

## Formstack Submission For: **South Dakota One Call Reply Form**

Submitted at 12/08/23 12:08 PM

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|---|---|
| <b>Complaint Docket Number:</b>   | OC23-002  |
| <b>Reply filed on behalf of (company name):</b>                                       | KTM Design Solutions, Inc.  |
| <b>Contact Person:</b>  | Janelle Finck   |
| <b>Phone Number:</b>  | (605) 791-5866  |
| <b>Ext:</b>   |   |
| <b>Name or Company Name:</b>  | KTM Design Solutions, Inc.  |
| <b>Street Address or PO Box:</b>  | 18 E Kansas City Street<br>Suite 3<br>Rapid City, SD 57701  |
| <b>Fax:</b>   |   |
| <b>Email:</b>   | <a href="mailto:janelle@ktmdsi.com">janelle@ktmdsi.com</a>  |
| <b>Date:</b>  | Dec 08, 2023  |
| <b>Were you previously aware of these allegations?:</b>                               | No  |
| <b>Provide detail including whom you spoke with.:</b>                                 |   |
| <b>Do you believe the statutes listed (if any) by the complainant were violated?:</b> | No  |
| <b>Why or why not?:</b>   | We call in our tickets as excavating for property corners and mapping for design - which is what we |

are doing and what we were advised to do by previous 811 Director Larry Janes at his 2018 presentation at the South Dakota Society of Land Surveyors annual convention.

**Do you dispute the alleged violation of SD One Call statute or rule occurred?:**

Yes

**If yes, what specifically do you dispute?:**

I believe that we are calling in our locate requests correctly

**Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:**

Yes

**If yes, please explain.:**

We are transparent in our requests and communicated that to the complainant (per my email of March 3, 2023)

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

Yes

**Locate ticket #:**

2306135087

**Start date on ticket:**

Mar 06, 2023

**Start time on ticket:**

03:45 PM

**Copy of the locate ticket:**

**If no, please explain why no locate request was made.:**

**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?:**

Not Sure

**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 details:**

There were no damages resulting from this request or excavation.

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

No

**Provide details:**

No damages resulting from this request or excavation.

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

No

**File:**

**If No, why not?:**

There was no damage, dislocation or disturbance.

**Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:**

No

**If No, why not?:**

There was no damage, dislocation or disturbance.

**Was there an escape of any flammable, toxic, or corrosive gas or liquid?:**

No

**If Yes, but if 911 was not called, or if you don't know, explain why.:**

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

No

**If no, provide details.:**

There were no damages from the alleged violation

**Were damages on public right of way or private property?:**

Public

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

No

**Provide Details:**

There were no damages resulting from this request or excavation.

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

No

**If yes, provide details.:**

**Length of hospitalization:**

**Were there fatalities?:**

No

**If yes, provide details.:**

**Other information regarding injuries or damages:**

No injuries or damages as the result of this request and excavation.

**Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.:**

No injuries or damages as the result of this request or excavation.

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

No

**If yes, when was it filed?:**

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

I have tried to attach my email response with accompanying photos but not seeing confirmation of that information when I select the file.

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

[View File](#)

