RICHARD A. CUTLER KENT R. CUTLER BRIAN J. DONAHOE *# STEVEN J. SARBACKER ** IAYNA M. VOSS MICHAEL D. BORNITZ ‡ TRENT A. SWANSON* RYAN I. TAYLOR ° KIMBERLY R. WASSINK MEREDITH A. MOORE DAVID L EDWARDS NATHAN S. SCHOEN * ONNA B. DOMINIACK # AMY L. ELLIS ^ NICHOLE MOHNING ROTHS * WILLIAM D. SIMS # **BOBBI L. THURY** DANIEL J. DOYLE

CUTLER & DONAHOE, LLP

Telephone (605) 335-4950 Fax (605) 335-4961

www.cutlerlawfirm.com

March 5, 2009

JEAN BROCKMUELLER, CPA (Inactive) BUSINESS MANAGER

*Also licensed to practice in Minnesota

#Also licensed to practice

†Also licensed to practice in Nebraska

+Also licensed to practice

in Missouri
^Also licensed to practice

in Colorado

* Also licensed to practice

†Admitted to practice in United States Tax Court

°Also licensed as a Certified Public Accountant

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:

CT07-001 - CT07-005 and CT08-001

Dear Ms. Van Gerpen:

Enclosed for filing in the above matters, please find the Motion to Dismiss Complaints. 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/cmc Enclosure

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINTS FILED BY:	
INGRAM PEST SERVICE, FORT PIERRE, SOUTH DAKOTA,	CT07-001
BLACK HILLS SHOOTERS SUPPLY, RAPID CITY, SOUTH DAKOTA,	CT07-002
PATRICIA BYRNE, SIOUX FALLS, SOUTH DAKOTA,	CT07-003
HEBRON BRICK/DAKOTA MASONRY, RAPID CITY, SOUTH DAKOTA,	CT07-004
PATRICK CASSIDY, LEAD, SOUTH DAKOTA,	CT07-005
CHRIS WEBER/PICO'S GARAGE, INC., SIOUX FALLS, SOUTH DAKOTA,	CT08-001
AGAINST REDUCED RATE LONG DISTANCE REGARDING UNAUTHORIZED LONG DISTANCE CHARGES	MOTION TO DISMISS COMPLAINTS

Comes Now Reduced Rate Long Distance ("Reduced Rate") and respectfully moves for the dismissal of the above-referenced dockets. The above-referenced complainants individually filed Complaints against Reduced Rate, alleging that they had been charged fees for long distance service which they did not authorize. Reduced Rate in the interest of resolving these matters without need for further time, expense and litigation, and without admitting any of the allegations set forth in the respective Complaints, entered into settlement discussions with Commission Staff, as well as the individual complainants for the purpose of resolving all dockets. Settlement was reached and payment made in conformance therewith. For these reasons, Reduced Rate respectfully requests

that the Commission enter Orders dismissing the above-referenced dockets on the basis that each docket has been settled.

Dated this 5th day of March, 2009, in Sioux Falls, South Dakota.

CUTLER & DONAHOE, LLP

Attorneys at Law

Meredith A. Moore

100 North Phillips Avenue, 9th Floor

Sioux Falls, SD 57104-6725 Telephone: (605) 335-4950 meredithm@cutlerfirm.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served electronically on the 5th day of March, 2009, upon the following:

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
patty.vangerpen@state.sd.us
Telephone: 605-773-3201

Ms. Deb Gregg
Consumer Affairs Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
deb.gregg@state.sd.us
Telephone: 605-773-3201

Hebron Brick/Dakota Masonry 1543 Deadwood Avenue Rapid City, SD 57702

Mr. Patrick Cassidy 325 East Main Street Lead, SD 57754-2020 Ms. Kara Semmler
Staff Attorney
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
kara.semmler@state.sd.us
Telephone: 605-773-3201

Ingram Pest Service 315 Port Charlotte Avenue Fort Pierre, SD 57532

Black Hills Shooters Supply 2875 Creek Drive Rapid City, SD 57703

Ms. Patricia Byrne 2113 South Marday Avenue Sioux Falls, SD 57100

Mr. Chris Weber Pico's Garage, Inc. 2411 West 5th Street Sioux Falls, SD 57104

Meredith A. Moore