

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER APPROVING
BY ORBITCOM, INC. AGAINST GLOBAL)	STIPULATION FOR
CROSSING TELECOMMUNICATIONS, INC.)	DISMISSAL
REGARDING SWITCHED ACCESS SERVICES)	TC08-005

On February 6, 2008, the Public Utilities Commission (Commission) received a Complaint filed by OrbitCom, Inc. (OrbitCom), against Global Crossing Telecommunications, Inc. (Global Crossing) alleging that Global Crossing had failed to pay OrbitCom for intrastate switched access services provided by OrbitCom. On February 22, 2008, the Commission received a Motion to Dismiss from Global Crossing. On May 20, 2008, the Commission received OrbitCom's Response to Global Crossing's Motion to Dismiss. On June 2, 2008, the Commission received Global Crossing's Reply in Support of its Motion to Dismiss. On July 2, 2008, the Commission issued its Order Denying Motion to Dismiss. On July 28, 2008, Global Crossing filed its Answer, Affirmative Defenses and Counterclaims. On August 29, 2008, the Commission received Global Crossing's Supplement to Answer and Motion to Take Judicial Notice and OrbitCom's Reply to Global Crossing's Counterclaims. On September 25, 2009, the Commission received a Stipulation for Dismissal signed by the parties.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14.1, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-11, 49-31-18 and 49-31-19, and ARSD Chapters 20:10:01, 20:10:27, 20:10:28 and 20:10:29.

At its regularly scheduled meeting of October 6, 2009, the Commission considered the Stipulation for Dismissal. The Commission voted unanimously to approve the Stipulation for Dismissal. It is therefore

ORDERED, that the Stipulation for Dismissal is hereby approved.

Dated at Pierre, South Dakota, this 15th day of October, 2009.

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, electronically.
By: <u><i>Aldaine Kalbo</i></u>
Date: <u>10/15/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Austin M. Johnson
DUSTIN M. JOHNSON, Chairman *dk*

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner