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

Know what's below.
Call before you dig.

July 10, 2013

Mr. John Teupel
Teupel Construction
PO Box 916
Spearfish, SD 57783

Please find attached, a copy of the South Dakota One Call Enforcement Panel conference call Agenda scheduled Tuesday, July 30, 2013 at 1:00 pm Central Time, 12:00 pm 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

cc: Mr. Ron Blum via email

**AGENDA**

**South Dakota One Call Notification Board**
**Enforcement Panel Conference Call**
**Tuesday, July 30, 2013**
**1:00 PM Central Time, 12:00 PM Mountain Time**

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

**OC13-008 -- In the Matter of the Complaint filed by Southeastern Electric Cooperative, Inc. (Southeastern), Alcester, South Dakota against Empire Construction (Empire), Sioux Falls, South Dakota , for an incident occurring on March 21, 2013 at 4604 S. Tribbey Trail, Sioux Falls, South Dakota.**

On June 12, 2013 Southeastern filed a complaint against Empire, alleging that Empire dug within 18" of a marked line and damaged a 7200 V power line and has not paid for damages. Empire had not yet responded at the time this Agenda was prepared. A complaint was filed in 2008 by Southeastern against Empire.

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

**OC13-009 - In the Matter of the Complaint filed by Montana-Dakota Utilities Co. (MDU), Rapid City, South Dakota against Teupel Construction (Teupel), Spearfish, South Dakota , for an incident occurring on May 11, 2013 at 410 Belleview Court, Spearfish, South Dakota.**

On June 27, 2013 MDU filed a complaint against Teupel alleging that Meyer damaged a 35 psi gas line when digging without a locate ticket. MDU provided a map and photo of the work area. Teupel had not yet responded at the time this Agenda was prepared. There have been no previous complaints filed against Teupel.

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

**OC13-0010 - In the Matter of the Complaint filed by NorthWestern Energy (NorthWestern), Huron, South Dakota against CenturyLink, Sioux Falls, South Dakota , for an incident occurring on June 27, 2013 at 1310 W 2nd St., Redfield, South Dakota.**

On June 28, 2013 NorthWestern filed a complaint against CenturyLink alleging that CenturyLink did not locate within the time period required in South Dakota Law. CenturyLink had not yet responded at the time this Agenda was prepared. Previous complaints have been filed against CenturyLink (Qwest), one in 2013 which was subsequently withdrawn, one in 2011, which was dismissed for lack of probable

cause, and one in 2005 for an inaccurate locate, in which it was determined that probable cause existed that a violation did occur.

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

**OC13-011 - In the Matter of the Complaint filed by Montana-Dakota Utilities Co. (MDU), Rapid City, South Dakota against Swiftec, Rapid City, South Dakota , for an incident occurring on June 24, 2013 at 4811 St. Martins Dr., Rapid City, South Dakota.**

On July 3, 2013 MDU filed a complaint against Swiftec alleging that Swiftec dug outside the locate area on a ticket and damaged a 30 psi gas line. MDU provided a locate ticket and pictures of the work area. Swiftec had not yet responded at the time this Agenda was prepared. There have been no previous complaints filed against Swiftec.

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

**OC13-012 - In the Matter of the Complaint filed by Montana-Dakota Utilities Co. (MDU), Rapid City, South Dakota against Swiftec, Rapid City, South Dakota , for an incident occurring on June 25, 2013 at 4811 St. Martins Dr., Rapid City, South Dakota.**

On July 3, 2013 MDU filed a complaint against Swiftec alleging that Swiftec dug outside the locate area on a ticket and damaged a 30 psi gas line. MDU provided a locate ticket and pictures of the work area. Swiftec had not yet responded at the time this Agenda was prepared. There has been one previous complaint filed against Swiftec.

**Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Swiftec 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.**

Larry L. Janes, Executive Director
South Dakota One Call
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