

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



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



## AGENDA

### South Dakota One Call Notification Board Enforcement Panel Conference Call

Location: Mid-Dakota Rural Water System, Inc.  
608 W 14<sup>th</sup> Street, Miller SD (Conference Room)

Thursday, June 26, 2014  
2:00 PM Central Time, 1:00 PM Mountain Time

The Enforcement Panel of the South Dakota One Call Board will meet to consider the following South Dakota One Call Complaints:

**OC14-005 - In the Matter of the Complaint Filed by Montana-Dakota Utilities Co. (MDU), Rapid City, South Dakota, Against Al Sutton Electric (Sutton), Rapid City, South Dakota, for an Incident Occurring on February 25, 2014, at 2017 E. Hwy 44, Rapid City, S.D.**

On April 9, 2014, Montana-Dakota Utilities Company filed a complaint alleging that Sutton dug without a locate request and damaged a 40 psi gas line.

As of June 16, 2014, Sutton has not responded to the complaint.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Al Sutton Electric violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

**OC14-009 - In the Matter of the Complaint Filed by South Dakota Network dba SDN Communications (SDN), Sioux Falls, South Dakota, Against First Rate Excavate (First Rate), Sioux Falls, South Dakota, for an Incident Occurring on September 12, 2013, at 2800 W. 41st St., Sioux Falls, S.D.**

On May 14, 2014, SDN filed a complaint alleging that First Rate damaged a fiber optic line on September 12, 2013, while working underneath an exposed duct work.

First Rate disputed SDN's claim on May 19, 2014, by stating that the line was mismarked, and that First Rate's excavator was working above the line, not underneath it when it was damaged.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that First Rate Excavate violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed

**OC14-010 - In the Matter of the Complaint Filed by MidAmerican Energy Company (MidAmerican), Urbandale, Iowa, Against Hodkinson Construction (Hodkinson), Sioux Falls, South Dakota, for an Incident Occurring on April 25, 2014, at 511 and 515 S. Second Ave., Sioux Falls, S.D.**

On June 3, 2014, MidAmerican filed a complaint alleging that Hodkinson intentionally cut the gas services on April 25, 2014, coiled them up, removed the gas meters, put vise grips on one service to attempt to stop the flow of gas, and then buried the services.

Hodkinson responded on June 16, 2014 by stating that a request had been made to MidAmerican to terminate and cap the gas lines on all of the unoccupied houses on the block, which were to be razed.

Today, shall the Enforcement Panel of the South Dakota One Call Notification Board find that there is probable cause that Hodkinson Construction violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

**Only the written information provided by the Complainant and the written response from the Defendant will be considered in making the probable cause determination, per SDCL 49-7A-25. No comments from either party involved in the complaint will be taken during this call.**

**Note: Please call (605) 339-0529 at least 10 minutes prior to the call for call-in instructions. We have limited ports available on the conference bridge, so if you do plan to call in, please conference in on one line.**