

**ONE CALL COMPLAINT FORM**  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, Sd 57501-5070

**COMPLAINT**

Allegation of Probable Violation(s) of South Dakota One Call Laws

Received On November 14, 2011 10:23 am

**I. ACTION REQUESTED BY:**

COMPLAINT FILED BY: Company  
PERSON FILING COMPLAINT: Andy Studer  
COMPANY: City of Aurora  
ADDRESS: 202 N. Broadway Ave. PO Box 335  
PHONE NUMBER: (605) 693-3548  
EMAIL: cityofaurora@itctel.com  
DATE: November 14, 2011

**II. ACTION REQUESTED AGAINST:**

NAME OF EXCAVATOR/FACILITY OPERATOR: Eagle West  
PHONE NUMBER: (763) 533-8252  
ADDRESS: 6325 Eagle Lake Drive, Maple Grove MN 55369  
WAS A LOCATED REQUESTED FROM SD ONE CALL? Yes  
LOCATE TICKET#: 113140307  
START DATE ON TICKET: November 15, 2011  
DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION? No  
WERE BURIED FACILITIES EXPOSED BY HAND OR NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION? No

**III. FACILITY INVOLVED (IF ANY)**

TYPE OF FACILITY INVOLVED:  
OPERATOR OF FACILITY:  
OPERATOR ADDRESS:  
PHONE NUMBER:  
DEPTH OF COVER:  
PRESSURE:  
VOLTAGE:  
NUMBER OF CABLE REPAIRS:

Exhibit A

**IV. MARKING**

WERE FACILITIES MARKED? No

WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? N/A

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? No

WAS THE FACILITY ACCURATELY MARKED (WITHIN 18 INCHES)? No

DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? No

HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY? No

IS THERE AGREEMENT? No

IF NO, PLEASE EXPLAIN:

**V. DAMAGE (IF ANY)**

FATALITIES:

INJURIES:

LENGTH OF HOSPITALIZATION:

ESTIMATED PROPERTY DAMAGE:

NUMBER OF CUSTOMERS AFFECTED:

DAMAGED IN:

PHOTOS OF THE DAMAGED FACILITY: No

ADDITIONAL INFORMATION:

**VI. PROBABLE VIOLATION**

**SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED:** Completed work on 11/13/11 prior to completion of all locates and prior to start date on tickit.

**ADDRESS/LOCATION OF PROBABLE VIOLATION:** 101 S. Broadway St.

**DATE/TIME OF PROBABLE VIOLATION:** November 13, 2011 5:00 pm

**HAVE YOU DISCUSSED THE PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED AGAINST?** False

**IF YES, NAME THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION:**

**DESCRIPTION OF PROBABLE VIOLATION:** Completed work on 11/13/11 prior to completion of all locates and prior to start date on tickit.

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South Dakota Public Utilities Commission  
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**COMPLAINT**

**Allegation of Probable Violation(s) of South Dakota One Call Laws**

Received On November 14, 2011 10:34 am

**I. ACTION REQUESTED BY:**

**COMPLAINT FILED BY:** Company  
**PERSON FILING COMPLAINT:** Andy Studer  
**COMPANY:** City of Aurora  
**ADDRESS:** 202 N. Broadway Ave. PO Box 335  
**PHONE NUMBER:** (605) 693-3548  
**EMAIL:** cityofaurora@itctel.com  
**DATE:** November 14, 2011

**ii. ACTION REQUESTED AGAINST:**

**NAME OF EXCAVATOR/FACILITY OPERATOR:** Eagle West  
**PHONE NUMBER:** (763) 533-8252  
**ADDRESS:** 6325 Eagle Lake Drive, Maple Grove, MN 55369  
**WAS A LOCATED REQUESTED FROM SD ONE CALL?** Yes  
**LOCATE TICKET#:** 113140254  
**START DATE ON TICKET:** November 15, 2011  
**DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION?** No  
**WERE BURIED FACILITIES EXPOSED BY HAND OR NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION?** No

**III. FACILITY INVOLVED (IF ANY)**

**TYPE OF FACILITY INVOLVED:**  
**OPERATOR OF FACILITY:**  
**OPERATOR ADDRESS:**  
**PHONE NUMBER:**  
**DEPTH OF COVER:**  
**PRESSURE:**  
**VOLTAGE:**  
**NUMBER OF CABLE REPAIRS:**

**IV. MARKING**

WERE FACILITIES MARKED? No

WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? N/A

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? No

WAS THE FACILITY ACCURATELY MARKED (WITHIN 18 INCHES)? N/A

DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? N/A

HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY? No

IS THERE AGREEMENT? No

IF NO, PLEASE EXPLAIN:

**V. DAMAGE (IF ANY)**

FATALITIES:

INJURIES:

LENGTH OF HOSPITALIZATION:

ESTIMATED PROPERTY DAMAGE:

NUMBER OF CUSTOMERS AFFECTED:

DAMAGED IN:

PHOTOS OF THE DAMAGED FACILITY: No

ADDITIONAL INFORMATION:

**VI. PROBABLE VIOLATION**

**SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED:** Completing project prior to all utilities having time to mark their cables

**ADDRESS/LOCATION OF PROBABLE VIOLATION:** 210 Redmond RD,

**DATE/TIME OF PROBABLE VIOLATION:** November 13, 2011 4:00 pm

**HAVE YOU DISCUSSED THE PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED AGAINST?** False

**IF YES, NAME THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION:**

**DESCRIPTION OF PROBABLE VIOLATION:** Started and completed project prior to the 48 hour waiting period.