

COMPLAINT DOCKET NUMBER:	OC02-002
Reply filed on behalf of (company name):	Montana Dakota Utilities Co.
Contact Person:	Marcus Christensen
Phone	(605) 355-4035
Name or Company Name:	Montana Dakota Utilities Co.
Street Address or PO Box	PO Box 1060 Rapid City, South Dakota 57709 United States
Email	marcus.christensen@mdu.com
Date	Feb 04, 2020
Were you previously aware of these allegations?	No
Do you believe the statutes listed (if any) by the complainant were violated?	No
Why or why not?	Line was located based on measurements in the field. Line was not able to be located by normal means. Digging contractor was aware of this issue. MDU locating contractor had notified the excavator that it was unlocateable. Line was located by using field measurement. The contractor did not notify their field personnel. MDU was notified by ELM that it was unlocateable and wasn't able to follow up prior to damage occurring. MDU does not accept responsibility for the damage.
Do you dispute the alleged violation of SD One Call statute or rule occurred?	Yes
If yes, what specifically do you dispute?	MDU had responded and marked the facility based on the mapping.
Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?	No
Was a locate requested from SD One Call?	Yes
Locate ticket #	2000246204
Start date on ticket:	Jan 06, 2020
Start time on ticket:	08:15 AM
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?	NA

Were buried facilities exposed by hand or non-invasive equipment prior to excavation?	NA
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?	Yes
Was the facility marked accurately (within 18 inches)?	No
Was there reasonable care to maintain locate marks for the life of project?	NA
Did the complainant correctly describe the type of facility involved?	Yes
Provide detail: Facility involved was gas stub off of a gas main. 3/4" Plastic Line	
Did the complainant correctly describe the damages that resulted from the alleged violation?	Yes
Provide detail: Excavating contractor described the damage accurately.	
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?	Yes
Please provide a copy of the Damage Ticket 2000246204	
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?	Yes and 911 was called
Did the complainant correctly describe the damages that resulted from the alleged violation?	Yes
Were damages on public right of way or private property?	Public
Did complainant correctly describe how operator service was affected?	No
Provide detail: No operator service was affected.	
Was anyone injured as a result of facility damage?	No

Were there fatalities?

No

Describe your plans and procedures to ensure compliance with SD One Call statutes and rules:

MDU has reviewed unlocatable line policy with ELM. In working with ELM, MDU moving forward will make sure to prioritize unlocatable lines are accurately marked to the best of our ability

Has a complaint been filed against you in the past for SD One Call violations?

Yes, I don't recall the date

Attachment Information

File names should not include symbols. Example:(\$, &, *, %) etc.
