

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

Submitted at 05/08/22 9:28 AM

<b>Complaint filed on behalf of or by:</b>	Dan Kaiser
<b>Contact Person:</b>	Daniel6 Kaiser
<b>Phone Number:</b>	(605) 351-7436
<b>Ext:</b>	
<b>Name or Company Name:</b>	Dan Kaiser
<b>Street Address or PO Box:</b>	1200 S Kevin Circle Sioux Falls, SD 57106
<b>Fax:</b>	
<b>Email:</b>	<a href="mailto:Dan.kaiser3300@outlook.com">Dan.kaiser3300@outlook.com</a>
<b>Date:</b>	May 08, 2022
<b>Name of excavator / facility operator:</b>	CenturyLink/Lumen Technologies & MidCo Communications
<b>Phone:</b>	(605) 351-7436
<b>Ext:</b>	
<b>Name or Company Name:</b>	CenturyLink/Lumen Technologies & MidCo Communications
<b>Street Address or PO Box:</b>	Sioux Falls, SD Sioux Falls, SD 57106

**Fax:**

**Email:**

[dan.kaiser3300@outlook.com](mailto:dan.kaiser3300@outlook.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.:**

Replied to an email from USIC and left a voicemail at the Indiana office

**Statutory Violations:**

49-7A-9 & 49-7A-10

**Other information to support your position:**

Locates for CenturyLink/Lumen Technologies & MidCo were not perform within the 48-hour requirement. The locate was completed approximately 48-hours excluding Saturday & Sunday late. The locate was to be completed on Friday afternoon April 29th by 3:15 PM CDT and was not completed until sometime around 2:30 PM CDT on Tuesday May 3rd

**Street Address / location of alleged violation:**

1200 S Kevin Circle  
Sioux Falls, SD

**Date of alleged violation:**

Apr 29, 2022

**Time of alleged violation:**

03:15 PM

**Describe your allegation:**

Locates for CenturyLink/Lumen Technologies & MidCo were not perform within the 48-hour requirement. The locate was completed approximately 48-hours excluding Saturday & Sunday late. The locate was to be completed on Friday afternoon April 29th by 3:15 PM CDT and

was not completed until sometime around 2:30 PM CDT on Tuesday May 3rd.

I received a voicemail stating due to high volumes the Operators would not meet the 48-hour clock requirement. I returned the call and had to leave a voicemail. I also received an email stating the same and replied that it was not acceptable to meet the requirement and I expected the locates to be completed on time

**Do you believe the alleged violation to be intentional?:**

No

**Why or why not?:**

That is for the SD OneCall to determine

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

Yes

**Locate ticket #:**

2211779084

**Start Date on Ticket:**

Apr 29, 2022

**Start time on ticket:**

03:15 PM

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

No

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

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

04:30 PM

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

Yes

<b>Explain:</b>	I hand ud to a depth of 30" and placed my stakes without finding any of the facilities
<b>Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:</b>	No
<b>Were facilities marked?:</b>	Yes
<b>Was the marking complete prior to the start time on the ticket?:</b>	No
<b>Did the excavator pre-mark with white paint?:</b>	No
<b>Was the facility marked accurately (within 18 inches)?:</b>	Yes
<b>Did the excavator use reasonable care to maintain locate marks for the life of project?:</b>	Yes
<b>Type of facility involved:</b>	Telephone & Cable TV
<b>Operator of facility (if known):</b>	Lumen Technologies & MidCo
<b>Operator address (Street or PO Box):</b>	
<b>Operator Phone:</b>	
<b>Depth of Cover (If unsure put N/A):</b>	N/A - No Facilities found
<b>Pressure (If none, write none):</b>	None
<b>Voltage (If none, write none):</b>	None

# of cable pairs (If none, write none):	I have no idea
Was the facility damaged?:	No
If yes, provide detail and an estimate of damage.:	
Were damages on public right of way or private property?:	Private
Was anyone injured as a result of facility damage?:	No
If yes, provide detail.:	
Length of hospitalization:	
Were there fatalities?:	Yes
If yes, provide detail.:	CenturyLink/Lumen Technologies, MidCo Communications & Vast
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?:	No Damage
Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:	No

**If No, why not?:**

No Damage & No facilities found

**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.:**