

August 15, 2017 Final Approved Minutes Circulated November 16, 2017

Ft. Pierre Holiday Inn Express  
110 East Stanley Road  
Ft. Pierre, SD

1. Chairman John Ward opened the meeting with a call to order and Roll Call at 8:02AM.

Board Members in attendance: Chairman, John Ward, Representing Excavation Contractors; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Kurt Pfeifle, Representing Rural Water Systems; Todd Chambers, Representing Municipalities; Legal Counsel: Amanda Reiss; Executive Director: Larry Janes, Executive Assistant: Codi Gregg.

Ed Anderson, Representing Rural Electric Cooperatives attended by conference call.

Board Members unable to attend: Vice Chairman, Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; Erin Hayes, Representing Community Antenna Television Systems; Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Kevin Kouba, Representing Investor-Owned Electric Utilities; Loren Beld, Representing Excavation Contractors.

Others in Attendance: Scott Sasajima, Texas 811; Rich Ferguson, USIC; Jim Wedin, Centurylink.

2. A motion to approve the July 13, 2017 One Call Board Minutes was made by Dan Kaiser and seconded by Kurt Pfeifle. **Motion carried unanimously by a roll call vote.**
3. Executive Director Report Item
  - a. After reviewing the Financial Summary including expenditure details for May 2017 through July 2017. A motion was made by Bleau LaFave to approve the financial reports, seconded by John Ward. **Motion carried unanimously by a roll call vote.**
    - i. Reviewed the Grant balances. There has not been a response on the Grant application to date.
  - b. Operations — Texas 811 Performance Results through June 2017. Reviewed the

- a. Ticket volume history was reviewed. The incoming and outgoing ticket counts are slightly higher than this time last year. As of the July report, there were 89,551 incoming tickets, with 501,297 outgoing tickets.
- b. Ratio Outgoing to Incoming Tickets was reviewed. 2014 showed 5.99%, 2017 to date is 5.57%.
- c. Electronic Ticketing through the end of July is 59%.
- d. Dispatched Tickets by Type were reviewed. There have been 520 damage tickets called in with 164 without a previous locate request.

- c. South Dakota One Call Enforcement: The Enforcement Panel of the South Dakota One Call Board, met on June 16, 2017 and made recommendations to the Board regarding disposition of on the following Complaints:

OC16-011 — In the Matter of the Complaint filed by Northern Natural Gas (Northern), Omaha, Nebraska against Ernest Fryer (Fryer), Hartford, South Dakota for an incident occurring on November 5, 2016 at Minnehaha County — Aberdeen Mainline M471B at MP81.51. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OC16-012 — In the Matter of the Complaint filed by David A Geyer, Esq, on behalf of Mr. and Mrs. Bartz (Geyer), Sisseton, South Dakota against Dakota Fence (Dakota), Fargo, North Dakota, for an incident occurring on October 3, 2016 at 12924 Zach Road, Browns Valley, Minnesota. This is considered in South Dakota. Today shall the One Call Board accept the Recommendation of the Enforcement Panel to dismiss the complaint and close the Docket?

OCI 7-001 — In the matter of the Complaint filed by Davison Rural Water (Davison), Mitchell, South Dakota against Drake Underground, LLC. (Drake), Fond du Lac, Wisconsin for an incident occurring December 3, 2016 at the intersection of 406<sup>th</sup> Avenue and 254<sup>th</sup> Street in Letcher, South Dakota. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OC17-002 In the matter of the Complaint filed by Larson Digging, Inc. (Larson) Iroquois, South Dakota against Spilde Electric (Spilde), Arlington, South Dakota, for an incident occurring April 3, 2017 at Highway 14 and 453<sup>rd</sup> Avenue in Arlington. Today shall the One Call Board accept the Recommendation of the Enforcement Panel to dismiss the Complaint and close the Docket?

OCI 7-003 — In the matter of the Complaint filed by NorthWestern Energy (NorthWestern), Huron, South Dakota against Webster Scale, Inc. (Webster), Webster, South Dakota, for an incident occurring April 21, 2017 at the intersection of Hwy 12 and Hwy 37 in Groton. Today

shall the One Call Board accept the Recommendation of the Enforcement Panel to dismiss the Complaint and close the Docket?

After review, Dan Kaiser made a motion to accept and approve the Enforcement Panel Recommendations in Complaint Dockets OC16-011, OC16-012, OC17-001, OC17-002, and OC17-003. Bleau LaFave seconded the motion. **Motion carried unanimously upon a roll call vote.**

OCI 7-004 — In the matter of the Complaint filed by Watertown Municipal Utilities (Watertown), Watertown, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring May 16, 2017 at 1301 3<sup>rd</sup> Street NE in Watertown. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OCI 7-005 — In the matter of the Complaint filed by Watertown Municipal Utilities (Watertown), Watertown, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring May 16, 2017 at 1313 17<sup>th</sup> Street NE in Watertown. Today shall the One Call Board accept the recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OC17-006 — In the matter of the Complaint filed by Midco (Midco), Sioux Falls, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring May 16, 2017 at 151 18<sup>th</sup> Avenue SW in Watertown. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OC17-007 — In the matter of the Complaint filed by Midco (Midco), Sioux Falls, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring May 16, 2017 at 517 C Avenue NE in Watertown. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OC17-008 — In the matter of the Complaint filed by Midco (Midco), Sioux Falls, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring May 16, 2017 at 1913 10<sup>th</sup> Avenue SW in Watertown. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

OC17-009 — In the matter of the Complaint filed by Midco (Midco), Sioux Falls, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring May 16, 2017 at 3425 13<sup>th</sup> Avenue SW in Watertown. Today shall the One Call Board accept the Recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the requirements are not met?

A motion was made by Kurt Pfeifle to defer the Recommendations of the Enforcement Panel Complaint Dockets OC17-004, OC17-005, OC17-006, OC17-007, OC17-008, and OC17-009 of the recommendation per Statute 49-7A-27, The motion was seconded by Dan Kaiser. **Motion carried upon a roll call vote.**

4. General Discussion:

- a. Discussion regarding PHMSA enforcement evaluation. The PUC and South Dakota One Call are reviewing the evaluation and potential changes.
- b. Discussion regarding Cheyenne River Sioux Telephone Authority and enforcement of tribal law.
- c. One Call Enforcement Panel Schedule, 2 PM Central Time (1 PM Mountain Time) last Thursday of each month, when necessary.

d. One Call Board Meeting Schedule

Tuesday, August 15, 2017, 8 AM - Board Meeting

Tuesday, November 14, 2017, 8 AM - Board Meeting

**Discussion of future dates:**

February 2018 - To Be Determined.

May 15, 2018, (Tuesday) - 8 AM

August 14, 2018 (Tuesday) - 8 AM

November 14, 2018 (Wednesday), 8 am — Nov 12<sup>th</sup> is Veteran's Day Observed.

e. Other discussion items

Legislative Breakfast

Texas Summit — February 12<sup>th</sup> — 14<sup>th</sup>, San Marcos, Texas

CGA - March 6<sup>th</sup> - 8<sup>th</sup>, Phoenix, Az.

5. John Ward made a motion to adjourn, seconded by Dan Kaiser.

Materials presented at this meeting are available on the South Dakota 811 website [www.SD811.com](http://www.SD811.com) as well as the South Dakota Boards and Commissions website at <http://boardsandcommissions.sd.gov/>. Minutes were prepared by Codi Gregg, Deputy Director, South Dakota One Call. Please contact Codi with any questions at (605) 863-0951.