

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

**IN THE MATTER OF 321 COMMUNICATIONS)
INC.'S FAILURE TO TIMELY PAY THE GROSS)
RECEIPTS TAX)
)**

**ORDER DISMISSING
COMPLAINT AND CLOSING
DOCKET**

TC13-011

On January 31, 2013, the Public Utilities Commission (Commission) issued an Order for and Notice of Show Cause Hearing against 321 Communications, Inc. (Company) for failure to pay the gross receipts tax. The hearing was held as scheduled on March 12, 2013, at 1:00 p.m., Room 413, 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.

On March 11, 2013, Company submitted a letter regarding payment of the gross receipts tax. At the March 12, 2013, hearing, Amanda Boyd, a representative of Company, stated that Company had submitted payment confirmation and that payment should be received by this week. The Commission voted unanimously to dismiss the complaint if payment was received by the Commission within one week. On March 14, 2013, the Commission received payment. It is therefore

ORDERED, this complaint is dismissed and the docket closed.

Dated at Pierre, South Dakota, this 25th day of March, 2013.

<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>[Signature]</u></p> <p>Date: <u>3-25-13</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

[Signature]
GARY HANSON, Chairman

[Signature]
CHRIS NELSON, Commissioner

[Signature]
KRISTIE FIEGEN, Commissioner