

**BEFORE THE SOUTH DAKOTA ONE CALL NOTIFICATION BOARD**

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**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 ESSEX AVE., SALEM, S.D. )**

**OC15-006**

**ORDER ADOPTING  
ENFORCEMENT PANEL  
RECOMMENDATION AND  
DISMISSING COMPLAINT**

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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. 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.

At its regularly scheduled meeting on August 19, 2015, the South Dakota One Call Board, pursuant to 49-7A-27, reviewed the Panel's recommendation.

It is therefore:

ORDERED, that the South Dakota One Call Board adopts the recommendations of the Panel as a final resolution of this complaint. The Panel's findings are attached hereto and shall be considered fully incorporated herein; it is further

ORDERED, that the Complaint is dismissed.

The South Dakota One-Call Notification Board has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-7A, specifically SDCL 49-7A-5, 49-7A-18, 49-7A-20, 49-7A-22, and 49-7A-26.

**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 August 28, 2015

BY ORDER OF THE SD ONE-CALL BOARD:

Dated at Sioux Falls, South Dakota  
This 20<sup>th</sup> day of August, 2015

  
Dan Kaiser, Chairman