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Call before you dig.**



June 20, 2013

Mr. Dale Schuelke  
PO Box 491  
Black Hawk, SD 57718

Please find attached, a copy of the South Dakota One Call Enforcement Panel conference call Agenda scheduled for Tuesday, July 2, 2013 at 10:00 am Central Time, 9:00 am Mountain Time. I would encourage you 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](mailto:exedir@sdonecall.com)

cc: Mr. Ron Blum via email

## AGENDA

### South Dakota One Call Notification Board Enforcement Panel Conference Call

Tuesday, July 2, 2013

10:00 AM Central Time, 9:00 AM Mountain Time

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

**OC13-006 -- In the Matter of the Complaint filed by Montana-Dakota Utilities Company (MDU), Rapid City, South Dakota against Highmark Inc. (Highmark), Black Hawk, South Dakota , for an incident occurring on May 6, 2013 at 14667 139<sup>th</sup> Place, Piedmont, South Dakota. This Complaint was Amended by MDU on June 5, 2013 to be filed against Dale Schuelke individually in place of Highmark Inc..**

On May 14, 2013 MDU filed a complaint against Highmark (amended to Dale Schuelke) alleging that Dale Schuelke dug without a locate ticket and damaged a 35 psi gas line. Mr. Schuelke responded on May 23, 2013 by stating that the work was not associated with his business. He was planting trees in his yard for himself, and that a locate request was not made. There has been no previous complaint filed against Mr. Schuelke.

**Today, shall the Enforcement Panel of the South Dakota One Call Notification Board accept the Amendment to OC13-006 naming Dale Schuelke as the defendant, and today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Dale Schuelke violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?**

**OC13-007 - In the Matter of the Complaint filed by the City of Volga (Volga), Volga, South Dakota against Meyer Drainage and Excavating (Meyer), Volga, South Dakota , for an incident occurring on May 16, 2013 at 404 Leeann, Volga, South Dakota.**

On May 17, 2013 Volga filed a complaint against Meyer alleging that Meyer damaged a high voltage cable with a backhoe and that locate marks were visible on the outer edges of the work site. Volga provided a locate ticket number, but did not submit a copy of the ticket as evidence. Meyer did not respond to the Complaint. There have been no previous complaints filed against Meyer.

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

Only the written information provided by the Complainant and the written response from the defendant will be considered per SDCL 49-7A-25. No comments from either party involved in the complaint will be taken during this 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.**

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