

<b>Complaint filed on behalf of or by:</b>	CenturyLink
<b>Contact Person:</b>	Joe Muth
<b>Phone</b>	(605) 370-2584
<b>Name or Company Name</b>	CenturyLink
<b>Street Address or PO Box</b>	312 S Cliff Ave Sioux Falls, South Dakota 57103 United States
<b>Email</b>	<a href="mailto:joseph.muth@centurylink.com">joseph.muth@centurylink.com</a>
<b>Date</b>	Jun 25, 2020
<b>Name of excavator / facility operator:</b>	Runge Enterprises Inc
<b>Phone</b>	(605) 941-1291
<b>Name or Company Name</b>	Joe Runge
<b>Street Address or PO Box</b>	4801 N Velocity Avenue P.O. Box 86490 Sioux Falls, South Dakota 57118 United States
<b>Email</b>	<a href="mailto:joe@runge-enterprises.com">joe@runge-enterprises.com</a>
<b>Is this party aware of your allegations?</b>	Yes

**Provide detail including whom you spoke with:**

We were notified of an outage at 1:30pm on 6/19. We pinpointed the location to 273rd and Creekside by sending light from our CO in Sioux Falls out to Harrisburg and the Harrisburg CO back to Sioux Falls. We showed up on site around 2:00 and there was a Runge Excavator in his truck. We asked if he had been digging and he admitted he had. As soon as we informed him a CTL Fiber was hit, he rolled up his window and left in his truck. I called Joe Runge on 6/19 at 4:54 PM to ask why he was working in the area without a Permit. Joe told me that he had just graded the area and put the dirt down so it was a "gray area on digging up the work they preformed and he did not call in locates because he knew where they were digging and what was there." I explained to Joe that anytime dirt is laid down, a ticket is required to dig that back-up because we have facilities in the stretch in which they hit our 144 count Toll Fiber that feeds Harrisburg and isolated it. Upon further inspection, they damaged the Fiber while they were digging on 6/19 but hit our sheath during the grading process for which they did not have locates for either a few days prior. We had to put in 300 feet of new Fiber and dig 2 pits to fix both issues. We were not notified of the hit on either occasion.

**ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:**

49-7A-5 – Notification of Proposed Excavation

49-7A-12 – Notification of Damage to Underground Facilities

49-7A-20 – This statute calls out that each violation is treated as a separate offenses

<b>Street Address / location of alleged violation:</b>	273rd St
<b>City</b>	Harrisburg
<b>State</b>	SD
<b>Date of alleged violation:</b>	Jun 19, 2020
<b>Time of alleged violation:</b>	12:30 PM

**Describe your allegation:**

Runge Enterprises knowingly used a backhoe to dig in the ditch where facilities are running through the Right of Way and failed to call in locates putting all facilities at risk.

<b>Do you believe the alleged violation to be intentional?</b>	Yes
<b>Why or why not?</b>	They did not call in locates and know there are multiple facilities that run through the area.
<b>Was a locate requested from SD One Call?</b>	NA
<b>Did the excavator wait until the start date / time on the ticket before commencing excavation?</b>	No
<b>Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?</b>	No
<b>Explain</b>	No locate called in
<b>Were buried facilities exposed by hand or non-invasive equipment prior to excavation?</b>	NA
<b>Were facilities marked?</b>	No
<b>Was the marking complete prior to the start time on the ticket?</b>	NA
<b>Did the excavator pre-mark with white paint?</b>	NA
<b>Was the facility marked accurately (within 18 inches)?</b>	NA
<b>Did the excavator use reasonable care to maintain locate marks for the life of project?</b>	NA
<b>Type of facility involved:</b>	144 Toll Fiber
<b>Operator of facility (if known):</b>	CenturyLink
<b>Operator address (Street or PO Box):</b>	312 S Cliff Ave Sioux Falls, South Dakota 57103 United States
<b>Operator Phone</b>	(605) 370-2584
<b>Depth of Cover (If unsure put N/A)</b>	6 Feet
<b>Pressure: (If none, write none)</b>	None
<b>Voltage: (If none, write none)</b>	None
<b># of cable pairs: (If none, write none)</b>	144
<b>Was the facility damaged?</b>	Yes

**If yes, provide detail and an estimate of damage:**

Damaged 144 strand Toll Fiber for Harrisburg. Had to dig 2 pits and place 300 feet of new Fiber between two damaged area.

**Were damages on public right of way or private property?** Public

**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):**

Toll isolated Harrisburg customers for 13 hours affecting HSI and Telephone.

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

**If No, why not?**

No locate ticket was called in and they told me they were unaware a line had been hit at 4:54 when I called Joe though we spoke with his digger at 2:00pm.

**Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?** No

**If No, why not?**

No locate ticket was called in and they told me they were unaware a line had been hit at 4:54 when I called Joe though we spoke with his digger at 2:00pm.

**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.