



Larry Englerth
Executive Director
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October 25, 2007

Mark Seifkes dba S.P.O.T.
305 Hwy 14 E
DeSmet, SD 57231

John McNamara
One Call Systems, Inc.
115 Evergreen Heights Dr.
Pittsburgh, PA 15229

The Enforcement Committee recommendation to resolve Complaint OC07-006 has been accepted by both parties involved in the complaint. The order closing this Complaint is attached.

This order will close all action on this complaint with the exception that the suspended portion of the penalty would be applicable should the stated conditions not be met by December 31, 2007.

A penalty of one-thousand dollars (\$1,000) was assessed with one-thousand dollars (\$1,000) suspended on compliance with one of the following conditions:

1. Within sixty-days of the issuance of an order in Complaint OC07-006, Mark Seifkes dba S.P.O.T. fully complies with § 49-7A -5 by completing membership in the South Dakota One Call System and that he fully complies with § 49-7A and ARSD Article 20:25 for twelve months following acceptance of resolution of Complaint OC07-006 by both parties or
2. Within sixty- days of the issuance of an order in Complaint OC07-006, Mark Seifkes dba S.P.O.T. arranges with a third party, such as the City of DeSmet, to assume responsibility for the receipt of excavation notifications and marking of the sewer line operated by him.

Sincerely,

s/s Larry Englerth

Larry L. Englerth
Executive Director