BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE COMPLAINT AGAINST AMERICAN UNDERGROUND SPRINKLERS	)))	ORDER OC04-012

On September 13, 2004 the South Dakota Public Utilities Commission received a complaint from Crooks Municipal Utilities against American Underground Sprinklers. American Underground Sprinklers did not dispute the allegations in the complaint.

On October 20, 2004 the Enforcement Committee of the South Dakota One-Call Notification Board met and also determined that probable cause exists in Docket OC04-012 in regards to the allegation that American Underground Sprinklers has violated SDCL 49-7A-5. The Enforcement Committee recommended a $500.00 penalty with $500.00 suspended on the grounds that American Underground Sprinklers fully comply with SDCL 49-7A and ARSD Article 20:25 for twelve months following the date of American Underground Sprinklers signing the Enforcement Committee Action Agreement.

All interested parties agreed with the recommendations of the Enforcement Committee. By October 28, 2004, all interested parties had signed the Enforcement Committee Action Agreement. It is therefore,

ORDERED, that the terms and conditions of the Enforcement Committee Action Agreement shall be incorporated into this Order by reference and attached hereto, the same as if it was fully recited herein and shall as such be fully binding upon the parties to it; and it is

FURTHER ORDERED, that American Underground Sprinklers has thirty (30) days from the date of this Order to comply with the provisions of the Enforcement Committee Action Agreement; and it is

FURTHER ORDERED that upon compliance with the provisions of the Enforcement Committee Action Agreement the docket in this matter shall be closed.

The South Dakota One-Call Notification Board has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-7A, specifically 49-7A-5, 49-7A-18, 49-7A-20, 49-7A-22, 49-7A-26.

Dated at Sioux Falls, South Dakota, this 3rd day of November, 2004.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By:_____
Larry Englerth, Executive Director

Date:_____

BY ORDER OF THE SD ONE-CALL BOARD:

_____
KEVIN KOUBA, Chairman

_____
Under the Authority and on Behalf of the Chairman

LARRY ENGLERTH, Executive Director