

BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE)	ORDER
COMPLAINT AGAINST Grangaard)	OC09-011
Construction, Inc.)	

On December 11, 2009, the South Dakota Public Utilities Commission received a complaint from Watertown Municipal Utilities against Grangaard Construction, Inc. Grangaard Construction, Inc. did not dispute the allegation in the complaint that they had excavated at the Bridge over Willow Creek on 20th Ave. SE, East of Big Sioux Bridge, 3600 feet, Watertown, South Dakota, without providing advance notice to the South Dakota One Call System.

On February 8, 2010, the Enforcement Committee of the South Dakota One Call Notification Board met and determined that probable cause exists in Docket OC09-011 in regards to the allegation that Grangaard Construction, Inc had violated SDCL 49-7A-5. The Enforcement Committee recommended a five thousand dollars (\$5,000) penalty, with three thousand dollars (\$3,000) suspended, on the grounds that Grangaard Construction, Inc fully comply with SDCL 49-7A and ARSD Article 20:25 for twelve months following the date of both agreeing to Enforcement Committee Action Agreement, and that Grangaard Construction, Inc fully comply with the resolution of this complaint by making payment of two thousand dollars (\$2,000) within thirty days of the issuance of this order.

All interested parties agreed with the recommendations of the Enforcement Committee. By February 25, 2010, 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 resolution by both parties shall be incorporated into this Order by reference, 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.

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.

Larry L. Janes, Executive Director

Date June 2, 2010

BY ORDER OF THE SD ONE-CALL BOARD:



Bleau LaFave, Chairman

Under the Authority and on Behalf of the Chairman



Larry L. Janes, Executive Director