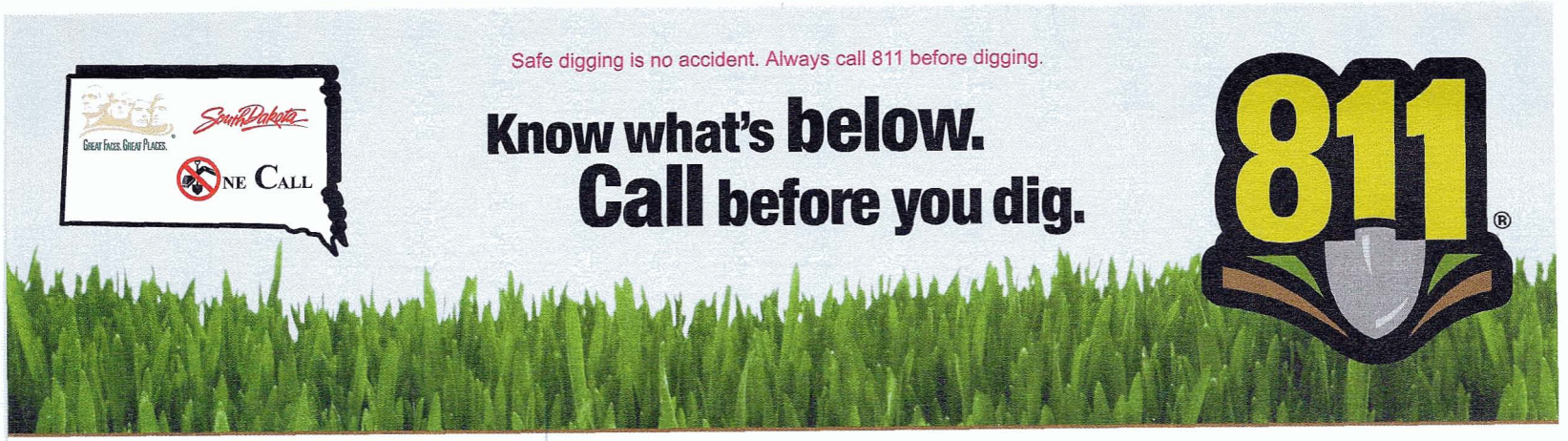

June 4, 2012

RCS Construction
2400 Commerce Rd.
PO Box 9337
Rapid City, SD 57702

Mr. Ron E. Blum
Montana-Dakota Utilties Co.
PO Box 1060
Rapid City, SD 57709

Please find attached a copy of the South Dakota One Call Enforcement Panel conference call Agenda scheduled for Tuesday June 18, 2012 at 10 AM Central Daylight Savings Time, 9 AM Mountain Daylight Savings Time. You are welcome to join the call, but as the Agenda states no comments will be taken from either party at this time. Only the written documentation provided by the complainant and the defendant will be considered, per SDCL 49-7A-25.

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

AGENDA

South Dakota One Call Notification Board
Enforcement Panel Conference Call

Monday, June 18, 2012
10:00 AM Central Daylight Savings Time, 9:00 AM Mountain Daylight Savings Time

The Enforcement Panel of the South Dakota One Call Board will consider each of the following South Dakota One Call Complaints:

OC12-006 In the Matter of the Complaint filed by the City of Pierre, SD against Sharpe Enterprises. On May 3, 2012 the City of Pierre, SD filed a South Dakota One Call Complaint alleging that Sharpe Enterprises started work on May 2, 2012 at 3800 Airport Road prior to the start date stated on the ticket. The complaint also alleges that all utilities had not been located and that work was being done using old marks under an expired ticket. Sharpe Enterprises did not respond to the Complaint.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Sharpe Enterprises violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC12-007 In the Matter of the Complaint filed by Montana-Dakota Utilities Co., against RCS Construction. On May 16, 2012, Montana-Dakota Utilities Co. filed a South Dakota One Call Complaint alleging that RCS Construction did not have valid locates at 3936 Canyon Lake Drive, Rapid City, SD, when working on March 25, 2012. RCS Construction responded on June 4, 2012 that the line had been previously marked and the marks were still visible. RCS Construction also provided a copy of locate request 120830288 prepared at 13:32 on March 23, 2012 and stated it had not been cleared before digging commenced on March 24, 2012. RCS Construction further stated that it appeared they pinched an unknown service line placed between the time of the original mark and the new ones and was 12" deep. A picture indicating the route of the old steel main and the new service line was provided. The MDU bill has been paid.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that RCS Construction violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

You are welcome to listen in to this call, however only the written information provided by the complainants and the written responses from the defendants will be considered per SDCL 49-7A-25. No comments from either party involved in the complaints will be taken during the call.

Note: Please call (605) 339-0529 at least 10 minutes prior to the call for call-in instructions. We have limited ports available on the conference bridge, so if you do plan to call in, please conference in on one line.

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