October 1, 2013

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

Mr. Lester Nies
Hood & Nies, P.C.
PO Box 759
109 Main St.
Spearfish, SD 57783

Attached is a copy of the October 10, 2013 South Dakota One Call Notification Board meeting agenda. You have received a copy of this due to pending South Dakota One Call Complaint Docket, OC13-009. This is a procedural action whereby the Board will accept the recommendation of the South Dakota One Call Enforcement Panel and issue an Order pursuant to the recommendation. Per SDCL 49-7A-27, "The board shall accept the recommendation of the panel unless either party requests a hearing". Neither party to this complaint docket requested a hearing.

If you have any questions, please do not hesitate to contact me.

Thank you.

Larry L. Janes
Executive Director
South Dakota One Call
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CC: Mr. Ron Blum, Montana-Dakota Utilities Co., via email

Meeting of the South Dakota One Call Notification Board

October 10, 2013 8:00 AM Central Daylight Savings Time
AmericInn – Walden Room
312 Island Drive
Ft. Pierre, SD

Board Members: Erin Hayes, Representing Community Antenna Television Systems, Chairman; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers, Vice Chairman; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Ed Anderson, Representing Rural Electric Cooperatives; Eugene Solseth, Representing Excavation Contractors; Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; John Ward, Representing Excavation Contractors; Kevin Kouba, Representing Investor-Owned Electric Utilities; Kurt Pfeifle, Representing Rural Water Systems; Todd Chambers, Representing Municipalities; Legal Counsel: Kristen Edwards; Executive Director: Larry Janes.

Agenda

1. Call to Order and Roll Call

2. Approval of Previous Minutes
   a. August 7, 2013 Board Meeting

3. Review and Approval of Financial Report
   a. Financial Summary including expenditure details for August 2013 through September 2013.

4. Operations
   a. KorPartners Performance Results
   b. Ticket volume history

5. Discussion by Dave Hausmann, South Dakota Department of Transportation, regarding placing name, depth, and type of buried facilities on Subsurface Utility Exploration – SUE survey flags and in construction plans.

6. Erin Hayes, John Ward, and Todd Chambers were appointed to the RFP Committee on May 22, 2013. The RFP Committee met on September 24, 2013 with several companies interested in the operation of the One Call Center for South Dakota, pursuant to SDCL 5-18A-7(5). Today the Committee will present its recommendation to the South Dakota One Call Board. The Board may go into Executive Session, if and only according to SDCL 1-25-2. Time in and Out of Executive Session will be recorded.

7. Discussion regarding white lining. Today does the Board wish to pursue legislation to require mandatory white lining?

8. During the August 7, 2013 Board Meeting there was discussion suggesting the Board pursue changing the name of South Dakota One Call to South Dakota 811. Today does the Board wish to pursue legislation to remove all references of South Dakota One Call in SDCL Chapter 49 – 7A and Article 20:25 of the Administrative Rules to South Dakota 811?

9. MidAmerican Energy is considering a change in South Dakota One Call law, which would allow digging in emergency situations before locates are complete. Today, shall the Board consider support of this type of legislative change?

10. Executive Director Report Items
    a. OC13-008, Southeastern Electric Cooperative, Inc. against Empire Construction. Southeastern Electric requested the complaint be withdrawn. Today shall the One Call Board accept the recommendation of the Enforcement Panel to allow the complaint to be withdrawn?
    b. OC13-009, Montana-Dakota Utilities Company against Teupel Construction. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    c. OC13-010, NorthWestern Energy against CentuyLink. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    d. OC13-011, Montana-Dakota Utilities Company against Swiftec. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    e. OC13-012, Montana-Dakota Utilities Company against Swiftec. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    f. OC13-013, MidAmerican Energy Company against Sterling Lonestar. The Enforcement Panel found that the complaint was not filed within ninety days of discovery of the violation, therefore, it voted unanimously to recommend dismissal of the complaint. Today shall the One Call Board accept the recommendation of the Enforcement Panel to dismiss the Complaint?
    g. OC13-014. MidAmerican Energy Company against Select Builders. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    h. OC13-015, NorthWestern Energy against CenturyLink. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    i. OC13-016, NorthWestern Energy against CenturyLink. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    j. OC13-017, NorthWestern Energy against CenturyLink. Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    K. OC13-018, NorthWestern Energy against Cleary Building Corp.Today shall the One Call Board accept the recommendation of the Enforcement Panel and shall the One Call Board close the Docket and shall the Board pursue collection activity if the requirements are not met?
    l. Today, shall the One Call Board approve hosting a Legislative Breakfast on Thursday, February 20, 2014 from 7:00 AM to 10:00 AM?

11. General Discussion.

12. Motion to adjourn.

ANNOUNCEMENTS:

Next Board Meeting will be by conference call on October 17, 2013.

Dinner will be held at the Cattlemen's Club, 29608 SD Hwy 34 at 5:30 PM on October 9, 2013 for members of the South Dakota One Call Board.

Materials presented at this meeting are available by contacting the Executive Director in writing at exedir@sdonecall.com or by calling (605) 339-0529.