

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

Submitted at 10/13/22 11:48 AM

Complaint Docket Number:	OC22-014
Reply filed on behalf of (company name):	Lake Madison Sanitary District
Contact Person:	Cody Miller
Phone Number:	(605) 256-6677
Ext:	
Name or Company Name:	Lammers, Kleibacker, Dawson & Miller, LLP.
Street Address or PO Box:	PO Box 45 108 North Egan Ave Madison, SD 57042
Fax:	(605) 256-6679
Email:	cody@lkdmlaw.com
Date:	Oct 03, 2022
Were you previously aware of these allegations?:	Yes
Provide detail including whom you spoke with.:	See attached documents.
Do you believe the statutes listed (if any) by the complainant were violated?:	No
Why or why not?:	See attached documents.

Do you dispute the alleged violation of SD One Call statute or rule occurred?:	Yes
If yes, what specifically do you dispute?:	See attached documents.
Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:	Yes
If yes, please explain.:	See attached documents
Was a locate requested from SD One Call?:	Yes
Locate ticket #:	
Start date on ticket:	
Start time on ticket:	
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?:	N/A
Was a minimum horizontal clearance of 18 inches maintained between a marked facility and mechanical equipment? :	N/A
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?:	No
Was the facility marked accurately (within 18 inches)?:	Yes
Was there reasonable care to maintain locate marks for the life of project?:	N/A
Did the complainant correctly describe the type of facility involved?:	Yes
Provide details:	See attached documents.
Did the complainant correctly describe the damages that resulted from the alleged violation?:	No
Provide details:	See attached documents.
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:	No
File:	
If No, why not?:	See attached documents.
Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:	No
If No, why not?:	See attached documents.
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?:	No

If no, provide details.:	See attached documents.
Were damages on public right of way or private property?:	Private
Did complainant correctly describe how operator service was affected?:	No
Provide Details:	See attached documents.
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:	See attached documents.
Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.:	See attached documents.
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.:	See attached documents
Attachment Information: File names should not include symbols. Example:(\$, &, *, %.) etc.:	