

BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE AMENDED) ENFORCEMENT PANEL
COMPLAINT BY CARL CARLSON) RECOMMENDATION TO
COMPANY AGAINST CENTURYLINK) THE SD ONE CALL BOARD
DBA QWEST COMMUNICATIONS)

OC11-010

On September 20, 2011, the South Dakota Public Utilities Commission received a complaint from Carl Carlson Company (herein "Carlson") against ELM Locating and Utility Services. On September 23, 2011 Carlson amended his Complaint. He withdrew the complaint against ELM and substituted Centurylink dba Qwest Communications (herein "Qwest") as the defendant. On October 13, 2011 Qwest replied to the Complaint.

On October 28, 2011, pursuant to SDCL 49-7A-22 a panel of five One Call Board members (herein "Panel") convened. The Panel met to determine whether probable cause exists to believe the violation occurred as described in the complaint.

The Panel did not find probable cause exists to believe a violation occurred and recommended the Board dismiss this Complaint.

At its scheduled meeting of January 25, 2012, the South Dakota One Call Board, pursuant to SDCL 49-7A-27, reviewed the Panel's procedure and approved its findings.

THE ONE CALL BOARD OF SOUTH DAKOTA HEREBY ORDERS, the terms and conditions as recommended by the Panel as final resolution of this complaint. The Panel's findings are attached hereto and shall be considered and fully incorporated herein; and it is

FURTHER ORDERED this docket shall be dismissed and closed.

The South Dakota One-Call Notification Board has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-7A, specifically 49-7A-5, 49-7A-18, 49-7A-20, 49-7A-22, 49-7A-26.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list

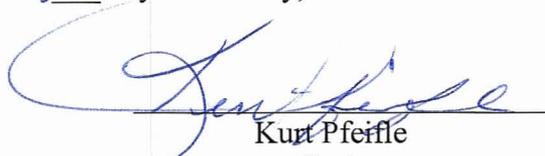

Larry L. Janes, Executive Director

Date 1-26-2012

BY ORDER OF THE SD ONE-CALL BOARD:

Dated at Fr. Pierre, South Dakota,

this 25th day of January, 2012


Kurt Pfeifle
Chairman