

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



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



September 14, 2011

Dr. Nathan Kadlec
Active Care Chiropractic
501 Bloemendaal Drive, PO Box 314
Ipswich, SD 57451

Daniel S. Kuntz
Associate General Counsel
MDU Resources Group, Inc.
PO Box 5650
Bismarck, ND 58506-5650

Pat Darras
Gas and Utilization Superintendent
Montana-Dakota Utilities Co.
P.O. Box 1457
Bismarck, ND 58502-1457

Gentlemen:

Please find attached a copy of the South Dakota One Call Enforcement Panel conference call scheduled for Monday, September 19, 2011 at 1 PM Central Time. You are welcome to join the call, but as the Agenda states, only the written 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

sent via email

AGENDA

SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

ENFORCEMENT PANEL CONFERENCE CALL

MONDAY, SEPTEMBER 19, 2011

1:00 PM CENTRAL TIME, 12:00 PM MOUNTAIN TIME

The Enforcement Panel of the South Dakota One Call Notification Board will consider South Dakota One Call Complaint Docket OC11-006. In the matter of the Complaint filed by Active Care Chiropractic against Montana-Dakota Utilities Co. (MDU).

Dr. Nathan Kadlec, Active Care Chiropractic filed a complaint on August 18, 2011 alleging that MDU failed to mark lines in a timely fashion, as required by SDCL 49-7A-8, and as a result another contractor struck the line rupturing it with a boring tool and caused loss of business, closure of the healthcare office, and loss of future revenue.

MDU responded on August 29, 2011 that it had located its facilities on the other side of the road, and that their insurance provider would be contacting Dr. Nathan Kadlec.

Does probable cause exist to find that MDU violated SDCL 49-7A-8?

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 written information provided by the complainant and the written response from the defendant will be considered. No comments from either party 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.

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