BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE COMPLAINT FILED BY TRIOTEL COMMUNICATIONS, SALEM, SOUTH DAKOTA, AGAINST TWEDT CONSTRUCTION, MONTROSE, SOUTH DAKOTA, FOR AN INCIDENT OCCURRING ON MARCH 5, 2015, AT 630 E, ESSEX AVE., SALEM, S.D.	)))))))	ENFORCEMENT PANEL RECOMMENDATION TO THE SD ONE CALL BOARD OC15-006

On March 6, 2015, the South Dakota Public Utilities Commission received a complaint from TrioTel Communications of Salem, South Dakota against Twedt Construction (Respondent) of Montrose, South Dakota. The complaint alleges that on or about March 5, 2015, Respondent engaged in excavation without first obtaining a locate ticket.

A copy of the complaint was sent to Respondent on March 6, 2015. Respondent filed an answer to the complaint on March 25, 2015. On March 23, 2015, TrioTel Communications filed a request to withdraw the complaint.

On June 1, 2015, pursuant to SDCL 49-7A-22 a panel of five One Call Board members (herein "Panel") convened. The Panel voted to grant the request to withdraw the complaint.

The Panel recommends the South Dakota One Call Board accept its findings and recommendations herein. If either party to this Complaint disagrees or objects to the recommendations or findings herein, a hearing may be requested. To request a hearing a party must reply within twenty days from the date of service of this notice. Failure to request a hearing is considered acceptance of the recommendations and findings herein.

The South Dakota One-Call Notification Board has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-7A and ARSD 20:25.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile by first class mail, or by other electronic means.

Larry L. Janes, Executive Director

Date June 1, 2015