

BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE COMPLAINT BY)	ORDER CLOSING
NORTHWESTERN ENERGY AGAINST)	DOCKET
ARDEN LEMKE D/B/A LEMKE DIGGING)	OC09-001
AND GEOTHERMO DRILLING)	

On January 15, 2009, the South Dakota Public Utilities Commission received a complaint from Northwestern Energy against Arden Lemke d/b/a Lemke Digging and Geothermo Drilling. The complaint alleges during the course of excavation near a natural gas pipeline the Defendant damaged NorthWestern facilities. NorthWestern further alleges it was not notified of the damage. Ultimately, a pipeline incident occurred.

On February 6, 2009 the Defendant filed both his answer to the complaint and a Motion to Stay due to a pending civil action. NorthWestern Energy did not object to the stay and it was granted.

On January 21, 2011 NorthWestern Energy filed a letter requesting the One Call Board dismiss this docket without prejudice. At its scheduled meeting of February 16, 2011, the South Dakota One Call Board discussed the request.

THE ONE CALL BOARD OF SOUTH DAKOTA HEREBY ORDERS, to close the docket without prejudice.

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

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 by first class mail, or by other electronic means.


Larry L. Janes, Executive Director

2-17-2011
Date 2-16-2011

BY ORDER OF THE SD ONE-CALL BOARD:

Dated at Pierre, South Dakota,
this 16th day of February, 2011


Bleau LaFave
Chairman