

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF MOMENTUM TELECOM, )  
INC.'S FAILURE TO TIMELY PAY THE )  
GROSS RECEIPTS TAX )  
)**

**ORDER DISMISSING  
COMPLAINT AND CLOSING  
DOCKET**

**TC13-014**

On January 31, 2013, the Public Utilities Commission (Commission) issued an Order for and Notice of Show Cause Hearing against Momentum Telecom, Inc. (Company) for failure to pay the gross receipts tax. The hearing was held as scheduled on March 12, 2013, at 1:00 p.m., Room 413, State Capitol Building, 500 E. Capitol Avenue, Pierre, South Dakota. The reason for the hearing was to give the Company an opportunity to show cause why the Commission should not revoke its Certificate of Authority, or other specific actions, for failure to pay the gross receipts tax as required by SDCL 49-1A-1.

The Commission has jurisdiction over this matter pursuant to SDCL 49-1A-3, 49-1A-4, 49-1A-5, 49-1A-6, and 49-31-3.

At the March 12, 2013, hearing, Commission Staff recommended the complaint be dismissed and the docket closed, as the Company paid the gross receipts tax due for 2011 on March 4, 2013. The Commission voted unanimously to dismiss the complaint and close the docket. It is therefore

**ORDERED** this complaint be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 25<sup>th</sup> day of March, 2013.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.</p> <p>By: <u>[Signature]</u></p> <p>Date: <u>3.25.13</u></p> <p align="center">(OFFICIAL SEAL)</p>
--

**BY ORDER OF THE COMMISSION:**

[Signature]  
GARY HANSON, Chairman

[Signature]  
CHRIS NELSON, Commissioner

[Signature]  
KRISTIE FIEGEN, Commissioner