

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE PROCEEDS)	ORDER FOR AND NOTICE OF
FROM BONDS AND OTHER SECURITY)	HEARING
FOR THE BENEFIT OF CUSTOMERS)	
OF S&S COMMUNICATIONS)	TC05-047

**TO ALL CLAIMANTS OF PROCEEDS OF BONDS AND OTHER SECURITY
FOR THE BENEFIT OF CUSTOMERS OF S&S COMMUNICATIONS:**

PLEASE TAKE NOTICE that the South Dakota Public Utilities Commission (“Commission”) will hold a hearing at **1:30 P.M. Central Time on May 8, 2007, in Rm. 412 of the State Capitol Building in Pierre, SD** to consider Staff’s Motion for Order Determining Claims and Claim Amounts, Establishing Claim Fractions and Directing Distribution Of Proceeds (“Motion”) and to hear evidence and argument presented by any party on the Claims and the distribution of the proceeds of bonds and other security for the benefit of S&S customers.

The Commission has authority and jurisdiction over the matters at issue in this Docket pursuant to SDCL Chapter 49-31, particularly 49-31-117, and Chapter 1-26, particularly 1-26-18.

The issues to be decided at the hearing are (i) whether each Claim should be allowed, denied or consolidated with another duplicate Claim and (ii) what share of the S&S proceeds should each Claim receive.

The hearing will be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights may be forfeited if not exercised at the hearing. If a party or their representative fails to appear at the time and place set for the hearing, the Final Decision will be based on the testimony and other evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. All persons testifying will be sworn and subject to cross-examination by the Commission Staff, the Commission and other parties. After the hearing, the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of the hearing, the Commission will determine the entitlements of Claimants to S&S bonds and other proceeds and direct the disbursement of proceeds currently in the Commission’s custody. If the amount in controversy exceeds two thousand five hundred dollars or if a property right may be terminated, any party to this contested case may require the Commission to use the South Dakota Office of Hearing Examiners by giving notice of the request to the Commission no later than ten days after service of this Notice of Hearing. The Commission’s Final Decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law.

It is therefore

ORDERED, that a hearing shall be held at the time and place specified above on the issues as stated above.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Commission at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 20th day of March, 2007.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Tina Douglas</u>
Date:	<u>3-20-07</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner

Steve Kolbeck
STEVE KOLBECK, Commissioner