

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

**IN THE MATTER OF ZTAR MOBILE, INC.'S
FAILURE TO SUBMIT A REPORT AND PAY
THE GROSS RECEIPTS TAX**

) **ORDER DISMISSING**
) **COMPLAINT AND CLOSING**
) **DOCKET**
)
) **TC08-143**

On December 30, 2008, the Public Utilities Commission (Commission) issued an Order for and Notice of Show Cause Hearing against Ztar Mobile, Inc. (Company or Ztar) for failure to submit an annual report and pay the gross receipts tax. The hearing was held as scheduled on February 24, 2009. No representative of the Company appeared at the hearing. After hearing the testimony, the Commission issued an order against the Company for its failure to pay the gross receipts tax and ordered the Company to pay its gross receipts tax due in the amount of \$250, with accrued interest at 10% per month; and also ordered the Company to pay a fine in the amount of \$500 for failure to pay its gross receipts tax. On March 4, 2010, the Commission received information from Ztar that provided documentary evidence showing no sales in South Dakota.

The Commission has jurisdiction over this matter pursuant to SDCL 49-1A-3, 49-1A-4, 49-1A-5, 49-1A-6, and 49-31-3.

At its March 23, 2010, meeting, Commission Staff recommended the complaint be dismissed and the docket closed, based on documentary evidence received by the Commission. The Commission voted unanimously to dismiss the complaint and close the docket. It is therefore

ORDERED this complaint be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 26th day of March, 2010.

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, electronically.
By: <u><i>Amos Gumbler</i></u>
Date: <u>03/26/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner