

Complaint filed on behalf of or by:	Montana Dakota Utilities Co.
Contact Person:	Marcus Christensen
Phone	(605) 355-4080
Name or Company Name	Montana Dakota Utilities Co.
Street Address or PO Box	PO Box 1060 Rapid City, South Dakota 57701 United States
Email	marcus.christensen@mdu.com
Date	Sep 30, 2019
Name of excavator / facility operator:	Jessi Hughes
Phone	(605) 641-5999
Name or Company Name	High Plains Construction
Street Address or PO Box	Po Box 833 Spearfish, South Dakota 57783 United States
Email	highplainsconstruction@live.com
Is this party aware of your allegations?	No
ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:	
49-7A-8.....Excavators shall maintain a minimum horizontal clearance of eighteen inches between a marked underground facility and the cutting edge of any mechanical equipment. If excavation is required within eighteen inches, horizontally, the excavator shall expose the facility with hand tools or noninvasive methods approved pursuant to rule and shall protect and support the facility prior to further excavation with mechanical equipment.	
Other information to support your position:	
Contractor pinched the gas line off themselves. We informed them not to do that in the future. Also the tech on site had to make him call 811.	
Street Address / location of alleged violation:	2126 Talisker
City	Spearfish
State	South Dakota
Date of alleged violation:	Sep 25, 2019
Time of alleged violation:	04:00 PM
Describe your allegation:	
Contractor was digging a basement when they hit the 3/4" gas line. Locates where within the 18" limit. Contractor did not pothole to locate utilities prior to digging.	
Do you believe the alleged violation to be intentional?	No
Was a locate requested from SD One Call?	Yes
Locate ticket #:	1925901709

Start date on ticket:	Sep 17, 2019
Start time on ticket:	02:30 PM
Did the excavator wait until the start date / time on the ticket before commencing excavation?	Yes
Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?	No
Explain While digging the contractor hit a 3/4" gas line.	
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:	3/4" Plastic Natural Gas Line
Operator of facility (if known):	Montana Dakota Utilities Co.
Operator address (Street or PO Box):	PO Box 1060 Rapid City, South Dakota 57701 United States
Operator Phone	(605) 355-4080
Depth of Cover (If unsure put N/A)	~24"
Pressure: (If none, write none)	40 psig
Voltage: (If none, write none)	none
# of cable pairs: (If none, write none)	none
Was the facility damaged?	Yes
If yes, provide detail and an estimate of damage: 3/4" Gas Line \$200	
Were damages on public right of way or private property?	Private
Was anyone injured as a result of facility damage?	No

Were there fatalities?	No
Was operator service affected?	No
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?	Yes
Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?	Yes
Was there an escape of any flammable, toxic, or corrosive gas or liquid?	No
Please provide a Fire Department or Emergency Services incident report, if available	Not Available
Attachment Information	
File names should not include symbols. Example:(\$, &, *, %,) etc.	