

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED) CT 07-006
BY JACK AND CINDY BRUNSON, EDGMONT,)
SOUTH DAKOTA, AGAINST GOLDEN WEST)
TELECOMMUNICATIONS COOPERATIVE)
REGARDING TELCOMMUNICATIONS)
SERVICES.)

MOTION TO DISMISS OR FOR SUMMARY JUDGMENT

COMES NOW, Golden West Telecommunications Cooperative (“Golden West”),
by and through its undersigned attorneys, and respectfully requests that the South Dakota
Public Utilities Commission (Commission) dismiss the Complaint of Jack and Cindy
Brunson.

A Statement of Undisputed Material Facts is submitted simultaneously herewith
and incorporated by this reference. Further, incorporated by this reference is Golden
West’s Brief In Support of Motion to Dismiss or Motion for Summary Judgment. As
stated therein, as a matter of law, Golden West is entitled to Dismissal or in the
alternative Summary Judgment on the merits of the Complaint.

This Motion is further based upon the Affidavit of Denny Law, and all records
and files herein which reflect that there is no genuine issue of material fact and that
Golden West is entitled to Summary Judgment as requested herein as a matter of law. As
such, Golden West prays that the Commission grant Dismissal or Summary Judgment on
the Complaint of Jack and Cindy Brunson.

DATED this 13 day of April, 2010.

RITER, ROGERS, WATTIER &
NORTHRUP, LLP

By: Margo D Northrup
Darla Pollman Rogers
Margo D. Northrup
A member of said firm
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Pierre, SD 57501-0280
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Margo D. Northrup, certify that a true and correct copy of Motion to Dismiss or for Summary Judgment, Brief in Support of Motion to Dismiss or for Summary Judgment, Statement of Undisputed Material Facts and Affidavit of Denny Law was mailed to each of the following by first class mail on the 13 day of April, 2010:

Jack and Cindy Brunson
11122 Fort Igloo Road
Edgemont, SD 57735

And true and correct copies of said documents were provided electronically to the following:

Patricia Van Gerpen
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