November 24, 2015

Corey and Britt Samson
904 E 70th St
Sioux Falls, SD 57108

Jason Wright
First Rate Excavate
1509 E 39th St
Sioux Falls, SD 57104

Re: OC15-009, Corey and Brit Samson against First Rate Excavate

Under the authority granted by SDCL-49-7A-22, the Enforcement Panel of the South Dakota One Call Notification Board met on November 24, 2015 to determine whether there is probable cause to believe a One Call violation occurred in Complaint Docket OC14-013. 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 December 14, 2015:

South Dakota One Call Notification Board
c/o Public Utilitiies 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