

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT
OF KENNEBEC TELEPHONE COMPANY,
INC. AGAINST ALLTEL
COMMUNICATIONS, INC. FOR
NONPAYMENT OF TRANSITING
CHARGES

TC08-031

**AFFIDAVIT OF COUNSEL IN SUPPORT
OF COMPLAINANT'S REPLY BRIEF**

STATE OF SOUTH DAKOTA)
 : ss
COUNTY OF MINNEHAHA)

1. I am an attorney with the law firm of Cutler & Donahoe, LLP, and am one of the attorney's representing the Complainant Kennebec Telephone Company, Inc. in this action.

2. The following is submitted in support of Complainant's Reply Brief in Support of Motion for Summary Judgment.

- a. Exhibit 1 is a true and correct copy of the transiting agreement which was proposed to Alltel Communications, Inc. by Kennebec Telephone Company, Inc. in 2004.
- b. Exhibit 2 is comprised of true and correct copies of e-mail correspondence from Kennebec Telephone Company, Inc.'s representative, Darrell Gomarko, to Ron Williams at Alltel Communications, Inc.

Further your affiant sayeth naught.

Dated this 22nd day of June, 2009.




Meredith A. Moore

STATE OF SOUTH DAKOTA)
 : ss
COUNTY OF MINNEHAHA)

On this, the 22nd day of June, 2009, before me, the undersigned officer, personally appeared Meredith A. Moore, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public – South Dakota
My Commission Expires 9-19-09

[SEAL]

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent electronically to the following on this 22nd day of June, 2009:

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
patty.vangerpen@state.sd.us
605-773-3201 – voice
866-757-6031 – fax

Ms. Kara Semmler
Staff Attorney
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
kara.vanbockern@state.sd.us
605-773-3201 – voice
866-757-6031 – fax

Mr. Talbot J. Wiczorek
Gunderson, Palmer, Nelson & Ashmore, LLP
PO Box 8045
Rapid City, SD 57709-8045
tjw@gpgnlaw.com
605-342-1078 – voice
605-342-0480 – fax



One of the Attorneys for the Complainant