



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

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

Stromseth Construction
113 – 11th St. NE #3
Watertown, SD 57201

Re: OC10-010

Dear Ms. Stromseth;

On December 3, 2010 Watertown Municipal Utilities filed a complaint against your company. The Enforcement Panel of the South Dakota One Call Notification Board met regarding the complaint and found probable cause to believe a violation South Dakota codified law occurred. The Enforcement Panel assessed a Two Thousand Dollar penalty (\$2,000). One Thousand Dollars (\$1,000) of that was, however, suspended if payment was made by March 16, 2011. You failed to make payment and the entire Two Thousand Dollar (\$2,000) penalty is now due.

On March 24, 2011 the executive director of SD One Call sent the enclosed letter to give you additional time to address the violation and penalty. You have, to date, failed to make any attempt to pay the penalties or make other arrangements.

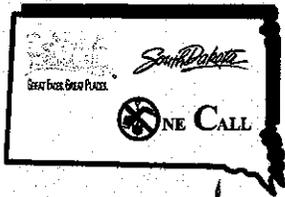
You are hereby demanded, pursuant to SDCL 49-7A-33 to pay said penalty within thirty days of receipt of this letter. If you do not pay the penalty, the Public Utilities Commission may bring an action in the name of the State of South Dakota against your company in circuit court. See SDCL 49-7A-28. Please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

Mark Stromseth
Stromseth Construction
16708 451st Avenue
Watertown, SD 57201

Mr. Stromseth:

This is a reminder notice of the two thousand dollars (\$2,000) which was due to South Dakota One Call by March 16, 2011. This is in regards to the South Dakota One Call Board Order Adopting Enforcement Panel Recommendation on Complaint OC10-010, which was delivered by Priority Mail on February 22, 2011.

OC10-010 – Digging prior to the start date on a locate ticket and not providing notice of facility damage at 7711 Second Avenue SW, Watertown, South Dakota November 19, 2010. This Order required a payment of one thousand dollars (\$1,000) for each violation for a total of two thousand dollars (\$2,000) to be received by South Dakota One Call by March 16, 2011.

Payment has not been received and no effort has been made by Stromseth Construction to contact South Dakota One Call to arrange to make that payment. If Stromseth Construction contacts South Dakota One Call in writing by the close of business on April 1, 2011 to either make a one-time payment of two thousand dollars (\$2,000) or to make some other reasonable monthly payment amount agreed to by South Dakota One Call, then South Dakota One Call will agree not to begin the collection process.

Please contact South Dakota One Call 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 in issuing penalties.

Respectfully,

Larry L. Janes
Executive Director
South Dakota One Call