

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

Submitted at 09/21/22 11:48 AM

Complaint Docket Number: OC22-010

Reply filed on behalf of (company name): Bluepeak

Contact Person: Chris Karn

Phone Number: (605) 721-2052

Ext:

Name or Company Name: Bluepeak

Street Address or PO Box: 809 Deadwood Avenue
Rapid City, SD 57702

Fax:

Email: chris.karn@mybluepeak.com

Date: Sep 21, 2022

Were you previously aware of these allegations?: No

Provide detail including whom you spoke with.:

Do you believe the statutes listed (if any) by the complainant were violated?: No

Why or why not?:	The locates were completed on time and no statutes were willfully violated. The Bluepeak facilities were properly located, but unfortunately the locate was off for a small portion.
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.:	
Was a locate requested from SD One Call?:	Yes
Locate ticket #:	2216617591
Start date on ticket:	Jun 15, 2022
Start time on ticket:	09:15 AM
Copy of the locate ticket:	
If no, please explain why no locate request was made.:	
Did excavation begin before the start date / time on the ticket?:	No

Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment? :	Yes
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
Was the excavation site pre-marked with white paint?:	N/A
Was the facility marked accurately (within 18 inches)?:	No
Was there reasonable care to maintain locate marks for the life of project?:	Yes
Did the complainant correctly describe the type of facility involved?:	Yes
Provide details:	Yes, it was coaxial cable that was cut
Did the complainant correctly describe the	Yes

damages that resulted from the alleged violation?:

Provide details:

Yes, this was described correctly

Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:

No

File:

If No, why not?:

I don't know if they were contacted

Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:

Yes

If No, why not?:

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.:

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

Yes

If no, provide details.:

Were damages on public right of way or private property?:	Public
Did complainant correctly describe how operator service was affected?:	Yes
Provide Details:	This was described correctly as to how facilities were damaged.
Was anyone injured as a result of facility damage?:	No
If yes, provide details.:	
Length of hospitalization:	
Were there fatalities?:	No
If yes, provide details.:	
Other information regarding injuries or damages:	
Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.:	We have never had a complaint before to my knowledge and will continue to strive for that to remain the same. We have always complied, and this was a case of our locator mis-locating a small section of our cable facility. He has never had an incident prior to this. He has had counseling on how to behave properly if there is an issue.
Has a complaint been filed against you in the past for SD One Call violations?:	No

If yes, when was it filed?:

Please provide any additional information to support your position.:

We do not dispute this matter and the charges that were sent to Hunt Family Construction have been reversed and no payment for damages is expected. Our employee could have handled this situation in a more professional manner and this has been communicated to this employee.

Attachment Information:

File names should not include symbols.

Example:(\$, &, *, %.)

etc.:

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