

Complaint filed on behalf of or by:	Midcontinent Communications
Contact Person:	Patrick J. Mastel
Phone	(605) 271-0594
Name or Company Name	Midcontinent Communications
Street Address or PO Box	3901 North Louise Avenue Sioux Falls, South Dakota 57107 United States
Email	pat.mastel@midco.com
Date	Jan 23, 2020
Name of excavator / facility operator:	Sod Busters Inc. and B Green
Phone	(605) 498-1066
Name or Company Name	Sod Busters Inc. and B Green
Street Address or PO Box	46919 Cody Trail Tea, South Dakota 57064 United States
Is this party aware of your allegations?	Yes
Provide detail including whom you spoke with:	Unknown
ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:	
Violation of 49-7A et. seq., including 49-7A-5 - Notification of excavation not done; and 49-7A-12 - Notification of damaging facilities.	
Other information to support your position:	
No locates were done.	
Street Address / location of alleged violation:	5906 S. Bounty Pl
City	Sioux Falls
State	SD

Date of alleged violation: Jul 12, 2018

Time of alleged violation: 12:00 PM

Describe your allegation:

Sod Busters and B Green did not do, and admitted not doing, locates prior to doing underground sprinkler repair. Midco's cable was cut.

Do you believe the alleged violation to be intentional? Not Sure

Why or why not?

Midco does not believe the violation was intentional but Sod Busters and B Green did not do a locate prior to digging at the addresses shown.

Was a locate requested from SD One Call? No

Did the excavator wait until the start date / time on the ticket before commencing excavation? No

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

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

Were facilities marked? No

Was the marking complete prior to the start time on the ticket? No

Did the excavator pre-mark with white paint? No

Was the facility marked accurately (within 18 inches)? No

Did the excavator use reasonable care to maintain locate marks for the life of project? No

Type of facility involved: internet cable

Operator of facility (if known):	Midcontinent Communications
Operator address (Street or PO Box):	3901 North Louise Avenue Sioux Falls, South Dakota 57107 United States
Operator Phone	(605) 271-0594
Depth of Cover (If unsure put N/A)	N/A
Pressure: (If none, write none)	None
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:	Midco's cable was cut. Damage amount \$372.75.
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?	Yes
If yes, provide detail (how many customers for how long):	One customer for 12-24 hours.
Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?	No
If No, why not?	unknown.
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.
