

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



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



August 6, 2014

Mr. Kevin R. Buehner
Action Electric
5200 W. 9th St.
Sioux Falls, SD 57107

Mr. Merlin Smith
CenturyLink
312 S. Cliff Ave.
Sioux Falls, SD 57103

Re: OC14-014 CenturyLink against Action Electric.

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on July 30, 2014 to determine whether there is probable cause to believe a One Call violation occurred in Complaint Docket OC14-014. 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 August 26, 2014:

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.



Larry L. Janes
Executive Director
South Dakota One Call