

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

ATTORNEYS AT LAW

J. CRISMAN PALMER
JAMES S. NELSON
DANIEL E. ASHMORE
DONALD P. KNUDSEN
PATRICK G. GOETZINGER
TALBOT J. WIECZOREK
JENNIFER K. TRUCANO
DAVID E. LUST
THOMAS E. SIMMONS

ASSURANT BUILDING
440 MT. RUSHMORE ROAD
POST OFFICE BOX 8045
RAPID CITY, SOUTH DAKOTA 57709-8045
TELEPHONE (605) 342-1078 • FAX (605) 342-0480
www.gundersonpalmer.com
ATTORNEYS LICENSED TO PRACTICE IN
SOUTH DAKOTA, NORTH DAKOTA, NEBRASKA
COLORADO, WYOMING & MINNESOTA

TERRI LEE WILLIAMS
SARA FRANKENSTEIN
AMY K. KOENIG
JASON M. SMILEY
MATTHEW E. NAASZ
QUENTIN L. RIGGINS
JEFFREY R. CONNOLLY
REBECCA L. MANN
WYNN A. GUNDERSON
Of Counsel

June 8, 2009

E-FILING

Patricia Van Gerpen
South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre SD 57501-5070

RE: Alltel Communications, Inc.
In the Matter of the Petition of CRST for Arbitration
TC08-122 GPNA File No. 05925.0050

Dear Ms. Van Gerpen:

Attached please find Alltel's Motion to Strike, Brief in Support of Motion to Strike and Affidavit of Ron Williams in the above entitled matter. By copy of same, counsel have been served.

If you have any questions, please contact me.

Sincerely,



Talbot J. Wiczorek

TJW:klw
Enclosure
c: Service List
Client

BEFORE THE STATE OF SOUTH DAKOTA

PUBLIC UTILITIES COMMISSION

In the Matter of the Petition of Cheyenne River)	
Sioux Tribe Telephone Authority for Arbitration)	Docket No. TC 08-122
Pursuant to the Telecommunications Act of 1996)	
to Resolve Issues Relating to an Interconnection)	MOTION TO STRIKE
Agreement with Alltel Communications, Inc.)	

Comes now, Talbot J. Wieczorek of Gunderson, Palmer, Nelson & Ashmore, LLP, attorneys for Alltel Communications, Inc., and respectfully moves this commission strike the new issues raised by Cheyenne River Sioux Tribe Telephone Authority's Interconnection Agreement ("CRST"), attached as Exhibit B to CRST's Petition for Arbitration.

1. The parties had negotiations concerning the Interconnection Agreement and agreed to work from the pre-existing Interconnection Agreement and modify that agreement.

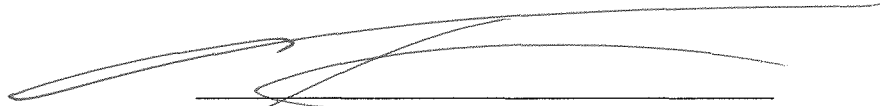
2. That Ron Williams, after meeting with representatives of CRST at its offices, modified the pre-existing Interconnection Agreement and provided it with redlines to CRST. All negotiations were encapsulated in this Interconnection Agreement that is now attached to the Petition as Petition Exhibit A.

3. The CRST proposed Interconnection Agreement, Exhibit B to the Petition, raises numerous other issues not negotiated or discussed and, therefore, do not constitute open issues under the applicable law.

4. As Exhibit B raises issues that were not negotiated and Exhibit B was not proposed, this Commission should strike Exhibit B and determine matters not contested in Exhibit A to the Petition or negotiated are not open issues.

Dated this 8th day of June, 2009.

ATTORNEYS FOR
ALLTEL COMMUNICATIONS, LLC



Talbot Wiczorek
Gunderson, Palmer, Nelson & Ashmore, LLP
440 Mt. Rushmore Road
PO Box 8045
Rapid City, South Dakota 57709
Phone: (605) 342-1078
Fax: (605) 342-0480
Email: tjw@gpgnlaw.com

CERTIFICATE OF SERVICE

I hereby certify on June 18, 2009, a true and correct copy of the MOTION TO STRIKE was electronically served upon the following individuals:

karen.cremer@state.sd.us

Karen Cremer
Staff Attorney
SDPUC
500 East Capitol
Pierre SD 57501

dprogers@riterlaw.com

Darla Pollman Rogers
319 S. Couteau Street
PO Box 280
Pierre SD 57501-0280

Jon.thurber@state.sd.us

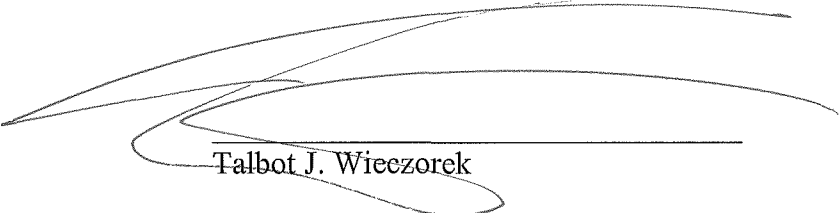
Jon Thurber
Staff Analyst
SDPUC
500 East Capitol
Pierre SD 57501

m.northrup@riterlaw.com

Margo Northrup
319 S. Couteau Street
PO Box 280
Pierre SD 57501-0280

rogeroldenkamp@gmail.com

Roger Oldenkamp
210 East Lincoln
Spearfish SD 57783



Talbot J. Wiczorek