

South Dakota



**Know what's below.
Call before you dig.**

June 30, 2020

Montana Dakota Utilities, Co.
PO Box 280
Mobridge, South Dakota 57601
Attn: Don Bohle

Dear Mr. Bohle,

[OC20 -036 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Mobridge, SD against Midwest Construction, Selby, SD, for an incident occurring on June 18, 2020 at 209 North Deadwood Street, Ft Pierre, SD.](#)

In reviewing the submitted information, South Dakota One Call has determined this complaint does not meet filing requirements due to the following:

- **No specific Statute or Administrative Rule violated was listed.**
- **Does not include a copy of locate ticket in the complaint or the investigations report.**

The information filed in a complaint must contain accurate information including the specific statute(s) violated. Our Board of Directors is not allowed to investigate, therefore the complainant is required to provide that information on their behalf. It must also contain locate tickets, if a ticket is listed. This can be provided with the complaint or investigation report. South Dakota One Call reserves the right to vet and close a complaint, if any information is found to be incomplete, incorrect, or inconsistent with supporting materials. In reviewing the submitted information, South Dakota One Call has determined the complaint does not meet these requirements to move forward. South Dakota One Call considers this docket closed. No further action will be taken by the Board of Directors in this matter. If you so choose, you may resubmit this complaint.

Per 49-7A-21. Complaint and order prerequisites for penalty--Time limit. No penalty may be imposed pursuant to §§ 49-7A-18 and 49-7A-19 except by order following a complaint pursuant to § 49-7A-17. A complaint alleging a violation of any statute, except § 49-7A-12, or alleging a violation of any rule of the Statewide One-Call Notification Board shall be brought not later than ninety days after the discovery of the alleged violation, but in no case may the complaint be brought more than one year after the date of the alleged violation. Any complaint alleging a violation of § 49-7A-12 shall be brought within one year of discovery of the alleged violation.

Please email Larry Janes at exedir@sdonecall.com or Codi Gregg at deputydirector@sd811.com with any written questions.

Respectfully,

Larry L. Janes
Executive Director
South Dakota One Call Notification Board