

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE COMPLAINT
FILED BY JOHN REINTS, RAPID CITY,
SOUTH DAKOTA, AGAINST BLACK HILLS
FIBERCOM, LLC, REGARDING ITS LATE
PAYMENT CHARGE

CT03-155

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Transcript of Proceedings
January 6, 2004

ORIGINAL

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BEFORE THE PUBLIC UTILITIES COMMISSION,
ROBERT SAHR, CHAIRMAN
GARY HANSON, VICE CHAIRMAN (by telephone)
JIM BURG, COMMISSIONER

COMMISSION STAFF
Rolayne Ailts Wiest
John Smith
Karen Cremer
Kelly Frazier
Greg Rislov
Jim Mehlhaff
Harlan Best
Keith Senger
Dave Jacobson
Michele Farris
Tina Douglas
Heather Forney
Pam Bonrud

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JAN 07 2004

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Reported By Cheri McComsey Wittler, RPR

PRECISION REPORTING

L I M I T E D

APPEARANCES BY TELEPHONE

Ron Spangler, Otter Tail Power Co.
Marv Truhe, Black Hills FiberCom
Vance Goldammer, Western Mall

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TRANSCRIPT OF PROCEEDINGS, held in the
above-entitled matter, at the South Dakota State
Capitol Building, 500 East Capitol Avenue, Pierre,
South Dakota, on the 6th day of January 2004,
commencing at 1:30 p.m.

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1 CHAIRMAN SAHR: CT03-155, In the
2 Matter of the Complaint Filed by John Reints,
3 Rapid City, South Dakota against Black Hills
4 FiberCom, LLC, Regarding its Late Payment Charge.

5 The question today is shall the Commission
6 grant the Complainant's Petition for Rehearing.

7 And I noted that Mr. Reints was not on the
8 telephone call, and I'll just double-check to see
9 if he has joined us via the phone. And looking
10 around the room, it doesn't appear that he or
11 counsel are here in Pierre either.

12 So with that in mind, Black Hills, do you have
13 any comments on the Petition for Rehearing?

14 MR. TRUHE: Marv Truhe representing
15 Black Hills FiberCom, and we don't have an
16 objection to the Petition for Rehearing with the
17 qualification we'd ask that it be heard as soon as
18 practicable, and also the first item on the agenda
19 would be our Motion to Dismiss, which was the case
20 in December.

21 CHAIRMAN SAHR: Thank you. Seeing
22 no objection then from Black Hills Power, I will go
23 ahead and move that we grant the Complainant's
24 Petition for a rehearing.

25 VICE CHAIR HANSON: Second.

COMMISSIONER BURG: I'll concur.

(The proceedings concluded at 2 o'clock p.m.)

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1 STATE OF SOUTH DAKOTA)

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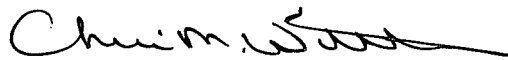
CERTIFICATE

3 COUNTY OF HUGHES)

4
5 I, CHERI MCCOMSEY WITTLER, a Registered
6 Professional Reporter and Notary Public in and for the
7 State of South Dakota:

8 DO HEREBY CERTIFY that as the duly-appointed
9 shorthand reporter, I took in shorthand the proceedings
10 had in the above-entitled matter on the 6th day of
11 January 2004, and that the attached is a true and
12 correct transcription of the proceedings so taken.

13 Dated at Pierre, South Dakota this 7th day
14 of January 2004.

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17 
18 Cheri McComsey Wittler,
19 Notary Public and
20 Registered Professional Reporter