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June 24, 2009

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Patricia VanGerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501

RE: Motion to Dismiss – Docket No. CT09-001

Dear Ms. VanGerpen:

Enclosed for filing is the Motion to Dismiss the complaint signed by the Complainant and Express Communications, Inc. Zone Telecom, Inc. will be filing its own motion. The Confidential Settlement Agreement has been filed as a separate document.

Sincerely,

A handwritten signature in blue ink, appearing to read "William P. Heaston", written over a horizontal line.

William P. Heaston
Express Communications, Inc.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

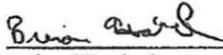
In the Matter of the Complaint filed by)
Brian Hankel, Hartford, South Dakota, Against)
Sprint Communications Company, LP, Zone) CTO9-001
Telecom, Inc. and Express Communications, Inc.)
Regarding Unauthorized Switching of Services)

MOTION TO DISMISS COMPLAINT

Brian Hankel and Express Communications, Inc. (hereinafter, the "Parties") jointly request that the Complaint in this Docket be dismissed with prejudice. The Parties have agreed, after consideration of the matter and opportunity to consult with respective counsel, to otherwise resolve this matter and have entered into a Confidential Settlement Agreement, the terms of which have be met.

Accordingly the Parties respectfully request that the Commission grant this motion.

Dated this 24th day of June, 2009.



Brian Hankel
Complainant
26690 Apple Lane
Hartford, SD 57033
Tel: (605) 526-4386



William P. Heaston
Express Communications, LLC
2900 West 19th Street
Sioux Falls, SD 57104
Tel: (605) 978-3596
Its Attorney

