

BEFORE THE STATE OF SOUTH DAKOTA

PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF)	DOCKET NO:
)	
KENNEBEC TELEPHONE COMPANY,)	TC07-114
FOR ARBITRATION PURSUANT TO THE)	
TELECOMMUNICATIONS ACT OF 1996 TO RESOLVE)	
ISSUES RELATING TO AN INTERCONNECTION)	
AGREEMENT WITH ALLTEL COMMUNICATIONS, LLC)	


ALLTEL’S MOTION TO SUBMIT ADMITTED FACTS INTO THE RECORD

COMES NOW, the above-named Alltel Communications, LLC (“Alltel”), by and through its counsel of record, Talbot J. Wieczorek of Gunderson, Palmer, Nelson & Ashmore, LLP, and hereby, pursuant to SDCL § 15-6-36(b), and requests this Commission to place into the record admissions made by Petitioners as admissions are deemed conclusively established.

Attached as Exhibit A are the Admissions that should be considered conclusively established. The attached submission restates the Requests for Admission and Response, including objection, if any, submitted by Petitioners. Alltel submits that the objections are invalid and do not prevent the admission from being conclusively established when the admission response was thereafter given.

Therefore, Alltel requests the Commission, for the purpose of the record, acknowledge the attached Admissions as conclusively established as required under SDCL § 15-6-36(b). These responses were taken from discovery provided by Petitioners on June 22, 2009.

Dated this 27 day of July, 2009.


Talbot Wiczorek
Gunderson, Palmer, Nelson & Ashmore, LLP
440 Mt Rushmore Road
PO Box 8045
Rapid City, South Dakota 57709
Phone: (605) 342-1078
Fax: (605) 342-0480
Email: tjw@gpnaalaw.com

ATTORNEYS FOR ALLTEL COMMUNICATIONS,
LLC


CERTIFICATE OF SERVICE

I hereby certify that on the 27 day of July, 2009, I sent electronically a true and correct copy of **ALLTEL'S MOTION TO SUBMIT ADMITTED FACTS INTO THE RECORD** to:

Meredithm@cutlerlawfirm.com
MEREDITH MOORE
Cutler & Donahoe, LLP
100 N Phillips Avenue - 9th Floor
Sioux Falls, SD 57104-6725

bob.knadle@state.sd.us
BOB KNADLE
STAFF ANALYST
SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION
500 EAST CAPITOL
PIERRE SD 57501

Karen.cremer@state.sd.us
KAREN CREMER
STAFF ATTORNEY
SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION
500 EAST CAPITOL
PIERRE SD 57501


Talbot J. Wiczorek

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

ATTORNEYS AT LAW

ASSURANT BUILDING
440 MT. RUSHMORE ROAD
POST OFFICE BOX 8045
RAPID CITY, SOUTH DAKOTA 57709-8045

TELEPHONE (605) 342-1078

www.gundersonpalmer.com

ATTORNEYS LICENSED TO PRACTICE IN
SOUTH DAKOTA, NORTH DAKOTA, NEBRASKA
COLORADO, WYOMING & MINNESOTA

J. CRISMAN PALMER
JAMES S. NELSON
DANIEL E. ASHMORE
DONALD P. KNUDSEN
PATRICK G. GOETZINGER
TALBOT J. WIECZOREK
JENNIFER K. TRUCANO
DAVID E. LUST
THOMAS E. SIMMONS

TERRI LEE WILLIAMS
SARA FRANKENSTEIN
AMY K. KOENIG
JASON M. SMILEY
MATTHEW E. NAASZ
QUENTIN L. RIGGINS
JEFFREY R. CONNOLLY
REBECCA L. MANN
WYNN A. GUNDERSON
Of Counsel

Writer's E-mail Address: tjw@gpnaalaw.com

Writer's Fax No.: (605) 342-0480

July 27, 2009

E-FILING

Ms. Patricia Van Gerpen
South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre SD 57501-5070

RE: Alltel – Alliance Arbitration: In the Matter of Dockets TC07-112, TC07-114, TC07-115
and TC07-116

GPGN File No. 05925.0042

Dear Ms. Van Gerpen:

On behalf of Alltel Communication, LLC, enclosed for filing please find the Motion to Submit Admitted Facts Into The Record with Exhibit A for each of the above-named companied. Exhibit A is marked **Confidential**. By copy of same all parties have been served.

If you have any questions, please call me.

Sincerely,



Talbot J. Wieczorek

TJW:klw

Enclosures

c: Meredith Moore via email
Bob Knadle via email
Karen Cremer via email
Clients