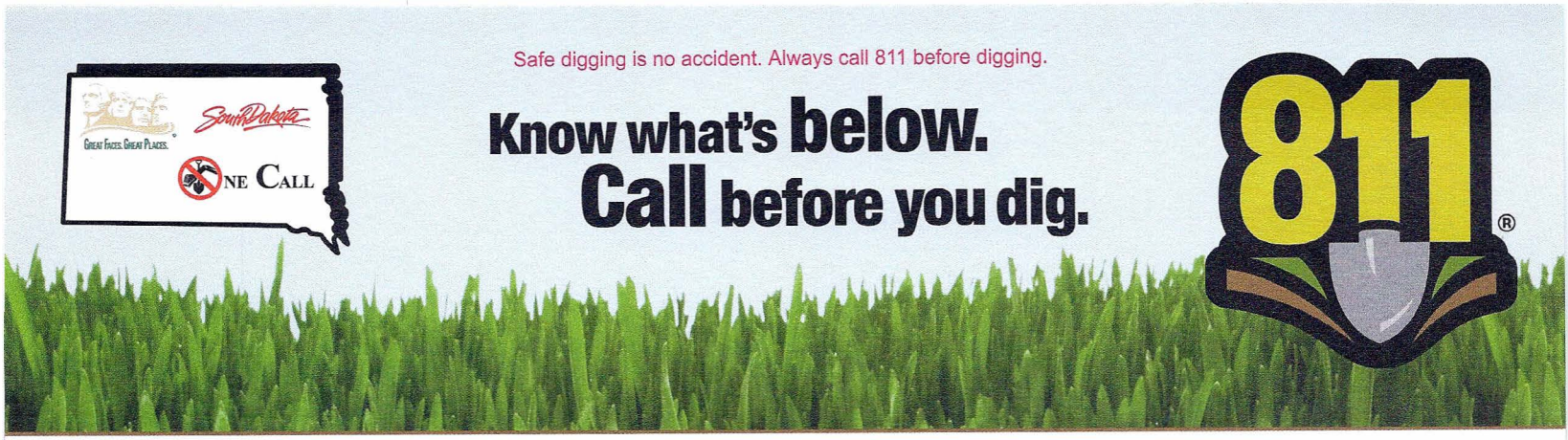


December 18, 2013

Jim Witt, P.E.
RCS Construction
2400 Commerce Rd.
PO Box 9337
Rapid City, SD 57702

Mr. Wade Jutila
Montana-Dakota Utilities Co.
PO Box 1060.
Rapid City, SD 57709

**Re: OC13-029 Montana-Dakota Utilities Co. against RCS Construction**

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on December 18, 2013 to determine whether there is probable cause to believe a One Call violation occurred in each of the One Call Complaint Dockets. 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 be represented by legal counsel at the time you 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 you must return the signed and dated form prior to the close of business on January 7, 2014 to:**

South Dakota One Call Notification Board
c/o Public Utilitiies 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.

Larry L. Janes
Executive Director
South Dakota One Call