

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



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



May 21, 2014

Warax Excavating, Inc.  
295 Country Rd.  
Rapid City, SD 57701

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

**Re: OC14-008 Montana-Dakota Utilities Co. against .**

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on May 20, 2014 to determine whether there is probable cause to believe a One Call violation occurred in Complaint Docket OC14-008. 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 June 10, 2014:**

South Dakota One Call Notification Board  
c/o Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

Please 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](mailto: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