

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

**IN THE MATTER OF HAWK RELAY, LLC'S FAILURE
TO TIMELY PAY THE GROSS RECEIPTS TAX**

)
)
)
)
)
**ORDER DISMISSING
COMPLAINT AND CLOSING
DOCKET**

TC12-009

On January 5, 2012, the Public Utilities Commission (Commission) issued an Order for and Notice of Show Cause Hearing against Hawk Relay, LLC (Company) for failure to pay the gross receipts tax. The hearing was held as scheduled on January 30, 2012, at 2:30 p.m., Room 412, State Capitol Building, 500 E. Capitol Avenue, Pierre, South Dakota. The reason for the hearing was to give the Company an opportunity to show cause why the Commission should not revoke its Certificate of Authority, or other specific actions, for failure to pay the gross receipts tax as required by SDCL 49-1A-1.

The Commission has jurisdiction over this matter pursuant to SDCL 49-1A-3, 49-1A-4, 49-1A-5, 49-1A-6, and 49-31-3.

At the January 30, 2012, hearing, Commission Staff recommended the complaint be dismissed and the docket closed, as the Company paid the gross receipts tax due for 2010 on January 27, 2012. The Commission voted unanimously to dismiss the complaint and close the docket. It is therefore

ORDERED this complaint be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 6th day of February, 2012.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>Joy Beving</u></p> <p>Date: <u>2-6-12</u></p> <p align="center">(OFFICIAL SEAL)</p>
--

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner