

On Tuesday, June 8th, we identified an outage due to a Fiber cut at the location of 33rd and Minnesota Ave. Upon arriving onsite, we informed the excavator (Byron with Winter Contracting LLC) that there was an outage and saw the cut Fiber in the pit along with cut copper cables. His immediate response was “It wasn’t marked” and that he had placed a call to CenturyLink (Chris Adamson) to discuss the duct packs at this location. After the call with Chris, Byron proceeded to have his crew cut through the 6-duct system made of plastic pipe (#1 in photos below) to clear room as they were digging back to lay their pipe for a storm drain system. This duct system not only had active cable in the pipes but was an exposed facility of CenturyLink that we wanted to protect. Zach Sankey of CenturyLink and myself (Joe Muth) talked with Byron and told him that we were going to have to replace the Fiber and would get it protected and laid around the work area so it would not be in the way of their excavation, and we did not want to risk it being cut again. We (Zach and Joe) informed Byron there was a second duct system with additional cables that were active and that they needed to be protected as they continued to dig. At this time, CenturyLink made a plan to move all of our copper count from the cut cables (1100pr, 1100pr and 1800pr) over to the other duct system which had the necessary cables needed to get customers back up and in service. This would have resolved all of our outages due to the cut on 6/8.

On June 9th, we started making the necessary Crossbox cuts (Moving customers from the cables cut on 6/8 to the remaining cables in the 2nd duct system) to restore service to the customers that were out from the original cut. I asked CenturyLink technician Jason Otterberg to go to the Crossbox at 41st and Minnesota at 1:30pm to validate that Cable 5 (600pr in duct system #2) had working service on it. Jason called me back and confirmed that there was dial tone and we would be able to make the final cuts.

On Thursday, June 10th, Jason Otterberg and I (Joe Muth) went to the Crossbox at 41st and Minnesota. Jason was going to finish cutting over the remainder of the customers whose service went down on Tuesday June 8th due to the original copper cut. At this time, Jason informed Joe that there was no dial tone on the cable that he had validated (Cable 5) on Wednesday June 9th. I (Joe) asked Jason to measure the pairs back at which time the distance was measuring back to 33rd and Minnesota Ave. Zach Sankey and I (Joe Muth) showed up onsite and upon arrival, saw the second clay duct system (photo below with #2). We informed Byron that he cut our cables and his response was “oh those are active” after being informed of the duct and cables on Tuesday. Through a conversation with the representative from Hy-Vee at 37th and Minnesota, we identified the lines were cut around 5:30pm on Wednesday June 9th and there was no call to CenturyLink or to SD811 reported.

The follow-up question from the original complaint and SD811 meeting:

- Were the duct runs located?
 - o Upon review of the original locate tickets, USIC did not mark the run on the South side of the road that was originally cut, they only marked the duct pack on the North side of 33rd
 - o I was unable to determine if Byron called in a re-spot of the ticket request after the original damage on 6/8
 - o USIC met CenturyLink onsite on 6/8 and at that time, we discussed with them the second duct system and as I am aware, they marked it out after the cut. Again, this was on 6/8 when the original copper was cut in the #1 duct pack along with the fiber cut.
 - o Locate tickets associated:

- 2115420476
- 2115822378

When Zach and I arrived onsite, Byron again disputed that the duct system was not marked. At that time, we (CenturyLink) talked to Byron about damaging cable that was exposed and failing to call in to the South Dakota 811 system. During this conversation, we informed him that while the utility may not have been marked, it was exposed and that it was against the law to cut a utility that is exposed without verification. He again blamed the cables not being located as the issue even though he exposed both duct system. Both duct packs (Tuesday and Thursday) were cut by a chop saw which means Byron was aware of the runs through there prior to cutting them and negligently destroy CenturyLink facilities which took down our customers for over 1 week.

The cables that were damaged at this location were all old PULP (paper) cable and 1 cable was lead. This cut was deemed to be a large outage that was going to require an abundance of resources which required us to bring in multiple technicians from Minnesota to restore services.

During the process of the cut cable and restoring services, I had a chance to talk to the project engineer from Ulteig, Nick State, regarding the situation. Nick informed me that during the pre-construction phase for this project, they were told to protect the duct system at all costs. By Nick stating this, it again provided confirmation that Byron had acted negligently in cutting the duct systems. Nick also did say the duct system was exposed when it was cut into.

Below are a few additional pictures to help see the area of the cut.



