## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF	)	DOCKET TC10-090
CELLCO PARTNERSHIP AND ITS	)	
SUSBSIDIARIES AND AFFILIATES TO	)	
AMEND AND CONSOLIDATE ELIGIBLE	)	MOTION TO STRIKE
TELECOMMUNICATIONS CARRIER	)	TESTIMONY OF WITNESS
DESIGNATIONS IN THE STATE OF	)	PETER BLUHM
SOUTH DAKOTA AND TO PARTIALLY	)	
RELINQUISH ETC DESIGNATION	)	

COMES NOW, Petitioners Cellco Partnership dba Verizon Wireless ("Cellco"), on behalf of itself and its subsidiaries and affiliates offering commercial mobile radio services ("CMRS") in the State of South Dakota, by and through its counsel of record, Talbot J. Wieczorek of Gunderson, Palmer, Nelson & Ashmore, LLP of Rapid City, South Dakota, and hereby move, pursuant to SDCL 1-26-19 and SDCL 19-12-1, for the Commission to strike selected testimony proffered by Peter Bluhm on behalf of Intervenor James Valley Wireless, LLC, as areas of Mr. Bluhm's testimony relates to matters that are not relevant to the subject matter of this proceeding and, therefore, not admissible in this proceeding.

This Motion is based on the Prefiled Testimony of Peter Bluhm submitted by James Valley Wireless, LLC, the brief filed in Support of Motion to Strike Testimony and the record in this matter.

Dated this 12th day of April, 2011.

Dated: April 12, 2011

Respectfully submitted,

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

 $Bv \ge -$ Talbot J. Wieczorek

Assurant Building

440 Mt. Rushmore Road

P.O. Box 8045

Rapid City, SD 57709-8045

Telephone: (605) 342-1078

Fax: (605) 342-0480 tjw@gpnalaw.com

Mark J. Ayotte (MN # 166315) Matthew A. Slaven (MN #288226) BRIGGS AND MORGAN, P.A. 2200 IDS Center 80 South Eighth Street Minneapolis, MN 55402-2157

Telephone: (612) 977-8400

Fax: (612) 977-8650 mayotte@briggs.com mslaven@briggs.com

COUNSEL FOR CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND ITS SUBSIDIARIES AND AFFILIATES

## **CERTIFICATE OF SERVICE**

The undersigned certifies that on the day of April, 2011, I served a true and correct copy of Cellco's **Motion to Strike Testimony of Witness Peter Bluhm** in the above-entitled matter, via electronic mail to:

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

BRIAN ROUNDS STAFF ANALYST SDPUC 500 EAST CAPITOL PIERRE SD 57501 brian.rounds@state.sd.us

JAMES M. CREMER ATTORNEY AT LAW BANTZ GOSCH & CREMER LLC PO BOX 970 ABERDEEN SD 57402-0970 jcremer@bantzlaw.com

MATTHEW A. SLAVEN BRIGGS AND MORGAN, P.A. 2200 IDS CENTER 80 SOUTH 8TH STREET MINNEAPOLIS MN 55402 mslaven@briggs.com

MR TODD B LANTOR ATTORNEY AT LAW LUKAS NACEGUTIERREZ & SACHS LLP 8300 GREENSBORO DRIVE STE 1200 MCLEAN VA 22102-3663 tlantor@fcclaw.com KARA SEMMLER STAFF ATTORNEY SDPUC 500 EAST CAPITOL PIERRE SD 57501 karen.cremer@state.sd.us

DARLA POLLMAN ROGERS
MARGO D NORTHRUP
ATTORNEY AT LAW
RITER ROGERS WATTIER & NORTHRUP LLP
PO BOX 280
PIERRE SD 57501-0280
dprogers@riterlaw.com
m.northrup@riterlaw.com

RICHARD D. COIT SDTA PO BOX 57 PIERRE SD 57501 richcoit@sdtaonline.com

MARK J. AYOTTE BRIGGS AND MORGAN, P.A. 2200 IDS CENTER 80 SOUTH 8TH STREET MINNEAPOLIS MN 55402 mayotte@briggs.com

MR DAVID A LAFURIA
ATTORNEY AT LAW
LUKAS NACEGUTIERREZ & SACHS LLP
8300 GREENSBORO DRIVE STE 1200
MCLEAN VA 22102-3663
dlafuria@fcclaw.com

Talbot J. Wieczorek