

<b>Complaint filed on behalf of or by:</b>	Jesse Tippmann
<b>Contact Person:</b>	Jesse Tippmann
<b>Phone</b>	(605) 858-1618
<b>Name or Company Name</b>	Groundbreaking Construction LLC
<b>Street Address or PO Box</b>	5009 Brownstone Ct Piedmont, South Dakota 57769 United States
<b>Email</b>	groundbreakingconstructionllc@gmail.com
<b>Date</b>	Jul 01, 2020
<b>Name of excavator / facility operator:</b>	MDU
<b>Phone</b>	(605) 342-0160
<b>Name or Company Name</b>	Montana Dakota Utilities
<b>Street Address or PO Box</b>	718 Steele Avenue Rapid City, South Dakota 57701 United States
<b>Email</b>	Marcus.Christensen@mdu.com
<b>Is this party aware of your allegations?</b>	Yes
<b>Provide detail including whom you spoke with:</b>	Casey Smith Service Technician MDU
<b>ALL SPECIFIC STATUTES AND ADMINISTRATIVE RULES MUST BE STATED:</b>	49-7A-9 49-7A-13
<b>Other information to support your position:</b>	We feel that whoever located these utilities was completely negligent. We are glad that no one was hurt or killed due to this.
<b>Street Address / location of alleged violation:</b>	4904 Breckenridge Ct
<b>City</b>	Rapid City
<b>State</b>	SD
<b>Date of alleged violation:</b>	Jul 01, 2020
<b>Time of alleged violation:</b>	09:00 AM
<b>Describe your allegation:</b>	The locates at the mentioned site were valid as of 8:30 AM. Our crew began hand digging at this time for the homes gas service and power, which were marked and lead to the front of the house. The gas service was found no where near the mark and it was headed to the rear of property (complete opposite direction of locates). Upon finding the direction of gas service, we contacted MDU and technician Casey Smith arrived on site. Casey then located the gas service and followed it to the rear of property. Casey verified that the flags and paint were clearly inaccurate. Casey also verified that the map he had showed the gas service leading to rear of property. We continued hand digging for approximately 3 hours for the power service, which was never found in the locate mark. The power locate also had another red mark that had been crossed out. Respot has been called for to

remark utility locations. We lost in excess of \$1200 due to this, we had a four man crew plus a horizontal boring crew on site waiting because we couldn't find the power service.

<b>Do you believe the alleged violation to be intentional?</b>	Not Sure
<b>Was a locate requested from SD One Call?</b>	Yes
<b>Locate ticket #:</b>	2018148621
<b>Start date on ticket:</b>	Jul 01, 2020
<b>Start time on ticket:</b>	08:30 AM
<b>Did the excavator wait until the start date / time on the ticket before commencing excavation?</b>	Yes
<b>Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?</b>	NA
<b>Were buried facilities exposed by hand or non-invasive equipment prior to excavation?</b>	NA
<b>Were facilities marked?</b>	Yes
<b>Was the marking complete prior to the start time on the ticket?</b>	Yes
<b>Did the excavator pre-mark with white paint?</b>	NA
<b>Was the facility marked accurately (within 18 inches)?</b>	No
<b>Did the excavator use reasonable care to maintain locate marks for the life of project?</b>	NA
<b>Type of facility involved:</b>	Gas
<b>Operator of facility (if known):</b>	MDU
<b>Operator address (Street or PO Box):</b>	United States
<b>Depth of Cover (If unsure put N/A)</b>	N/A
<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>	none
<b>Was the facility damaged?</b>	No
<b>Were damages on public right of way or private property?</b>	NA

**Was anyone injured as a result of facility damage?** NA

**Were there fatalities?** No

**Was operator service affected?** No

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

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

**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.