

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, MONTANA & 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
ANDREW J. KNUTSON
WYNN A. GUNDERSON
Of Counsel

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

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

November 23, 2009

E-File: PUCDOCKETFILING@state.sd.us

Patricia Van Gerpen
Executive Director
SD Public Utilities Commission
500 E Capitol Avenue
Pierre SD 57501

RE: SDN, LLC v. Sprint Communications Company, LP
Docket TC09-098
GPNA File No. 08509.0009

Dear Ms. Van Gerpen:

Enclosed for filing in the above-entitled matter, please find Sprint's:

1. Motion to Dismiss Count III;
2. Memorandum in Support of Motion to Dismiss Count III;
3. Answer and Counterclaim; and
4. Third Party Complaint.

I have attached the Certificate of Service to this letter. By copy of same, counsel have been served.

If you have any questions, please contact me.

Sincerely,



Talbot J. Wieczorek

TJW:klw
Enclosures
C: Client

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE
COMPLAINT OF SOUTH DAKOTA
NETWORK, LLC, AGAINST SPRINT
COMMUNICATIONS COMPANY, LP

DOCKET TC09-098

CERTIFICATE OF SERVICE

The undersigned certifies that on the 23rd day of November, 2009, I served a true and correct copy of Sprint's:

1. Motion to Dismiss Count III;
2. Memorandum in Support of Motion to Dismiss Count III;
3. Answer and Counterclaim; and
4. Third Party Complaint

in the above-entitled matter, by email to:

MS PATRICIA VAN GERPEN
EXECUTIVE DIRECTOR
SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION
500 EAST CAPITOL
PIERRE SD 57501
patty.vangerpen@state.sd.us

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

MS TERRI LABRIE BAKER
STAFF ANALYST
SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION
500 EAST CAPITOL
PIERRE SD 57501
terri.labriebaker@state.sd.us

MS DARLA POLLMAN ROGERS
ATTORNEY AT LAW
RITER ROGERS WATTIER & BROWN LLP
PO BOX 280
PIERRE SD 57501-0280
dprogers@riterlaw.com

MR WILLIAM P HEASTON
DIRECTOR
BUSINESS DEVELOPMENT
SDN COMMUNICATIONS
2900 WEST 10TH STREET
SIOUX FALLS SD 57104
bill.heaston@sdncommunications.com


Talbot J. Wiczorek