

December 12, 2012

Bob Andrews
L&B Excavating
47146 299th St.
Beresford, SD 57004

Mr. Mike Garry
Northern Natural Gas Company
47493 272nd St
PO Box 336
Harrisburg, SD 57032

Re: OC12-016 Northern Natural Gas Company against L&B Excavating

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on December 12, 2012, to determine whether there is probable cause to believe a One Call violation occurred in Complaint Docket OC12-016. 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 Notification 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 December 26, 2012 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 . 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.

Thank you.

Larry L. Janes
Executive Director
South Dakota One Call

**REQUEST FOR A HEARING
COMPLAINT OC12-016**

**I REJECT THE COMMITTEE RESOLUTION TO COMPLAINT OC12-016
AND REQUEST A HEARING.**

Signature – Bob Andrews, L&B Excavating

Date

**I REJECT THE COMMITTEE RESOLUTION TO COMPLAINT OC12-016
AND REQUEST A HEARING.**

Signature – Northern Natural Gas Company

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.**