up more than it should be and after excavation it was discovered that the sewer service had been hit during directional drilling. Approximate sewer depth was 2'8" and no green markings were

present.

3. Basic Facts:

Street Address / location of alleged violation: 612 North Norbeck St.

City: Vermillion

State: SD

Date of alleged violation: 10/10/2014

Time of alleged violation: 10:00 a.m.

Describe your allegation: Nor my subcontractor or I should be held responsible for unmarked utilities within the city easement, where all excavation took place. When speaking with Jason Anderson, Assistant City Engineer and head of said lighting project, his comment was that the city assumes excavators know that buildings have sewers. Surely this can not be acceptable policy, especially when digging around city utilities on city property.

Do you believe the alleged violation to be intentional?: No

Why or why not?: As stated earlier the proper procedures were followed and the sewer line in question simply wasn't located. Extreme caution would have been followed had we known there was a sewer line in the excavating area.

4. Excavation / Locate Information:

Was a locate requested from SD One Call?: Yes

If a locate was requested:

Locate ticket #: 1427908974

Start date and time on ticket: 10/08/2014 8:30 a.m.

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

If no, when did excavation begin (date and time)?:

Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?: Yes

Explain: Caution was taken due to electrical primaries, cable television/internet, phone lines, water lines, storm sewers, and fiber-optic cables were all in the excavation area.

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

Were facilities marked?: Yes

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

Did the excavator pre-mark with white paint?: Yes

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

Did the excavator use reasonable care to maintain locate marks for the life of project?: Yes

Type of facility involved: Sanitary Sewer

Operator of facility (if known): City of Vermillion

Operator address (Street or PO Box): 25 Center St.

City: Vermillion

State: SD

Zip: 57069

Phone: 605-677-7084

Depth of Cover: 2'8"

Pressure: NA

Voltage: NA

of cable pairs: NA

5. Damages

Was the facility damaged?: Yes

If yes, provide detail and an estimate of damage: Sanitary sewer was split in two by directional drill. Current estimated damage at roughly \$2500 through all bills currently received.

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

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

If yes, provide detail:

Length of hospitalization:

Were there fatalities?: No

If yes, provide detail:

Was operator service affected?: Yes

If yes, provide detail (how many customers for how long): Sewer still worked just at a much less affective level. My current records show that the first incident was recorded on October 14th. The sewer was fixed in early December.

Other information regarding injuries or damages:

6. Statutory Violation

Specific statute(s) or rule(s) you believe were violated: SDCL 49-7A-8

Other information to support your position: The site location was called in three times, tickets 1427908974, 1428915054, and 1429517474. Each time the spot of the violation never received any green paint. All excavation took place exclusively in the city utility easement and at the appropriate depths with all precautions taken to avoid something like this from happening. Thank You for your time.