

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY ELDON LINDQUIST ON BEHALF OF)	COMPLAINT AND CLOSING
PIERRE RADIO PAGING & TELEPHONE,)	DOCKET
PIERRE, SOUTH DAKOTA, AGAINST)	
VENTURE COMMUNICATIONS)	CT05-004
COOPERATIVE, INC. F/K/A SULLY BUTTES)	
TELEPHONE COOPERATIVE, INC.)	
REGARDING A BILLING DISPUTE)	

On April 14, 2005, the Public Utilities Commission (Commission) received a complaint filed by Eldon Lindquist on behalf of Pierre Radio Paging & Telephone, Pierre, South Dakota (Complainant), against Venture Communications Cooperative, Inc. f/k/a Sully Buttes Telephone Cooperative, Inc. (Venture) regarding a billing dispute.

On April 14, 2005, the complaint was faxed to Venture. Pursuant to ARSD 20:10:01:09, Venture was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 4, 2005. The Commission has not received an Answer from Venture to this complaint. On May 4, 2005, the Commission received a Motion to Dismiss or Alternatively Motion to Strike from Venture. By Order dated August 18, 2005, the Commission denied Venture's Motion to Dismiss and granted in part and denied in part Venture's Motion to Strike. On December 12, 2005, the Commission received a Joint Motion to Dismiss Complaint and Close Docket signed by both parties.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On December 20, 2005, at a regularly scheduled meeting, the Commission considered this matter. Based upon the Joint Motion indicating the parties had settled the matter, the Commission voted to dismiss the complaint, with prejudice, and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed, with prejudice, and the docket closed.

Dated at Pierre, South Dakota, this 28th day of December, 2005.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Melaine Kolba</u>
Date: <u>12/29/05</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Robert K. Sahr
ROBERT K. SAHR, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner