



Dustin Johnson, Chair
Steve Kolbeck, Vice-
Chair
Gary Hanson,
Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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October 14, 2010

Case: CIV 09-483

TO ALL PERSONS WHO WERE AWARDED DAMAGES BY THE COMMISSION IN DOCKET CT05-005 INVOLVING S&S COMMUNICATIONS:

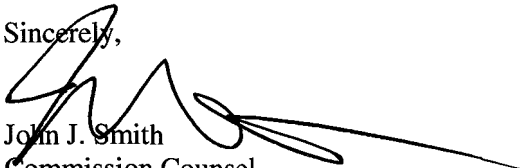
On October 12, 2010, the Court entered a Default Judgment against S&S Communications and Les Sumption in the amount of \$860,760.47. This judgment includes \$471,890.98 in primary damages and \$388,869.49 in prejudgment interest. The Court also entered an Order Joining Parties Plaintiff and an Order Dismissing Request for Costs, Disbursements and Attorney Fees. This means you are now a co-Plaintiff in the case along with Wegner Auto and will be entitled to share in any recovery on the judgment that we are able to achieve. The Court also appointed the PUC to act as receiver on behalf of Plaintiffs to handle execution on the judgment and equitable distribution of funds in the event that a recovery occurs now or in the future.

As we have stated to you previously, we have reason to believe no non-exempt assets may be available to levy against, so we want to emphasize that a damages award will not necessarily mean you will receive any money. Our reason for getting a judgment, however, is so that in case any assets can be found, now or in the future, a judgment is on record to enable a recovery for the customers awarded damages.

We do intend to initiate execution on the judgment in the near future. When this has run its course, we will provide you with an update of the status of the effort. If we are unable to achieve recovery on the judgment as a result of this attempt, we will nevertheless continue to monitor the situation and will reinitiate efforts to collect on the judgment should we become aware of a change in circumstances or new information. Following the next update from us, we will only provide notices to you in the future if there has been a change in the status of things. Thank you for your patience through this, and I sincerely hope that at some point we can be successful in our recovery effort.

Please contact me at the Commission if you have questions or concerns: South Dakota Public Utilities Commission, 500 E. Capitol Ave., Pierre, SD 57501; ph: (800) 332-1782 or (605) 773-3201; fax: (866) 757-6031; john.j.smith@state.sd.us; www.puc.sd.gov.

Sincerely,


John J. Smith
Commission Counsel

Enclosures