



Bob Sahr, Chair
Dustin Johnson, Vice-Chair
Gary Hanson, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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May 24, 2006

By certified mail

Matt Swearingen
135 Campbell Ave.
Stratford, SD 57474

RE: Notice of Hearing on Application for Default Judgment and Motion

Dear Mr. Swearingen:

Enclosed are Plaintiff South Dakota Public Utilities Commission's Application for Default Judgment and Motion to Dismiss Request for Prejudgment Interest and Disbursements, Affidavit in Support of Application for Default Judgment, Notice of Hearing on Application for Default Judgment and Motion and proposed Default Judgment and Order granting motion in the above captioned action.

These papers were served on John Burke, your attorney in this case, and Clair Gerry, your attorney in your bankruptcy case, on May 17, 2006. I am serving these papers directly on you because Mr. Burke has advised me that he can no longer represent you due to a conflict of interest arising from his association with a different law firm, and Mr. Gerry advised me that he will not be appearing for you in this case. Mr. Burke and Mr. Gerry both advised me that they forwarded these papers to you, but if you believe you need additional time to seek alternative counsel or prepare for the hearing on May 31, please let me know, and I will attempt to have the hearing continued to a later date. You may reach me at (800) 332-1782 or (605) 773-3201. Please feel free to call me to discuss.

Sincerely,

John J. Smith
Attorney for South Dakota
Public Utilities Commission