

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

IN THE MATTER OF SBR, INC.'S FAILURE TO SUBMIT A REPORT AND PAY THE GROSS RECEIPTS TAX))))))	ORDER GRANTING PETITION TO RELINQUISH CERTIFICATE OF AUTHORITY TC00-166
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On October 5, 2000, the Public Utilities Commission (Commission) issued an Order for and Notice of Show Cause Hearing against SBR, Inc. (SBR) for failure to submit an annual report and pay the gross receipts tax. The hearing was scheduled for November 1, 2000, at 9:00 A.M., in the Cactus Conference Room, State Capitol Building, 500 E. Capitol, Pierre, South Dakota. The reason for the hearing was to give SBR an opportunity to show cause why the Commission should not revoke its Certificate of Authority, or other specified actions, for failure to submit an annual report as required by ARSD 20:10:24:04 or pay the gross receipts tax as required by SDCL 49-1A-1. On October 19, 2000, the Commission received a Petition to Relinquish Certificate of Authority from SBR.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-1A, 49-31, specifically 49-1A-3, 49-1A-4, 49-1A-5, 49-1A-6, 49-31-3, and 49-31-89 through 49-31-97, inclusive. At a duly noticed hearing of November 1, 2000, the Commission voted unanimously to grant the petition to relinquish SBR's Certificate of Authority based upon the recommendation of Commission Staff. It is therefore

ORDERED, that SBR's Petition to Relinquish its Certificate of Authority be granted and the Certificate of Authority shall be returned to the Commission within thirty (30) days from the date of this Order. It is

FURTHER ORDERED, that the docket shall be dismissed and closed.

Dated at Pierre, South Dakota, this 16th day of November, 2000.

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>Delaine Kelbo</u>
Date: <u>11/16/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u>James A. Burg</u> JAMES A. BURG, Chairman
<u>Pam Nelson</u> PAM NELSON, Commissioner
<u>Laska Schoenfelder</u> LASKA SCHOENFELDER, Commissioner