

Formstack Submission For: [South Dakota One Call Complaint Form](#)

Submitted at 04/08/22 2:57 PM

Complaint filed on behalf of or by:	Lumen Technologies
Contact Person:	Joe Muth
Phone Number:	(605) 370-2584
Ext:	
Name or Company Name:	Lumen Technologies
Street Address or PO Box:	312 S Cliff Ave Sioux Falls, SD 57103
Fax:	
Email:	joseph.muth@lumen.com
Date:	Apr 08, 2022
Name of excavator / facility operator:	Robert Roth
Phone:	(605) 334-4833
Ext:	
Name or Company Name:	RUNGE ENTERPRISES, INC.
Street Address or PO Box:	P.O. Box 86490 Sioux Falls, SD 57118
Fax:	

Email: bob@runge-enterprises.com

Is this party aware of your allegations?: Yes

The South Dakota One Call Board expects communication to occur between both parties before filing complaints. Please provide details of who you spoke with, including the date and time, and what was discussed.:

I talked to Bob Roth regarding the hit at the location. We discussed that when a utility is hit, it is SD811 law to call in the damages and I wanted to know why his excavator failed to call it, even after MidAmerican (Brian Trapp) said something to the excavator. Bob talked about how he "thought" the line was abandoned and that he can't account for every hit line that is in the ground. Bob and I spoke on 4/8 @ 2:09pm

Statutory Violations: 49-7A-12 – Notification of Damage to Underground Facilities

Other information to support your position:

Excavator onsite was notified of phone line by MidAmerican (Brian Trapp) and continued to work without calling into 811. When talking with Bob, he said he would be calling 811 every 10 minutes if he had to account for every hit line in the scope of the work where he didn't know if they were active or not.

Street Address / location of alleged violation: 4600-4700 W 41st Street
Sioux Falls, SD

Date of alleged violation: Apr 07, 2022

Time of alleged violation: 01:00 PM

Describe your allegation:

Runge scrapped Lumen 600pr line for 5 feet and then exposed sheath on another 20 feet of line along the way. They did not call 811 regarding the line and left the cable laying as is which would have resulted in cable failure. We were only notified of damages to 600pr line after a Gas Main hit was called in and USIC was onsite locating facilities due to that damage. When we arrived onsite, we also identified a 1.25" conduit that was

intentionally cut in half along the run was well (appeared to be cut by a reciprocating saw)

Do you believe the alleged violation to be intentional?:

Yes

Why or why not?:

Excavator onsite was informed of phone line and damages to line, looked at the line and "shrugged shoulders" and proceeded to work. Upon talking with Bob, he said "we do not know what is active or not active in that trench" and "we can't call into 811 for everything we hit or we would be calling every 10 min."

Was a locate requested from SD One Call?:

Yes

Locate ticket #:

2209462973 / 2209061666

Start Date on Ticket:

Apr 04, 2022

Start time on ticket:

10:15 AM

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

Yes

If no or not sure, when did excavation begin (date)?:

If no or not sure, when did excavation begin (time)?:

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

No

Explain:	Excavator hit Lumen line with blade of grader and then removed sheathing of 600pr copper for 20 feet and did not call into verify services.
Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:	No
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?:	No
Was the facility marked accurately (within 18 inches)?:	Yes
Did the excavator use reasonable care to maintain locate marks for the life of project?:	No
Type of facility involved:	600pr Copper and 1.25" plastic conduit
Operator of facility (if known):	Lumen Technologies
Operator address (Street or PO Box):	125 S Dakota Ave Sioux Falls, SD 57103
Operator Phone:	(605) 339-5998
Depth of Cover (If unsure put N/A):	N/A
Pressure (If none, write none):	None
Voltage (If none, write none):	None

# of cable pairs (If none, write none):	600
Was the facility damaged?:	Yes
If yes, provide detail and an estimate of damage.:	Replace 70 feet of 600pr cable, dig the trench 70 feet and lower 18". Repair conduit by re-coupling.
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? :	No
If yes, provide detail (how many customers for how long).:	
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:	No
If No, why not?:	They did not believe the facilities were active and/or do not have time to call 811 with every line in the ground that may be hit.
Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:	No

If No, why not?:

I asked why a call to me couldn't be placed and Bob said they would do a better job trying to communicate.

Was there an escape of any flammable, toxic, or corrosive gas or liquid?:

No

If Yes, but if 911 was not called, or if you don't know, explain why.:

Please provide a Fire Department or Emergency Services incident report, if available :

Not Available

Attachment:

Attachment Information: File names should not include symbols. Example:(\$, &, *, %,) etc.:

[View File](#)