



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



August 31, 2011

Dale Lindner  
Dakota Excavating  
16351 Sioux Conifer Road  
Watertown, SD 57201

Todd Chambers  
Watertown Municipal Utilities  
901 4<sup>th</sup> Avenue SW  
Watertown, SD 57201

**Re: OC11-005 Watertown Municipal Utilities against Dakota Excavating**

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on August 30, 2011, to determine whether there is probable cause to believe a One Call violation occurred. The Enforcement Panel's findings are enclosed. You may request a hearing according to SDCL-49-7A-27, if you disagree with the Enforcement Panel findings. If you do request a hearing you must present your case to the One Call Board.

**Failure to respond to this notice or request a hearing is considered acceptance of the Enforcement Panel recommendation. In that case, the recommendation will be Ordered by the SD One Call Board and your right to hearing is waived.**

**If you choose to request a hearing please return the signed and dated form prior to the close of business on September 20, 2011 to:**

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

Be aware, any future violations of any One Call statute or rule may be subject to additional penalties up to \$5,000 for each subsequent violation that occurs within twelve months of the initial violation. If you have procedural questions relative to this complaint, please contact me at 605-339-0529 or by email at [exedir@sdonecall.com](mailto:exedir@sdonecall.com). Do Not Contact any members of the South Dakota One Call Notification Board to discuss this complaint since members may be involved in a hearing if one is requested.

  
Larry L. Janes  
Executive Director  
South Dakota One Call

**REQUEST FOR A HEARING  
COMPLAINT OC11-005**

**I REJECT THE COMMITTEE RESOLUTION TO COMPLAINT OC11-005  
AND REQUEST A HEARING.**

\_\_\_\_\_  
**Signature – Dakota Excavating**

\_\_\_\_\_  
**Date**

**I REJECT THE COMMITTEE RESOLUTION TO COMPLAINT OC11-005  
AND REQUEST A HEARING.**

\_\_\_\_\_  
**Signature – Watertown Municipal Utilities**

\_\_\_\_\_  
**Date**

**YOUR REQUEST FOR A HEARING MUST BE SENT TO ALL OTHER  
PARTIES INCLUDING:**

**SOUTH DAKOTA ONE CALL NOTIFICATION BOARD  
C/O SOUTH DAKOTA PUBLIC UTILITIES COMMISSION  
500 E. CAPITOL AVE.  
PIERRE, SD 57501-5070**

**Failure to request a hearing, results in acceptance of the Enforcement  
Committee’s recommendation. In that case, the One Call Board will Order the  
recommendation as the final disposition of this Complaint.**