

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



**Know what's below.
Call before you dig.**



January 31, 2014

Mr. Daene Boomsma
Professional Excavating
5340 Pine Tree Dr.
Rapid City, SD 57702

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

Re: OC13-032 Montana-Dakota Utilities Co. against Heavy Constructors, Inc.

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on January 31, 2014 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 February 20, 2014 to:

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

A handwritten signature in blue ink, appearing to read "Larry L. Janes".

Larry L. Janes
Executive Director
South Dakota One Call