

**From:** South Dakota One Call [mailto:info@aligningchange.com]

**Sent:** Thursday, September 24, 2020 8:04 PM

**To:** SD811 Complaints <Complaints@sd811.com>; Larry Janes <exedir@sdonecall.com>; Codi Gregg <deputydirector@sd811.com>; kerry@aligningchange.com; roger@aligningchange.com

**Subject:** SOUTH DAKOTA ONE CALL COMPLAINT FORM [#119]

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

IMPORTANT: This form is provided only as assistance in preparing your South Dakota One Call Complaint. 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. You may include additional information as necessary.

<b>Complaint filed on behalf of or by:</b>	Askland Ditching
<b>Contact Person:</b>	Matt Askland
<b>Phone</b>	(605) 209-3306
<b>Name or Company Name</b>	Askland Ditching
<b>Street Address or PO Box</b>	P.O. Box 9511 Rapid city, South Dakota 57709 United States
<b>Email</b>	<a href="mailto:Asklandditching@yahoo.com">Asklandditching@yahoo.com</a>
<b>Date</b>	Sep 24, 2020
<b>Name of excavator / facility operator:</b>	Montana Dakota Utilities
<b>Phone</b>	(605) 342-0160
<b>Name or Company Name</b>	Montana Dakota Utilities
<b>Street Address or PO Box</b>	718 Steele ave Rapid city, South Dakota 57701 United States
<b>Email</b>	<a href="mailto:Mdu@mdu.com">Mdu@mdu.com</a>
<b>Is this party aware of your allegations?</b>	Yes

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

Locators are they claim they marked wrong address

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

49-7a-9

Failure to provide accurate locates

**Other information to support your position:**

We arrive on site a did a walk through like always and realized there is no gas marks or a No in work area so I walked around house and found gas meter/line with no marks. We lost time on this job with no marks provided by Mdu

I believe locator was in a rush and failed to locate the right work area

<b>Street Address / location of alleged violation:</b>	3402 Ivy ave
<b>City</b>	Rapid city
<b>State</b>	South Dakota
<b>Date of alleged violation:</b>	Sep 11, 2020
<b>Time of alleged violation:</b>	01:45 PM
<b>Describe your allegation:</b>	Original ticket-2025398888 No response ticket-2025801400 Violated law 49-7a-9 Failed to provide markings We arrived to find no gas marks when it was obvious the property did have gas. They failed to call or put no in the correct work area. All other facilities were marked correctly. I believe the locater got in a rush and failed to accurately mark they're dangerous lines. We as a business lost time on this job
<b>Do you believe the alleged violation to be intentional?</b>	No
<b>Why or why not?</b>	I believe locater was in rush and failed to find the work area
<b>Was a locate requested from SD One Call?</b>	Yes
<b>Locate ticket #:</b>	2025398888
<b>Start date on ticket:</b>	Sep 11, 2020
<b>Start time on ticket:</b>	01:45 PM
<b>Did the excavator wait until the start date / time on the ticket before commencing excavation?</b>	Yes
<b>If no or not sure, when did excavation begin (date)?</b>	Sep 14, 2020
<b>If no or not sure, when did excavation begin (time)?</b>	07:00 AM
<b>Did the excavator maintain a minimum horizontal clearance of 18 inches between a marked facility and mechanical equipment?</b>	NA
<b>Explain</b>	No response locater in rush
<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>	No

<b>Did the excavator pre-mark with white paint?</b>	No
<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>	Yes
<b>Type of facility involved:</b>	Gas
<b>Operator of facility (if known):</b>	Montana Dakota Utilities
<b>Operator address (Street or PO Box):</b>	718 Steele ave Rapid city, South Dakota 57701 United States
<b>Operator Phone</b>	(605) 342-0160
<b>Depth of Cover (If unsure put N/A)</b>	N/a
<b>Pressure: (If none, write none)</b>	High
<b>Voltage: (If none, write none)</b>	0
<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
<b>Was anyone injured as a result of facility damage?</b>	NA
<b>Were there fatalities?</b>	No
<b>Was operator service affected?</b>	No
<b>Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?</b>	Yes
<b>Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?</b>	Yes
<b>Was there an escape of any flammable, toxic, or corrosive gas or liquid?</b>	No
<b>Please provide a Fire Department or Emergency Services incident report, if available</b>	Not Available
<b>Attachment Information</b>	
File names should not include symbols. Example:( \$, &, *, %. ) etc.	