

Meeting of the South Dakota One Call Notification Board

EVIDENTIARY HEARINGS

MAY 4, 2021, Starting at 8:30AM CT

On-Line Conference Call Hosted by ZOOM

Instructions to Join a Meeting with zoom.com:

1. Download the ZOOM app to your computer, tablet or phone.
2. At zoom.com, go to Join a Meeting.
3. Enter the code from the emailed invitation.
4. If you did not receive the code, email deputydirector@sd811.com to request the meeting code.
5. Once there, click join.
6. Join with Computer Audio. You will be asked to test your microphone. Please take a minute to test the volume prior to the meeting. If you have downloaded the app, this will save your selections and the volume test will be a one and done interruption.
7. You should now be in the web meeting.

CONTACT: deputydirector@sd811.com or call 605-863-09521 least 10 minutes before the meeting if you experience problems accessing the call. DUE TO THE OUTBREAK OF THE CORONAVIRUS, WHILE PRACTICING SOCIAL DISTANCING THERE IS NOT A MEETING LOCATION TO ATTEND IN PERSON.

Board Members: Chairman, Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; Vice Chairman, Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Jim Scull, representing Excavation Contractors; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Steve Mohr, Representing Community Antenna Television Systems; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Ed Anderson, Representing Rural Electric Cooperatives; Kevin Kouba, Representing Investor-Owned Electric Utilities; Lloyd Rave, Representing Rural Water Systems; Mark Meier, Representing Municipalities; Loren Beld, Representing Excavation Contractors;

Also, Brett Koenecke, Legal Counsel; Executive Director, Larry Janes; Deputy Director, Codi Gregg.

AGENDA

1. Call to Order and Roll Call.

2. Hearings as requested:

This hearing is scheduled from 8:30AM to 10:45AM CT:

OHE 21-01: Williams Service requested an evidentiary hearing regarding One Call Docket 020-059. As a result, and pursuant to the applicable South Dakota Statutes, the One Call Board will conduct a contested case administrative hearing. A revised Notice of Hearing was sent to the parties on April 7, 2021. The issue for consideration by the One Call Board at this hearing is whether Williams Service violated 49-7A-5 for an incident occurring on August 25, 2020 at 313 Grand Avenue, Lead, South Dakota; and if so, whether civil penalties should be assessed.

This hearing is scheduled from 11:30CT to 1:45PM CT:

OHE 210-02: Stuen Construction requested an evidentiary hearing regarding One Call Docket 020-065. As a result, and pursuant to the applicable South Dakota Statutes, the One Call Board will conduct a contested case administrative hearing. A revised Notice of Hearing was sent to the parties on April 7, 2021. The issue for consideration by the One Call Board at this hearing is whether Stuen Construction violated 49-7A-8 for an incident occurring on September 10, 2020 at 14 McMaster Street, Lead, South Dakota; and if so, whether civil penalties should be assessed.

This hearing is scheduled from 2:00PM CT to 4:15PM CT:

OHE 21-03: Darwin Toof requested an evidentiary hearing regarding One Call Docket 020-082. As a result, and pursuant to the applicable South Dakota Statutes, the One Call Board will conduct a contested case administrative hearing. A revised Notice of Hearing was sent to the parties on April 7, 2021. The issue for consideration by the One Call Board at this hearing is whether Darwin Toof violated 49-7A-8 and 49-7A-12 for an incident occurring on October 15, 2020 at 815 E New York Street, Lot 29, Rapid City, South Dakota; and if so, whether civil penalties should be assessed.

The Office of Hearing Examiners, 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 opposing parties and the One Call Board have the right to cross examination

3. Executive Session: pursuant to SDCL 1-25-2(3).

4. Board Ruling pursuant to SDCL 49-7A-27and penalty if applicable.

5. Motion to adjourn.

Materials presented at this meeting are available on the South Dakota 811 website www.SD811.com as well as the South Dakota Boards and Commissions website at <http://boardsandcommissions.sd.gov/>. They are also available by contacting the Deputy Director in writing at deputydirector@sd811.com, or by calling (605) 863-0951.