

AGENDA

South Dakota One Call Notification Board Enforcement Panel Conference Call

Location: Heavy Constructors
4101 Deadwood Avenue, North
Rapid City, South Dakota

Thursday, July 27, 2017 at 2:00 PM Central Time (1:00PM Mountain)

OC17-010 – 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 27, 2017 at 2302 10th Avenue, SW in Watertown, South Dakota.

On June 1, 2017, Midco filed a complaint alleging Underground failed to expose marked utilities.

The response deadline for Underground is June 22, 2017. Underground responded June 14, 2017. Underground responded by stating this was a clerical error.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause Underground violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC17-011 – In the matter of the Complaint filed by Midco (Midco), Sioux Falls, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring June 1, 2017 at 424 2nd Street SW in Watertown, South Dakota.

On June 1, 2017, Midco filed a complaint alleging Underground failed to expose marked utilities.

The response deadline for Underground is June 22, 2017. Underground responded June 14, 2017. Underground responded by stating this was a clerical error.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause Underground violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC17-013 – In the matter of the Complaint filed by Lincoln County Rural Water System (Lincoln), Harrisburg, South Dakota against Elliot Construction (Elliot), Yankton, South Dakota for an incident occurring June 5, 2017 at 473rd Avenue and 271st Street in Sioux Falls, South Dakota.

On June 9, 2017, Lincoln filed a complaint alleging Elliot damaged utilities while boring.

The response deadline for Elliot was June 29, 2017. Elliot responded on June 28, 2017. Elliot responded potholing was done, but the waterline was mismarked by five to six feet along the entire area.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause Elliot violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC17-014 Will be discussed on the August 2017 South Dakota Enforcement Panel Agenda.

OC17-015 – In the matter of the Complaint filed by West River Cooperative Telephone Company (West River), Bison, South Dakota against North Star Construction (North Star), Spearfish, South Dakota for an incident occurring March 28, 2017 at 106 north Hwy 12, McIntosh, South Dakota.

On June 14, 2017, West River filed a complaint alleging North Star excavated within 18 horizontal inches of a marked facility.

The response deadline for North Star was July 5, 2017. North Star responded on June 21, 2017. North Star responded by stating they did extensive hand work prior to using the excavator to locate the lines.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause North Star violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC17-016 will be discussed on the August 2017 South Dakota Enforcement Panel Agenda.

OC17-017 – In the matter of the Complaint filed by Ryan White (White), Brookings, South Dakota against the City of Volga (Volga), Volga, South Dakota for an incident occurring July 5, 2017 at 101 Edman Avenue in Volga, South Dakota.

On July 5, 2017, White filed a complaint alleging Volga failed to locate within 48 hours.

The response deadline for Volga was July 26, 2017. Volga responded on July 10, 2017. Volga responded by stating it accepts full responsibility for the locate not being completed on time.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause Volga violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

Please note: This is a legal proceeding and only written information provided by the Complainants and the written response from the Defendants will be considered per SDCL 49-7A-25. No comments from the parties involved in the complaints will be taken during this call.

Note: Please call (605) 863-0951 at least 10 minutes prior to the call for call-in instructions. We have limited ports available on the conference bridge, so if you do plan to call in, we ask that you conference in on one line.