

BEFORE THE SOUTH DAKOTA
ONE CALL NOTIFICATION BOARD

IN THE MATTER OF THE COMPLAINT
FILED BY SITE WORKS SPECIALISTS,
RAPID CITY, SD AGAINST ACCURATE
LOCATING SERVICES, RAPID CITY, SD
FOR AN INCIDENT OCCURRING ON
MAY 30, 2024 AT THREE RIVERS DRIVE
COUNTRY ROAD IN RAPID CITY, SD.

**ENFORCEMENT PANEL
RECOMMENDATION TO THE SOUTH
DAKOTA ONE CALL BOARD**

OC24-020

On July 2, 2024, the South Dakota One Call Notification Board received a Complaint filed by Site Works Specialists (herein “Claimant”) against Accurate Locating Services (herein “Respondent”) for an incident occurring on May 30, 2024, at Three Rivers Drive Country Road in Rapid City, SD. The Complaint alleges violations of SDCL 49-7A-8 and SDCL 49-7A-9 when Respondent did not provide accurate marking for West River Electric Power.

A copy of the Complaint was sent to Respondent on August 9, 2024. The deadline to respond was August 30, 2024. Respondent answered the Complaint on August 29, 2024. Respondent does dispute that a violation of South Dakota One Call law occurred and the allegation of the intentional nature.

On October 24, 2024, the Enforcement Panel (herein “Panel”) convened pursuant to the authority present in SDCL 49-7A. The Panel does not find probable cause that violations of SDCL 49-7A-8 and SDCL 49-7A-9 occurred. Therefore, the Panel recommends the Complaint be dismissed.

The Panel recommends the South Dakota One Call Notification Board accept its findings and recommendations herein. If either party to this Complaint disagrees or objects to the recommendations or findings herein, a hearing may be requested. To request a hearing, a party must reply within twenty (20) days from the date of service of this notice. Failure to request a hearing is considered acceptance of the recommendations and findings herein.

The South Dakota One Call Notification Board has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-7A and ARSD 20:25.