



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

April 17, 2009

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
TDD 800-366-6888 or 711
Fax 701-328-2410
Phone 701-328-2400

TON Services, Inc.
C/O Flying J Corporation
1104 Country Hills Drive
Ogden UT 84403

RE: Telecommunications Reseller's Bond

The North Dakota Public Service Commission received notice that TON Services, Inc.'s telecommunications reseller's bond will be cancelled (see attached). **Unless the Commission receives a valid bond before May 1, 2009, TON Services, Inc. will be in violation of North Dakota Law, and will be subject to penalty.**

TON Services, Inc. continues to be registered with the North Dakota Public Service Commission to provide telecommunications services. The registration indicates that prepayments are required from customers. Therefore, under North Dakota Administrative Code 69-09-05-04, a current performance bond must be on file with the Commission.

Any person/company who violates or fails to comply with the laws and rules of the Commission is guilty of a Class A Misdemeanor, and is subject to a civil penalty of not to exceed five thousand dollars, in addition to any other penalty provided. (NDCC 49-07)

If the company is still providing telecommunications service in North Dakota, a new bond must be submitted prior to the cancellation of the existing bond. If the company no longer provides telecommunications service in North Dakota, please discontinue the registration on our website at www.psc.state.nd.us/jurisdiction/telecom.html.

If you have any questions, please contact the North Dakota Public Service Commission at (701) 328-2400.

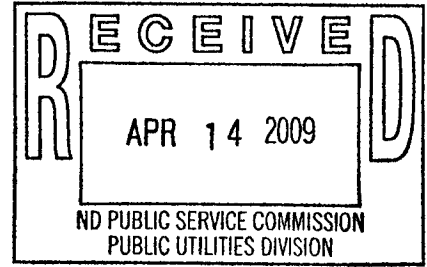
Sincerely,

A handwritten signature in cursive script that reads "Patrick Fahn".

Patrick Fahn, Director
Compliance and Competitive Markets

PF:jm
Enc.

2 **PU-09-170** Filed: 4/17/2009 Pages: 3
Letter re. Cancelled Bond & Requesting New Bond



CANCELLATION NOTICE

OBLIGEE:

NORTH DAKOTA PUBLIC SERVICE
COMMISSION
600 E. BOULEVARD AVE., DEPT. 408
BISMARCK, ND 58505

DATE: 04/08/09

OFFICE AT: CNA Surety
10375 Park Meadows
Drive, Suite 300
Littleton, CO 80124

RE: BOND NUMBER: 929089225

BOND TYPE: Telecommunications Reseller's bond

PRINCIPAL: TON SERVICES, INC.
C/O Flying J Corp.
1104 Country Hills Drive
Ogden, UT 84403

Notice is hereby given of the cancellation of this Company's Suretyship on behalf of

TON SERVICES, INC.

for TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS

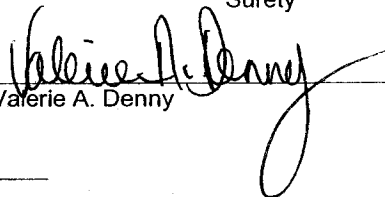
under Bond # 929089225 originally issued on or about 04/01/99

This cancellation is to take effect 30 DAYS

in accordance with the terms of said suretyship.

WESTERN SURETY COMPANY

Surety

By 
Valerie A. Denny Attorney-in-Fact

Registered / Certified Mail Cert. No.: 7004 2510 0003 0333 9174

CC: Principal/Insured
Agent/Broker

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

D. T. Johnson, Larry Richardson, Mary Ann Gray, Madeleine T. Hall, Valerie A. Denny, G. G. Lowe, Douglas L. Dusso, Mike Lischer, Jr, Individually

of Denver, CO, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 18th day of July, 2008.



WESTERN SURETY COMPANY

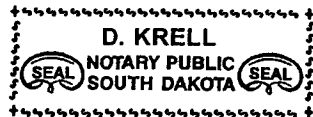
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 18th day of July, 2008, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 8th day of April, 2009.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary