

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

Submitted at 08/02/22 10:59 AM

<b>Complaint filed on behalf of or by:</b>	NorthWestern Energy
<b>Contact Person:</b>	Frank Luczak
<b>Phone Number:</b>	(605) 995-4429
<b>Ext:</b>	
<b>Name or Company Name:</b>	NorthWestern Energy
<b>Street Address or PO Box:</b>	400 S Capital Mitchell, SD 57301
<b>Fax:</b>	
<b>Email:</b>	<a href="mailto:frank.luczak@northwestern.com">frank.luczak@northwestern.com</a>
<b>Date:</b>	Aug 02, 2022
<b>Name of excavator / facility operator:</b>	Wagner Building Supply
<b>Phone:</b>	(605) 491-0389
<b>Ext:</b>	
<b>Name or Company Name:</b>	Jeff Doom
<b>Street Address or PO Box:</b>	39379 SD-46 Wagner, SD 57380
<b>Fax:</b>	

Email: [cgjedd@wbsi.biz](mailto:cgjedd@wbsi.biz)

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 spoke with Jeff Doom on 07/19/2022 immediately following the incident. I asked him why he was excavating without a dig permit and he said that he had talked to Charles Mix Electric and they said they did not have anything in the area. I told him no they do not because it is our territory. He admitted that he screwed up and knew that he should have called in a locate ticket. I told him that I would be within reason to file a complaint with the 811 board.

Statutory Violations: 49-7A-5 Notification of propose excavation

Other information to support your position:

Street Address / location of alleged violation: 602 White Swan Rd  
Lake Andes, SD

Date of alleged violation: Jul 19, 2022

Time of alleged violation: 05:04 PM

Describe your allegation:

Jeff Doom with Wagner Building Supply was performing excavation activities around the house without calling for locates. In the performance of the excavation Doom dug up the UG service to the house.

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

Why or why not?:

Jeff Doom and Wagner Building Supply have been in the business of building and excavating for decades and should be aware of all applicable 811 laws and regulations.

**Was a locate requested from SD One Call?:** No

**Locate ticket #:**

**Start Date on Ticket:**

**Start time on ticket:**

**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)?:** Jul 19, 2022

**If no or not sure, when did excavation begin (time)?:** 03:00 PM

**Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?:** No

**Explain:** No locate ticket was requested.

**Were buried facilities exposed by hand or non-invasive equipment prior to excavation?:** No

**Were facilities marked?:** N/A

**Was the marking complete prior to the start time on the ticket?:** N/A

<b>Did the excavator pre-mark with white paint?:</b>	N/A
<b>Was the facility marked accurately (within 18 inches)?:</b>	N/A
<b>Did the excavator use reasonable care to maintain locate marks for the life of project?:</b>	N/A
<b>Type of facility involved:</b>	Electric secondary service
<b>Operator of facility (if known):</b>	NorthWestern Energy
<b>Operator address (Street or PO Box):</b>	400 S Capital Mitchell, SD 57301
<b>Operator Phone:</b>	(605) 995-4429
<b>Depth of Cover (If unsure put N/A):</b>	30"
<b>Pressure (If none, write none):</b>	none
<b>Voltage (If none, write none):</b>	120/240
<b># of cable pairs (If none, write none):</b>	1 triplex
<b>Was the facility damaged?:</b>	Yes
<b>If yes, provide detail and an estimate of damage.:</b>	Approximately 80' of the service was cut out of the middle. Required complete replacement at a cost of \$1300 to NorthWestern plus the trench provided by Wagner Building Supply.
<b>Were damages on public right of way or private property?:</b>	Private

**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).:** House (new construction and unoccupied) was without power for 8 days while coordinating with Wagner Building supply to provide trench.

**Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:** No

**If No, why not?:** No locate had been called

**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.:**

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. If submitting multiple files, please zip all files into one folder.:

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