

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

ATTORNEYS AT LAW

WYNN A. GUNDERSON *
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

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

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

February 19, 2009

E-FILING

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

RE: Application of Native American Telecom, LLC – Pine Ridge TC08-109
GPNA File No. 09411.0002

Dear Ms. Van Gerpen:

Enclosed herein please find Native American Telecom, LLC's Motion to Dismiss in the above-entitled matter. I have provided a copy to all parties.

If you have any questions, please call me.

Sincerely,



Talbot J. Wiczorek

TJW:klw

Enclosure

c: Service List
Client

BEFORE THE STATE OF SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION

IN THE MATTER OF) **Docket No. TC 08-109**
THE APPLICATION OF NATIVE AMERICAN)
TELECOM, LLC FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE LOCAL EXCHANGE)
SERVICE ON THE PINE RIDGE INDIAN)
RESERVATION)

MOTION TO DISMISS APPLICATION

COMES NOW, NATIVE AMERICAN TELECOM, LLC, by and through its attorney of record, Talbot J. Wieczorek of Gunderson, Palmer, Nelson & Ashmore, LLC, and hereby moves for a dismissal from the Commission pursuant to A.R.S.D. 20:10:01:02.04, without prejudice.

The Applicant requests dismissal of the proceeding at this point as the Applicant in the process of making a determination of whether it will go forward in providing services in the Pine Ridge Indian Reservation. As Applicant anticipates the determination of whether to go forward may take several months, the Applicant wishes to withdraw its application at this time without prejudice.

WHEREFORE, Native American Telecom, LLC, requests the Commission enter an Order dismissing this application without prejudice.

Dated this 19 day of February, 2009.

GUNDERSON PALMER NELSON &
ASHMORE, LLC


Talbot J. Wieczorek
Attorney for Native American Telecom, LLC
440 Mt. Rushmore Road, Fourth Floor
PO Box 8045
Rapid City SD 57709
605-342-1078
Fax: 605-342-0480
tjw@gpna.com

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of February, 2009, I sent electronically a true and correct copy of **APPLICANT'S MOTION TO DISMISS** to:

Terri.labriebaker@state.sd.us

Terri LaBrie Baker
Staff Analyst
SDPUC
500 E. Capitol
Pierre SD 57501

Karen.cremer@state.sd.us

Karen Cremer, Staff Counsel
SDPUC
500 E. Capitol
Pierre SD 57501

Bob.knadle@state.sd.us

Bob Knadle
Staff Analyst
SDPUC
500 E. Capitol
Pierre SD 57501

Richcoit@sdtasonline.com

Rich Coit
SDTA
PO Box 57
320 E. Capitol Avenue
Pierre, SD 57501

dprogers@riterlaw.com

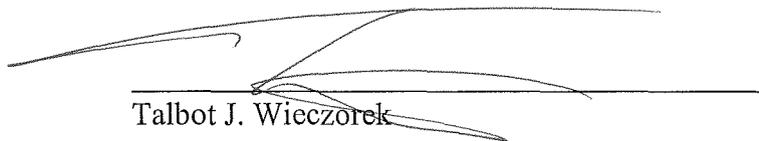
Darla Pollman Rogers
Riter Rogers Wattier & Brown
PO Box 280
Pierre, SD 57501

BradleyM@moss-barnett.com

Michael J. Bradley
Moss & Barnett
90 South Seventh Street
Minneapolis, MN 55402-4129

wenelson@gpcom.com

Wyman Nelson
Great Plains Communications
PO Box 500
Blair NE 68008


Talbot J. Wiczorek