

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

The Staff of the Missouri)	
Public Service Commission,)	
)	
Complainant,)	
v.)	<u>Case No. LC-2009-0343</u>
)	
Norstan Network Services, Inc.,)	
)	
Respondent.)	

NOTICE OF DISMISSAL

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits this *Notice of Dismissal* as follows:

1. On March 25, 2009, Staff filed with the Missouri Public Service Commission (the Commission) a complaint against Norstan Network Services, Inc. (Norstan or the Company) based upon the Company's alleged failure to submit an annual report for the calendar year 2007.

2. On May 15, 2009, the Company filed its *Answer and Response to Order to Show Cause* (Answer), to which was attached the Company's annual reports for the calendar years 2007 and 2008.

3. Staff is of the opinion that failure by the Company to submit its 2007 annual report was an inadvertent error related to the bankruptcy affairs of the Company. Such inadvertent error has now been cured by the submission of the delinquent report pursuant to this matter.

4. Commission rule 4 CSR 240-2.116(1) states that "[a]n applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has

been offered, by filing a notice of dismissal with the commission and serving a copy on all parties.” 4 CSR 240-2.116(1).

5. The Company is current in the submission of its Commission assessments.

WHEREFORE, pursuant to Commisison Rule 4 CSR 240-2.116 Staff submits this *Notice of Dismissal*.

Respectfully submitted,

/s/ Eric Dearmont

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 19th day of May, 2009.

/s/ Eric Dearmont