

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

**IN THE MATTER OF THE COMPLAINT FILED)
BY GEORGE W. AND CAROL A. FEREBEE,)
HILL CITY, SOUTH DAKOTA, AGAINST)
QWEST CORPORATION DBA CENTURYLINK)
QC REGARDING A TELEPHONE SERVICE)
DISPUTE)**

**ORDER GRANTING
MOTION TO DISMISS**

CT14-001

On October 9, 2014, the South Dakota Public Utilities Commission (Commission) received a complaint filed by George W. and Carol A. Ferebee, Hill City, South Dakota (Complainants), against Qwest Corporation dba CenturyLink QC (CenturyLink) regarding a telephone service dispute. The Complainants stated that their telephone service malfunctions frequently and requested that their telephone service be fixed.

On October 30, 2014, CenturyLink filed its answer to the complaint. On November 18, 2014, CenturyLink filed an amended answer. In its amended answer, CenturyLink requested additional time to allow it to implement modifications to its network to address the issues experienced by the Complainants. CenturyLink further suggested that any hearing be "delayed until the customers have the opportunity to determine whether or not these measures are adequate to address their concerns." On May 5, 2016, an evidentiary hearing was held. The Commission voted to leave the docket open for a year and adopt the recommendations of CenturyLink that for a period of one year, CenturyLink will: (1) continue to have a technician assigned to this area to make sure that Complainants have the ability to contact that technician directly; (2) notify the Commission of any outages as soon as it is practical to do so; and (3) provide a report in six months regarding any outages or service issues experienced by the Ferebees. On August 17, 2018, CenturyLink filed a Motion to Dismiss.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, and ARSD Chapters 20:10:01 and 20:10:33.

At its regularly scheduled meeting on September 4, 2018, the Commission considered this matter. Commission staff recommended granting the Motion to Dismiss. The Commission voted unanimously to grant the Motion to Dismiss. It is therefore

ORDERED, that the Motion to Dismiss is hereby granted and the docket is closed.

Dated at Pierre, South Dakota, this 7th day of September 2018.

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, electronically.
By: <u>Karen E. Bremer</u>
Date: <u>09/07/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson
Chris Nelson
CHRIS NELSON, Commissioner