

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE COMPLAINT FILED BY)
MIDAMERICAN ENERGY COMPANY,)
URBANDALE, IOWA, AGAINST STONE HILL)
CONSTRUCTION, INC., SIOUX FALLS, SOUTH)
DAKOTA, FOR AN INCIDENT OCCURRING ON)
AUGUST 6, 2013, AT 304 W. 3RD ST.,)
WORTHING, S.D.)**

**ORDER TO BRING
CIVIL ACTION**

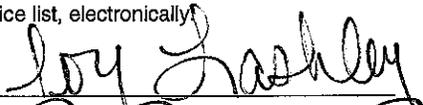
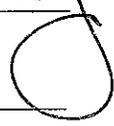
OC13-028

On November 4, 2013, MidAmerican Energy Company filed a complaint against Stone Hill Construction, Inc. (Stone Hill) alleging that Stone Hill damaged a 48 psi gas line on August 6, 2013, while excavating under a locate ticket that had expired on July 29, 2013. Stone Hill did not respond to the Complaint. The One Call Enforcement Panel met on December 18, 2013, and determined that probable cause existed to believe that a violation occurred. The Panel recommended a penalty of \$750.00 with \$250.00 suspended based upon certain conditions. Stone Hill did not contest the recommendation. On February 21, 2014, the One Call Board issued an Order Adopting the Enforcement Panel Recommendation and to Pursue Collection Action if Necessary. Stone Hill failed to make payment of any portion of the penalty or satisfy the conditions of suspension. Therefore, \$750.00 became due and owing on April 2, 2014. On June 24, 2014, a demand letter was sent to Stone Hill pursuant to SDCL 49-7A-33.

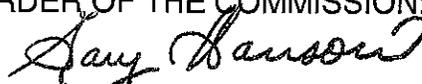
The Commission has jurisdiction over this matter pursuant to SDCL 49-7A-28. At its regular meeting on September 2, 2014, the Commission voted unanimously to bring an action to recover the penalty of \$750.00 as ordered by the Board. It is therefore

ORDERED, that an action be brought in the name of the State of South Dakota to recover the One Call penalty of Seven Hundred Fifty Dollars (\$750.00) as ordered by the Board.

Dated at Pierre, South Dakota, this 9th day of September, 2014.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.	
By:	
Date:	<u>9.9.14</u> 
(OFFICIAL SEAL)	

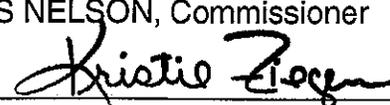
BY ORDER OF THE COMMISSION:



GARY HANSON, Chairman



CHRIS NELSON, Commissioner



KRISTIE FIEGEN, Commissioner