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MAY 25 2006

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

May 24, 2006

Honorable Charles B. Kornmann
United States District Judge
United States Courthouse
102 Fourth Avenue SE, #408
Aberdeen, SD 57402

Re: Verizon Wireless et al. (v. State of South Dakota et al)
Court File No. 04-3014
Our File No. 040061-00001


Dear Judge Kornmann:

Upon further review, we have determined that our letter of May 23, 2006 regarding the recent FCC action needs further clarification. The FCC action relates to the common carrier status of broadband service providers. Broadband service is not at issue in the case presently before this Court.

We apologize if our earlier letter was confusing or not quite accurate. However, we trust this letter will clarify Verizon Wireless' understanding of the FCC action to which the Court referred in its May 18, 2006 memorandum.

Sincerely yours,

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



Gene N. Lebrun

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Honorable Charles B. Kornmann
May 24, 2006
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