

TO: SOUTH DAKOTA ONE CALL NOTIFICATION BOARD

FROM: LANDSCAPE GARDEN CENTERS

DATE: JUNE 19TH, 2007

RE: ANSWER TO COMPLAINT

RECEIVED

JUN 28 2007

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

In the matter of the Complaint OC07-005 filed by Kaneb Pipeline Operating Partnership, L. P. against Landscape Garden Centers, regarding a failure to provide notification of proposed excavation as required by SDCL 49-7A-5.

We have received a notice of complaint from South Dakota One Call dated June 12, 2007. We also spoke with Kurt Grafing, a Kaneb representative, on the date of the incident. Landscape Garden Centers has been installing landscaping and irrigation systems in Garden Village: the development where the incident occurred. We had called in a One Call ticket, but it expired before we trenched over Kaneb's pipeline. This was not done out of contempt or disrespect for the law. This was a serious oversight by Landscape Garden Centers management.

I personally apologize for the inconvenience that this has caused, and I understand the potentially dangerous situation that was possible because of this incident. We are taking measures to ensure that this does not happen again, including additional training during our weekly safety meetings. As the owner of a business that has operated in Sioux Falls for over thirty years, I appreciate the intensity and passion that Kaneb and its representatives have for the well being of our employees and the public.

Sincerely,



Erik Helland, owner



**LANDSCAPE
GARDEN CENTERS**

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