



Larry Englerth
Executive Director

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April 11, 2004

Gary Craig, Vice President
One Call Systems, Inc.
115 Evergreen Heights Drive
Pittsburgh, PA 15229

A handwritten signature in cursive script, appearing to read "Larry Englerth".

Via email

Dear Mr. Craig,

The Enforcement Committee of the South Dakota One Call Board met on March 18, 2004, to consider the recommended resolution of Complaint OC04-001(B) filed by Golden West Telecommunications against Olander Contracting Company for violation of ARSD Article 20:25:03:04 Information required when initiating a routine locate request. This complaint involved locate request 040190075 and the finding of the committee reflect the following:

1. The information provided as the "description of the specific excavation area" is clearly inadequate and does not meet the legal requirements of the law.
2. The comment provided by Olander Contracting that the locate request was adequate for the facility operator to respond indicates a lack of understanding regarding the requirements of an excavator when initiating a routine locate request.
3. The South Dakota One Call Center accepted the information as provided and did not challenge the caller about the lack of information.
4. The ticket did not meet the legal requirements of a locate request and should have been rejected by the South Dakota One Call Center.

In reviewing the actual call, the Enforcement Committee had concern on two specific aspects regarding the processing of the locate request:

1. When the caller provided TRSQ information, there was no effort put forth by the Customer Service Representative to *gain additional information beyond that which was offered by the excavator*.
2. When the caller provided no marking instructions, the Customer Service Representative did not advise the caller that the information was inadequate and made no effort to expand on the information provided by the excavator.

In summary, the Enforcement Committee was equally disappointed with the information provided by the excavator and the effort put forth by the Customer Service Representative who handled to locate request.

While the resolution of the complaint did not formally involve One Call Systems, Inc., the Enforcement Committee requested that a formal written notification be sent to you to insure that the disposition of this case did not set a precedent that removed responsibility from One Call Systems, Inc. from insuring that ticket notifications meet legal standards. It is the opinion of the legal staff to the Board that ARSD Article 20:25:03:07 Requirements for operation of a one-call notification center (3) requires at the close of the locate request, the Center confirms with the excavator the information provided and when a confirmation number is given to the excavator all legal aspects of the locate request have been met.

This notification is in support of our previous correspondence of July 11, 2003 and reconfirmed by email on February 12, 2004.

Sincerely,

Larry L. Englerth
Executive Director

Cc: Enforcement Committee