



Steve Kolbeck, Chair  
Gary Hanson, Vice Chair  
Chris Nelson, Commissioner

## SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue  
Pierre, South Dakota 57501-5070  
[www.puc.sd.gov](http://www.puc.sd.gov)

Capitol Office  
(605) 773-3201  
1-866-757-6031 fax

Warehouse  
(605) 773-5280  
(605) 773-3225 fax

Consumer Hotline  
1-800-332-1782

April 6, 2011

Scott Olson Digging, Inc.  
Attn: Lori Olson, Registered Agent  
PO Box 1402  
Huron, SD 57350

Re: OC10-006, 007 and 008

Dear Ms. Olson;

On September 13, 2010 NorthWestern Energy filed three complaints against your company. Scott Olson answered the complaints in writing on October 11, 2010. The Enforcement Panel of the South Dakota One Call Notification Board met regarding all three complaints and found probable cause to believe Scott Olson Digging violated South Dakota codified law. The Panel assessed penalties in the following amounts:

- i) In case number OC10-006 a \$1,000 penalty.
- ii) In case number OC10-007 a \$5,000 penalty.
- iii) In case number OC10-008 a \$5,000 penalty.

Your company had thirty days to object to the Panel's findings. Your failure to do so results in acceptance of said penalties. Your company now owes \$11,000 in civil penalties. Larry Janes, the One Call executive director sent the enclosed letter on March 24, 2011 giving you additional time to address your violations. You have, to date, failed to make any attempt to pay the penalties or make other arrangements.

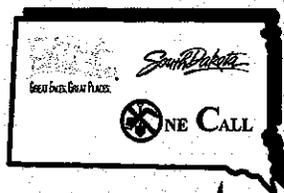
You are hereby demanded, pursuant to SDCL 49-7A-33 to pay said penalty within thirty days of receipt of this letter. If you do not pay the penalty, the Public Utilities Commission may bring an action in the name of the State of South Dakota against your company in circuit court. See SDCL 49-7A-28. Please contact me with any questions.

Sincerely,

Kara Semmler

*Special Assistant Attorney General for the SD Public Utilities Commission*

Safe digging is no accident. Always call 811 before digging.



**Know what's below.  
Call before you dig.**



March 24, 2011

Scott Olson Digging, Inc.  
PO Box 1402  
Huron, SD 57350

Mr. Olson:

This is a reminder notice of the six thousand dollars (\$6,000) which was due to South Dakota One Call on March 16, 2011. This is in regards to the South Dakota One Call Board Orders Adopting Enforcement Panel Recommendations on Complaints OC10-006, OC10-007, and OC10-008, which were mailed to you on February 18, 2011 and delivered by Priority Mail on February 22, 2011.

OC10-006 - Damaging service pipe and failure to notify Northwestern Energy of that damage at Lincoln Avenue NW (nearest intersection Third Street SW) in Huron, SD on July 27, 2010. This Order requires a penalty payment of one thousand dollars (\$1,000).

OC10-007 - Damaging a 90 degree elbow and pipe where the service entered a customer's property at Lincoln Avenue NW (nearest intersection Third Street SW) in Huron, SD on July 27, 2010. This Order requires a penalty payment of two thousand five hundred dollars (\$2,500). An additional amount of two thousand five hundred dollars (\$2,500) was suspended, if payment was received by March 16, 2010.

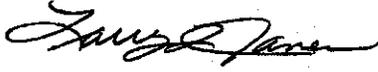
OC10-008 - Completing work prior to the start date on a locate ticket at Lawnridge Avenue SE, from Third Street SE to Seventh Street SE in Huron, SD on August 27, 2010. This Order requires a penalty payment of two thousand five hundred dollars (\$2,500). An additional amount of two thousand five hundred dollars (\$2,500) was suspended, if payment was received by March 16, 2010.

Because payment was not received by March 16, 2011 and because no effort has been made by Scott Olson Digging, Inc. to contact South Dakota One Call to arrange to make payments, the suspended amounts totaling the additional five thousand dollars (\$5,000) are now also due. If you contact South Dakota One Call in writing by Friday, April 1, 2011 to make arrangements for either a one-time payment of six thousand dollars (\$6,000) or some other reasonable monthly payment amount agreed to by South Dakota One Call, we may agree not to impose the additional suspended amounts of five thousand dollars (\$5,000). If no response is received from Scott Olson Digging, Inc. by the close of business on April 1, 2011, then the total amount of eleven thousand dollars (\$11,000) will be imposed and the collection process will begin. Please contact us to make payment arrangements no later than April 1, 2011 at:

South Dakota One Call Notification Board  
c/o Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

I sincerely hope that you understand that our goal is compliance with South Dakota One Call laws for the safety of you, your workers, and the general public. We have no interest in receiving complaints and issuing penalties.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry L. Janes", written in a cursive style.

Larry L. Janes  
Executive Director  
South Dakota One Call