

# FORM 5, BFM 50.10

(NOTE: A copy of this form may be obtained from the Bureau of Finance and Management. If your rules have a negative fiscal impact on a local government, such as a county or a school district, you must direct the Bureau of Finance and Management to send a copy of its fiscal note to the organizations listed in SDCL 1-26-4.2.)

**ADMINISTRATIVE PROCEDURES ACT  
FISCAL NOTE  
Prepared by Submitting Agency**

	CODE	NAME
<b>DEPARTMENT</b>	26	Public Utilities Commission
<b>DIVISION</b>		
<b>PROGRAM</b>	261066	One-Call Notification Board

**PROPOSED RULES:** 20:25:01:01, 20:25:03:01, 20:25:03:03, 20:25:03:04, 20:25:03:04.01, 20:25:03:04.02, 20:25:03:05 and 20:25:03:07

Hearing Date: October 23, 2007

**FISCAL IMPACT STATEMENT:**

Brief description of fiscal impact; (Example: Pursuant to 1-26-402, these rules have minimal impact to all entities. No additional staffing or resources are needed.) There is no impact on state or local governments. For small businesses that appear before the Commission, some rules will result in decreased costs and some rules will result in increased costs. This is explained in more detail below.

**FISCAL NOTE SUMMARY:**

List state agencies of local governmental subdivisions affected.

**COST INCREASES (DECREASES)**

State Agencies:	First-Year Impact	Continuous-Yearly Impact
	0	0
<b>TOTAL</b>	0	0
Local Subdivisions:	First-Year Impact	Continuous-Yearly Impact
	0	0
<b>TOTAL</b>	0	0
Small Business Increases (Decreases)	First-Year Impact	Continuous-Yearly Impact
<b>TOTAL</b>	0	0

**REVENUE INCREASES (DECREASES)**

Revenue Increases (Decreases) State, Local & Small Business:	First-Year Impact	Continuous-Yearly Impact
	0	0
	0	0
<b>TOTAL</b>	0	0

APPROVED

*Jerry C. Schneider*  
Signature Department Secretary or Board or Commission Chairman

DATE

*Sept. 10<sup>th</sup> - 07*

**ATTACH:** Copy of proposed rules; separate sections for: 1) explanation of rules effect, i.e. what procedures, schedules, activities, etc. will change with its adoption 2) statistics used, and their source, 3) assumptions that were made to arrive at fiscal impact, 4) computations that were made, and 5) small business impact statement

## EXPLANATION OF RULES EFFECT

The South Dakota One-Call Notification Board will hold a public hearing in Room 413, 4<sup>th</sup> Floor, State Capitol, Pierre, South Dakota, on October 23, 2007, at 1:00 p.m., to consider the adoption and amendment of proposed rules numbered:

20:25:01:01, 20:25:03:01, 20:25:03:03, 20:25:03:04, 20:25:03:04.01, 20:25:03:04.02, 20:25:03:05 and 20:25:03:07

The One-Call Notification Board is responsible for administering the one-call notification system for the location of underground facilities. It proposes modifications to existing rules.

The effects of the proposed rules changes are as follows:

In section 20:25:01:01, the language is updated for Routine Locate requests to reflect the technological changes in processing these requests, language is updated for Routine Locate requests to reflect recent changes in the statute and language has been added to define Service Lateral which is addressed in 20:25:03:05.

In section 20:25:03:01, language is updated to clarify the method of input for facility operator information and changes the approval process from the vendor operating the Center to the South Dakota One Call Notification Board; language is updated to clarify that the facility operator must accept notification of excavations from the center; and language is added to require all underground facilities installed after January 1, 2008, must be locatable within eighteen inches, horizontally, from the exterior sides of the marked facility.

In section 20:25:03:03, language has been added to clarify the period in which the billing for a ticket transmission may be disputed.

In section 20:25:03:04, language has been added that allows for the use of mile marker references on state and federal highways to be used as a means to identify the location of the excavation site when initiating a routine locate request.

In section 20:25:03:04.01, language has been added that allows for the use of mile marker references on state and federal highways to be used as a means to identify the location of the excavation site when initiating a planned excavation locate request.

In section 20:25:03:04.02, language has been added that allows for the use of mile marker references on state and federal highways to be used as a means to identify the location of the excavation site when initiating an informational locate request.

In section 20:25:03:05, language has been added that establishes minimum marking standards for all underground facilities and specific standards for marking service laterals on all underground facilities.

In section 20:25:03:07, language has been added to clarify the processes and procedures of the vendor operating the one-call system to insure that the rules reflect the technologies currently available from the one-call system.

The reasons for the proposed rule changes are to improve the efficiencies of the South Dakota One Call System by clarifying and modifying the Administrative Rules that have been identified by the users of the system as requiring improvement.

There are no fiscal impacts on state agencies or local governmental subdivisions.