

**South Dakota One Call Notification Board  
PO Box 187  
Rapid City, SD 57709**

IMPORTANT: This form is provided only as assistance in preparing responses to South Dakota One Call Complaints. Although it is not required, we encourage you to use this form. Please be as thorough as possible to assist the Enforcement Panel in making its determination.

<b>COMPLAINT DOCKET NUMBER:</b>	OC20-066
<b>Reply filed on behalf of (company name):</b>	R.C.S. Construction, Inc.
<b>Contact Person:</b>	RC Scull
<b>Phone</b>	(605) 342-3787
<b>Name or Company Name:</b>	R.C.S. Construction, Inc.
<b>Street Address or PO Box</b>	PO Box 9337 Rapid City, South Dakota 57709 United States
<b>Email</b>	<a href="mailto:rc@rcsconst.com">rc@rcsconst.com</a>
<b>Date</b>	Oct 06, 2020
<b>Were you previously aware of these allegations?</b>	Yes
<b>Provide detail including whom you spoke with:</b> Email from Codi Gregg dated 9/22/2020	
<b>Do you believe the statutes listed (if any) by the complainant were violated?</b>	Yes
<b>Why or why not?</b> *See attached	
<b>Do you dispute the alleged violation of SD One Call statute or rule occurred?</b>	Yes
<b>If yes, what specifically do you dispute?</b> *See attached	
<b>Do you dispute the complainant's statements regarding the intentional or</b>	No

**unintentional nature of the alleged violation?**

**Was a locate requested from SD One Call?**

Yes

**If yes, please provide the ticket number and a copy of the locate ticket**  
2023284922

**Locate ticket #**

2023284922

**Start date on ticket:**

Aug 19, 2020

**Start time on ticket:**

01:05 PM

**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?**

No

**Was the marking complete prior to the start time on the ticket?**

No

**Was the excavation site pre-marked with white paint?**

No

**Was the facility marked accurately (within 18 inches)?**

No

**Was there reasonable care to maintain locate marks for the life of project?**

Yes

**Did the complainant correctly describe the type of facility involved?** Yes

**Provide detail:**

\*See attached

**Did the complainant correctly describe the damages that resulted from the alleged violation?** Yes

**Provide detail:**

Damages were described correctly but pictures of marked locates were false.

\*See attached

**Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?** Yes

**Please provide a copy of the Damage Ticket**

\*See attached

**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 contacted by an Excavator

**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?** Yes

**Provide detail:**

Several homes were impacted

**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:**

\*See attached

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

Yes, I don't recall the date

**Please provide any additional information to support your position:**

\*See attached

**Attachment Information**

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