

**BEFORE THE SOUTH DAKOTA ONE CALL
NOTIFICATION BOARD**

IN THE MATTER OF THE)	ORDER
COMPLAINT AGAINST POINSETT)	OC06-005
COLONY)	

On June 16, 2006, the South Dakota Public Utilities Commission received a complaint from Northern Natural Gas against Poinsett Colony. Poinsett Colony did not dispute the allegation in the complaint that they had excavated without providing advance notice to the South Dakota One Call System but did provide background information on how the violation occurred and their previous history of utilizing the South Dakota One Call System.

On July 28, 2006, the Enforcement Committee of the South Dakota One Call Notification Board met and determined that probable cause exists in Docket OC06-005 in regards to the allegation that Poinsett Colony has violated SDCL 49-7A-5. The Enforcement Committee recommended a five hundred dollar (\$500.00) penalty with three-hundred dollars (\$300.00) suspended on the grounds that Poinsett Colony fully comply with SDCL 49-7A and ARSD Article 20:25 for twelve months following the date of Poinsett Colony signing the Enforcement Committee Action Agreement and that Poinsett Colony fully comply with the resolution of this complaint by making payment of two-hundred dollars (\$200) within thirty days of the issuance of this order.

All interested parties agreed with the recommendations of the Enforcement Committee. By August 17, 2006, all interested parties had signed the Enforcement Committee Action Agreement.

ORDERED, that the terms and conditions of the Enforcement Committee Action Agreement and the signed Acceptance of the recommended resolutions by both parties 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

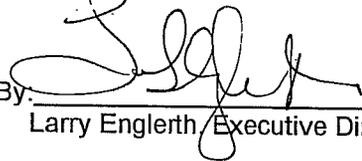
FURTHER ORDERED that the docket in this matter shall be closed.

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 19th day of August, 2006.

CERTIFICATE OF SERVICE

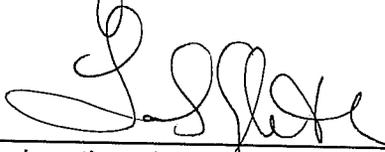
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: 
Larry Englerth, Executive Director

Date: August 19, 2006

BY ORDER OF THE SD ONE-CALL BOARD:


JERRY SCHROEDER, Chairman


Under the Authority and on Behalf of the
Chairman

LARRY ENGLERTH, Executive Director

POINSETT, HUTTERIAN, BRETHEREN, INC.
P.O. BOX 873, 2969 P.H. 605-873-2630
46527 189TH STREET
ESTELLINE, SD. 57234-5707

2177

8-17-06

Date

76-1409/049

Pay to the Order of SD and Cattle Supply in the Bank \$ 300.00

Dollars



Farm Credit Services of America



First National Bank, Omaha, NE 68102 (1040)
For information call 402-546-3224
Farm Credit Services of America

For Jane C

PO Poinsett Hutterian

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MP