

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

**IN THE MATTER OF THE COMPLAINT)
FILED BY WWC LICENSE LLC)
AGAINST VENUTURE)
COMMUNICATIONS COOPERATIVE)
REGARDING INTERCARRIER BILLINGS)**

**ORDER DISMISSING
COMPLAINT AND CLOSING
DOCKET

CT05-002**

On March 21, 2005, the Public Utilities Commission (Commission) received a complaint filed by WWC License LLC (WWC) against Venture Communications Cooperative (Venture). WWC sought reimbursement for alleged overpayments it made to Venture. WWC requested that the Commission order Venture to repay the amounts overpaid, to award double the damages pursuant to SDCL 49-31-14.1, to reimburse WWC's attorney's fees pursuant to SDCL 49-13-14.1, and to grant WWC such other and further relief that may be proper or equitable. On March 24, 2005 the Commission electronically transmitted notice of the filing to interested individuals and entities. No interventions were filed.

On April 11, 2005, Venture filed an Answer and Counterclaim of Venture Communications to Complaint of WWC. On July 11, 2005, WWC filed an Answer to Venture Communications Cooperative's Counterclaim. On August 12, 2011, WWC filed a Motion to Dismiss. On September 13, 2011, the Commission received a Joint Stipulation to Dismiss with Prejudice signed by both parties.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, and 49-31.

At its regularly scheduled meeting of September 27, 2011, the Commission considered this matter. The Commission voted unanimously to approve the Stipulation, dismiss the Complaint and Counterclaim with prejudice, and close the docket.

It is therefore

ORDERED, that the complaint and counterclaim are hereby dismissed and the docket is closed.

Dated at Pierre, South Dakota, this 26th day of September, 2011.

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>Joy King</u>
Date: <u>09-28-11</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner