

Robert A. Suchor
New Wave Builders
126 Pine Haven Road
Pine Haven, WY 82721

Larry Janes
Executive Director
South Dakota One Call/ South Dakota 811

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In regards to the complaint filed by MDU against my construction company, New Wave Builders, I would like to register my response.

After the incident, I interviewed my employee, David Schrock, the person who actually damaged the gas line. David showed me where the public utility from MDU ran across private property and it was not in a utility easement. Mr. Schrock was attempting to locate the 2x4 stake that the sewer installers left. It was not sticking above the ground as it normally would be. The developer extended the sewer and water services into the private property and it should have been easy to locate by a marker. Typically, electrical and gas services would have been installed between the property pins and the street. MDU had installed their main service in this subdivision outside of any designated easement and instead ran it directly across the future home owner's private property, well off of the designated easement. When the gas line was installed, MDU trenched "through" the end of the sewer and water services on private land and subsequently displaced the markers. Mr. Schrock was attempting to locate those markers to insure the design of the home for this lot would facilitate that location.

The location where this occurred is a project under development. There are no residents and the subdivision has no final plat. There is dirt work occurring all over the site including curb and gutter installation and other utilities.

Please feel free to contact me with any further questions at 307-756-2516

Robert A. Suchor
General Contractor
New Wave Builders

Attachments: 1) Plat map for subdivision with marker showing breach 2) Pictures of the location where breach occurred.