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VIA EMAIL TO PATTY.VANGERPEN@STATE.SD.US

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

RE: *TC12-016 – In the Matter of the Complaint and Request for Declaratory Ruling Filed By
Midcontinent Communications Against PaeTec Communications, Inc. and McCleodUSA
Telecommunications Services, LLC*

Dear Ms. Van Gerpen:

Enclosed for filing in the above matter, please find the Joint Motion to Dismiss With Prejudice Midcontinent's Amended Complaint and Request for Declaratory Order, and Withdrawal of Respondents' Motion to Dismiss and/or for Clarification of Commission's Jurisdiction. By copy of this correspondence, I am electronically serving those parties identified on the Commission's Service List. Should you have any questions or concerns, please do not hesitate to contact me.

Thank you for your assistance.

Sincerely,

CUTLER & DONAHOE, LLP



Meredith A. Moore
For the Firm

MAM/lk
Enclosure
cc: Service List