

**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>	OC20-067
<b>Reply filed on behalf of (company name):</b>	Montana Dakota Utilities
<b>Contact Person:</b>	Marcus Christensen
<b>Phone</b>	(605) 355-4035
<b>Name or Company Name:</b>	Montana Dakota Utilities
<b>Street Address or PO Box</b>	PO Box 1060 Rapid City, South Dakota 57709 United States
<b>Email</b>	<a href="mailto:marcus.christensen@mdu.com">marcus.christensen@mdu.com</a>
<b>Date</b>	Oct 08, 2020
<b>Were you previously aware of these allegations?</b>	No
<b>Do you believe the statutes listed (if any) by the complainant were violated?</b>	No
<b>Why or why not?</b>	The locator showed up and located the address next door to the work area on the ticket. The locator miss read the address. Askland did exactly what they were suppose to do when they showed up to the work site by reviewing the area and noticed it had not been properly located. They called in a verification ticket and the locator was on site with in an hour of receiving the verification ticket.
<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>	The locator was not in a rush to locate. The locate misread the address on the locate ticket. Once the verification ticket was received the locator responded promptly with in the time limits and provide accurate locates.
<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**  
Verification Ticket #2025801400 from the contractor at 9:15 am. Locator responded within an hour of receiving.

**Locate ticket #** 2025398888

**Start date on ticket:** Sep 11, 2020

**Start time on ticket:** 01:45 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?** Yes

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

**Were facilities marked?** Yes

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

**Was the excavation site pre-marked with white paint?** No

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

**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:**

They described that the house has a gas service line. Once the verification ticket was called in and responded to the gas line was accurately located.

**Did the complainant correctly describe the damages that resulted from the alleged violation?** No

**Provide detail:**

No damage a occurred as result of this complaint. Locator misread the address on the locate ticket and located next door. Locator was not in a rush.

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

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

Askland called in a verification ticket as they should when questioning locates.

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

**If No, why not?**

No damage occurred. Verification ticket was called in and was immediately responded to.

**Was there an escape of any flammable, toxic, or corrosive gas or liquid?** No

**Did the complainant correctly describe the damages that resulted from the alleged violation?** No

**If no, provide detail:**

It is accurate to say the wrong address was located, but not accurate to say the locator was in a rush.

**Did complainant correctly describe how operator service was affected?** Yes

**Provide detail:**

They did loose some time.

**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:**

We have had the conversation with our locate contractor to have a conversation with there locaters to make sure they are reading and verifying that they are in fact at the correct location that is listed on the locate ticket. This is very important. If Askland wouldn't have called in a verification ticket this could have resulted in a hit line. Askland did everything they were suppose to in this situation and MDU appreciates it.

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

**If yes, when was it filed?** Apr 20, 2020

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

I feel that it is important for contractors that when they call in a locate ticket that they should also flag there work area with white flags and use white paint for painting the base of the flags and hard surfaced areas. This aids in giving a visual for the locater when they show up onsite to see where they are supposed to go.

**Attachment Information**

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