August 24, 2011

Dale Linder
Dakota Excavating
16351 Sioux Conifer Rd.
Watertown, SD 57201

Mr.Linder:

Please find enclosed a copy of a South Dakota One Call Enforcement Panel conference call scheduled for Tuesday, August 30, 2011 at 1PM Central Time. You are welcome to join the call, but as the letter states only the information provided by the complainant and the defendant will be considered at this time.

If you have any procedural questions, please feel free to contact me.

Thank you.

Larry L. Janes
Executive Director
South Dakota One Call
(605)339-0529
exedir@sdonecall.com

cc: Todd Chambers via email

SOUTH DAKOTA ONE CALL NOTIFICATION BOARD
ENFORCEMENT PANEL CONFERENCE CALL
Tuesday, August 30, 2011
1:00 PM CENTRAL TIME, 12:00 PM Mountain Time

The Enforcement Panel will consider each of the following South Dakota One Call Complaint Dockets:

OC11-003 In the Matter of the Complaint filed by NorthWestern Corporation, dba NorthWestern Energy against Split Rock Contracting, Inc. NorthWestern Corporation filed a complaint against Split Rock Contracting, Inc. on July 11, 2011 alleging that it violated SDCL 49-7A-5 when it began work at McDonald Drive, 13th Street to 14th Street, Huron, SD on June 1, 2011 prior to the start date on South Dakota One Call Locate Ticket 111510134. Split Rock Contracting Inc. replied to the complaint on August 2, 2011. Does probable cause exist to find that Split Rock Contracting, Inc. violated SDCL 49-7A-5?

OC11-004 In the Matter of the Complaint filed by Nustar Pipeline Operating Partnership, L.P. dba Nustar Energy. Nustar Energy filed a complaint on August 1, 2011 alleging the Oaklane Colony began excavation at 268 Street, nearest intersection 423rd Ave, Alexandria, SD on May 4, 2011 prior to calling in a South Dakota One Call locate request as required by SDCL 49-7A-5. Oaklane Colony replied to the complaint on August 24, 2011. Does probable cause exist to find the Oaklane Colony violated SDCL 49-7A-5?

OC11-005 In the Matter of the Complaint filed by Watertown Municipal Utilities against Dakota Excavating. Watertown Municipal Utilities filed a complaint against Dakota Excavating on August 1, 2011 alleging Dakota Excavating began excavation at 274 North Lake Drive, Watertown, SD on July 26, 2011 without a South Dakota One Call locate request as required by SDCL 49-7A-5. Dakota Excavating replied to the complaint on August 24, 2011. Does probable cause exist to find Dakota Excavating violated SDCL 49-7A-5?

If probable cause is found to exist, the Panel will discuss appropriate penalties. If probable cause is not found to exist, the complaint may be dismissed.

You are welcome to listen in to this call, however only the information provided by the complainants and the written responses from each defendant will be considered. No comments from the parties involved will be taken during the call. We have limited ports available on the conference bridge, so if you do plan to call in, please conference in on one line.

NOTE: Please call (605) 339-0529 at least 10 minutes prior to the call for call-in instructions.

Thank you.

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