

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>		<b>ORDER DISMISSING</b>
<b>BY ORBITCOM, INC. AGAINST VERIZON )</b>		<b>COMPLAINT AND CLOSING</b>
<b>BUSINESS NETWORK SERVICES, INC. )</b>		<b>DOCKET</b>
<b>REGARDING UNPAID ACCESS CHARGES )</b>		
<b>)</b>		<b>TC08-135</b>

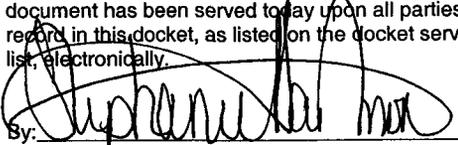
On November 25, 2008, OrbitCom, Inc. (OrbitCom) filed a complaint seeking recovery on an account because of the failure of Verizon Business Network Services, Inc. (Verizon) to pay OrbitCom the amounts invoiced pursuant to its state tariff for the provisioning of telephone access services. ON December 22, 2008, Verizon filed its Answer to Complaint. On June 1, 2009, the parties filed a proposed procedural schedule. On October 8, 2009, the Commission issued its Order for and Notice of Hearing, and on October 22, 2009, the hearing was held as scheduled. On February 23, 2010, the Commission heard oral argument from the parties and voted to take the matter under advisement to further consider the issues in light of the oral arguments. On April 8, 2010, a Stipulation for Dismissal was filed with the Commission.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26; 49-13; and 49-31.

At its regularly scheduled meeting on April 20, 2010, the Commission considered this matter. Commission Staff recommended that the complaint be dismissed and the docket closed. The Commission voted unanimously to dismiss the complaint and close the docket. It is therefore

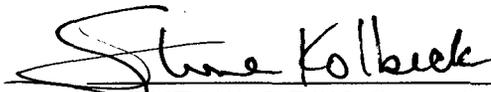
ORDERED that the complaint be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 10<sup>th</sup> day of May, 2010.

<b>CERTIFICATE OF SERVICE</b>
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></u>
Date: <u>05/10/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

  
DUSTIN M. JOHNSON, Chairman

  
STEVE KOLBECK, Commissioner

  
GARY HANSON, Commissioner