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April 7, 2021

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Mr. Marcus Christensen
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RE: OC20-065 Hearing: May 4th, 2021, at 11:30 a.m.
MAGT File: 7525

Dear Mr. Christensen, and Mr. Stuen,

My previous letter misrepresented which party requested an evidentiary hearing. Mr. Stuen d/b/a Stuen Construction requested an evidentiary hearing in One Call Docket 20-065. As a result, and pursuant to the applicable South Dakota statutes, the One Call Board will conduct a contested case administrative hearing. A representative from the Office of Hearing Examiners will operate as hearing examiner for this hearing.

The hearing examiner will direct the process and make procedural and evidentiary rulings. The One Call Board members will hear the evidence presented at that hearing and then enter an Order based upon the record created at the hearing. The issue for consideration by the One Call Board at the hearing will be whether Mr. Stuen d/b/a Stuen Construction violated any statute or rule of the board, and, if so, whether any penalties shall be imposed.

The hearing is an evidentiary proceeding, and you are entitled to be represented by an attorney.

You must offer any photos or other documents you have as evidence at the hearing. I realize you may have previously filed these documents with the One Call Board. However, you need to be prepared to present them at the hearing. You must have enough copies for all board members and the hearing examiner (12 copies). You must verbally present your case at the hearing.

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Again, I realize you presented this information in writing previously. However, you must do so verbally at the evidentiary hearing. The opposing party and the One Call Board have the right to cross examination.

The hearing will take place via Zoom on May 4th, 2021, at 11:30 a.m.

Please see the attached Notice of Hearing for additional information. While I am not able to speak with you about the facts of the case, please do not hesitate to contact me if you have any procedural questions.

Very truly yours,

MAY, ADAM, GERDES & THOMPSON LLP



CODY L HONEYWELL
CLH/esg

CC: Larry Janes, One Call Executive Director
Codi Gregg, One Call Deputy Director