

89. 894. A 44-107-1

LN

**In the Matter of**

IN THE MATTER OF THE COMPLAINT  
FILED BY TERRY NAGEL, LEAD, SD,  
AGAINST U S WEST  
COMMUNICATIONS, INC. REGARDING  
TELEPHONE SERVICE

## Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
8/15/97	Received;
8/30/97	Reckited;
5/21/97	TC, Fed. Yelling;
10/3/97	After dismissing Complaint and Closing Reckit;
10/3/97	Reckit Closed.

\*\*\*PLEASE TYPE OR PRINT CLEARLY\*\*\*

TC97-146

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

AUG 15 1997

COMPLAINT

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Complainant(s): (The party filing the complaint)		Respondent(s): (The person or Company complained against)	
Name	Terry Nagel	Contact Person	US West
Address	HC 37 Box 282	Company	→ Customer Relations
City, State, Zip	Lead, SD 57754	Address	125 S. Dak. Ave.
Work Phone		City, State, Zip	P.O. Box 5075
Home Phone		Work Phone	Sioux Falls, SD
Cellular Phone		Cellular Phone	1-800-244-1111
Fax		Fax	57194

If the Complainant is represented by an attorney, please list the attorney's name, address, telephone number and fax number below:  
If Complainant is not represented by an attorney, please leave blank:

The facts giving rise to my complaint:

On the morning of June 10, '97 I called US West to begin telephone service. At that time they said a connector would be sent in 2 days to service us. No one arrived. When we called back, they said a new line would have to be run. (Our residence had a previous phone number, but it had been disconnected.) They estimated a target date of June 30. Another call after that date stated July 30. Work was back logged. Another call in August just now pushed a connect date to Sept. 12th, because they did not have cable on hand. This is over 3 months from the date of 1st contact. They did offer us a credit on a cellular phone. But because of the location of our house between 2 mountains, that type of phone is impossible. We have called your office 3 times as a go-between, but I'm not positive.

NOTE: Please attach additional pages, if necessary, to explain your situation. Also enclose copies of any bills or other documents which may pertain to your complaint.

06/10 2004 dates. For fire, health, and service <sup>conductions</sup> this is

South Dakota

Public Utilities Commission  
State Capitol 500 E. Capitol  
Pierre, SD 57501-5070

Phone: (605) 332-1782  
Fax: (605) 773-3809

# TELECOMMUNICATIONS SERVICE FILINGS

These are the telecommunications service filings that the Commission has received for the period of:

08/08/97 through 08/21/97

If you need a complete copy of a filing issued, overnight express, or mailed to you, please contact Debra Koble within five days of this filing.

DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
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## REQUEST FOR CERTIFICATE OF AUTHORITY

TC97-140	Application by One Call Telecom, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/RTZ) OCTI, Inc. will provide telecommunications services including local exchange services, intrastate LATA services and interLATA services on a reseller basis. The specific products and services are set forth in the U.S. WEST Service Resale Agreement to which One Call is presently a party in Minnesota.	08/08/97	09/05/97
TC97-141	Application by International Telecommunications Corp. d/b/a Discount Direct Dialing for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: TS/RTZ) TTC presently provides interstate "switchless" resales in several states. TTC is extending its service to meet the intrastate needs of its customers in several states and is filing the requisite applications in all other states to be certified as required. TTC proposes to provide service throughout the state.	08/08/97	09/05/97
TC97-144	Application by USN Communications Long Distance, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/MC) "Applicant seeks authority to offer a full range of 1+ interexchange telecommunications services on a resale basis. Specifically, Applicant seeks authority to provide MTS, out-of-state, in-state services, and Calling Card services. Applicant does not intend to provide operator services, 800 or 700 services."	08/15/97	09/05/97
TC97-145	Application by Vocall Communications Corp. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/CH) "Applicant proposes to operate as a reseller of 1+ toll services (including MTS, 1+, 800 and 888, Out VANTS, Travel Cards) as well as other prepaid calling card services."	08/18/97	09/05/97

## FORMAL COMPLAINT FILED

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT )  
FILED BY TERRY NAGEL, LEAD, SOUTH )  
DAKOTA, AGAINST U S WEST )  
COMMUNICATIONS, INC. REGARDING )  
TELEPHONE SERVICE )

ORDER DISMISSING  
COMPLAINT AND CLOSING  
DOCKET

TC97-146

On August 15, 1997, the Public Utilities Commission (Commission) received a complaint from Terry Nagel, Lead South Dakota, against U S West Communications, Inc. (U S West) regarding telephone service.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On September 9, 1997, at its duly noted meeting, the Commission deferred the complaint. On September 24, 1997, Commission Staff received word from Mr. Nagel that U S West had resolved all the issues raised in the complaint and Mr. Nagel requested that the complaint be dismissed and the docket closed.

On September 25, 1997, at its regularly scheduled meeting, the Commission reviewed this matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-31-7, 49-31-7.1, and ARSD 20:10:01:07.01 and 20:10:01:08.01. As Mr. Nagel and U S West had resolved all the issues complained of by Mr. Nagel and he had requested dismissal and closure of the docket, Commission Staff recommended that the Commission close the docket. It is therefore

ORDERED, that this complaint be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 2nd day of October, 1997.

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 envelope, with charges prepaid thereon.

By Alicia Kalko

Date 10/7/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner