



COMPLAINT

Complainant(s): (Persons filing the complaint)		Respondent(s): (Persons or Company complained against)	
Name	Susan Schamber	Contact Person	Tom Hertz, CEO
Address	PO Box 221	Company	DTG Internet Services
City, State, Zip	Fremont SD 57029	Address	141 N. Lincoln Ave Suite 408
Home Phone	605-925-2753	City, State, Zip	Wiley Falls SD 57104
Work Phone	605-925-4216	Work Phone	605-331-4211 / 888-267-4339
Cellular Phone	402 231	Cellular Phone	
Fax #		Fax #	

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.)

These are the facts giving rise to my complaint:

The above facts concern a complaint of DTG since 11/1/98. We had very good service until the 1st of March. At that time our internet began cutting out for us approximately every 30 minutes. DTG has record of our long call responses. Since that time we have communicated to DTG DTG and our phone company. After that being a good bit about the problem to and getting it resolved. After that I had my own contact with one of the owners of Cable Mod and that about 2 weeks after that time we DTG has new modems and they were sent out with the demand and DTG says before that the modem was the only one in problem until this time before that has also told me I could pay 2000 for a new internet service. I would like to go through 925-530 instead of 2000. The 3rd member on DTG's telephone number which is listed to Fremont but owned by DTG. Before that call we that the system was not set up for our service - but this was our technician. I would like to know if we are in a service area problem. After speaking to someone in the office and I accompanied during a night but they are in the office 7:00 am until 7:00 pm. The person who called me and we are still that is not the problem. I am calling this back now but I am here. The person who called me is not in the office at DTG with no problem what is the answer to the problem. I am a member of DTG and I would like to know if we are in a service area. I will contact them about this. I am a member of DTG and I would like to know if we are in a service area. I will contact them about this. I am a member of DTG and I would like to know if we are in a service area. I will contact them about this.

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.

RESOLUTION REQUEST

I ask that the Public Utilities Commission grant the following relief. (What do you think the Commission should do to solve this problem?)

We would like to know what is happening on internet. We are getting internet service from DTG and it is not working. It is like we are not on it. They just give them 2 lines of our number. We cannot use our line not leaving adequate service. Thank You!

NOTE: Please attach any additional pages, if necessary.

VERIFICATION

Complainant's signature must be witnessed by a notary public.

Susan Schamber \_\_\_\_\_  
 Complainant's Signature Date

State of South Dakota )  
 )  
 County of HUTCHINSON )

On this 8TH day of JUNE, 1998

before me personally came and appeared SUSAN SCHAMBER known to me to be the individual described herein and who executed the foregoing instrument, and who duly acknowledged to me that he/she executed same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Dean D. Driesen  
 Signature of Notary Public



(SEAL)  
 My commission expires: 12-20-98

**RESOLUTION REQUEST**

I ask that the Public Utilities Commission grant the following relief. (What do you think the Commission should do to solve this problem?)

*We would like to know what is discontinuation or interest. We are getting straight answer. DTC should also quit advertising. We have unlimited power if they can't give that service. It also means full credit since we do not receive adequate service. Thank You!*

NOTE: Please attach any additional pages, if necessary.

**VERIFICATION**

Complainant's signature must be witnessed by a notary public.

*Susan Schamber* \_\_\_\_\_ *6/8/98* \_\_\_\_\_  
Complainant's Signature Date

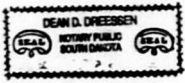
State of South Dakota )  
County of HUTCHINSON )SS

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IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*Dean D. Dreessen*  
Signature of Notary Public



(SEAL)  
My commission expires: 12-20-98

dsmmasbk

---

From: dsmmasbk <dsmmasbk@dtgnet.com>  
To: thertz@dakotatel.com  
Cc: sievew@puc.state.sd.us  
Subject: internet service  
Date: Friday, June 05, 1998 2:18 PM

Mr. Hertz:

I am writing to you regarding our internet service that we are receiving from DTG. We have been customers of yours since Feb. 11, 1998. We had very good service from your company until the end of March. Since that time, we have not been able to stay connected to the internet for more than 2 minutes. We must constantly reconnect. I would like to stay with DTG, but the internet is of no use to me if I can't stay on.

I had a person from Golden West come out and check our line today. He checked our line from the inside where the computer is hooked up to the central office. There is no problem in that line. The problem appears to be with the central office and how DTG connects.

You have ads out advertising a \$14.95 unlimited usage rate. This appears to be false advertising since I can't even stay connected with your company. What is the problem?

I am going to file a complaint with the PUC concerning this problem since I don't seem to be getting any results from talking with the technical support people at your company.

Thank You,

Susan Schamber

**dsmmasbk**

---

From: Tom Hertz <Tom Hertz@DTG.com>  
To: 'dsmmasbk' <dsmmasbk@dignet.com>  
Cc: Paul Blide <pblide@data-net.com>, Morgan Sarges <Morgan Sarges@DTG.com>, Jack Peterson <Jack.Peterson@dtg.com>  
Subject: RE: internet service  
Date: Friday, June 05, 1998 2:37 PM

We will certainly take a look and see what we can find. Since you didn't include your phone number, but mentioned Golden West, I assume you are a Golden West customer in one of their telephone exchanges. If the problem is ours, we will do our best to get it resolved as soon as possible.

Thanks for the email. Customer feedback is one of the best ways we have of finding our weaknesses, and fixing them.

Tom Hertz

-----Original Message-----

From: dsmmasbk [mailto:dsmmasbk@dignet.com]  
Sent: Friday, June 05, 1998 2:18 PM  
To: thertz@dakotatel.com  
Cc: stevev@puc.state.sd.us  
Subject: internet service

Mr. Hertz,

I am writing to you regarding our internet service that we are receiving from DTG. We have been customers of yours since Feb. 11, 1998. We had very good service from your company until the end of March. Since that time we have not been able to stay connected to the internet for more than

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support people at your company.

Thank You,

Susan Schamber

**dsmmasbk**

---

From: Tom Hertz <Tom.Hertz@DTG.com>  
To: 'dsmmasbk' <dsmmasbk@dtgnet.com>  
Cc: Jack Peterson <Jack.Peterson@dtg.com>, 'stevew@puc.state.sd.us'  
Subject: RE: internet service  
Date: Friday, June 05, 1998 3:59 PM

Ms. Schamber:

I have checked with our tech people, and they have been trying to re-arrange EAS (Extended Area Service) circuits with Golden West to resolve this problem. To date, we have not been successful. These are old analog circuits, and we are trying to get Golden West to change routing to digital circuits that we can connect to in another location. We will continue to work on this issue with them, and get it resolved as soon as possible.

Tom Hertz

-----Original Message-----

From: dsmmasbk [mailto:dsmmasbk@dtgnet.com]  
Sent: Friday, June 05, 1998 2:18 PM  
To: thertz@dakotatel.com  
Cc: stevew@puc.state.sd.us  
Subject: internet service

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I am going to file a complaint with the PUC concerning this problem since I don't seem to be getting any results from talking with the technical support people at your company.

Thank You.

Susan Schamber



# F A X TRANSMISSION from Consumer Affairs

To: Jack Brown

Company : G W S , Inc.

Fax Number : 8-605-279-2727

Date : 6/9/98 Time : 8:56:08

From : Leni Healy

Company : South Dakota PUC

Fax Number : 605.773.3809

Pages including cover page : 8

## Message:

This message is being sent to Jack Brown, Golden West Communications, and Tom Hertz, Dakota Telecommunications Group.

We have received the following information from Susan Schamber indicating difficulty she has experienced with her internet service. Since she has filed a formal complaint with this Commission, we are pursuing formal complaint procedures.

Commission policy allows a 48-hour period in which the parties may attempt an informal resolution. If such an informal resolution is accomplished before noon on June 12, 1998, please inform us. If we are not notified of a resolution before that time, the issue will become a docketed matter and scheduled for a Commission meeting to determine if probable cause for a hearing exists.

Please review this information and inform us of any action taken to resolve this issue.

Thank you.

THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any distribution, use or copying of this communication is prohibited.

### **South Dakota Public Utilities Commission**

State Capitol Building, Pierre SD 57501

Telephone: (605) 773-3201 Fax: (605) 773-3809

# FAX TRANSMISSION from Consumer Affairs

To: Thomas Hertz

Company : Dakota Coop. Telecomm.

Fax Number : 8-605-263-3995

Date : 6/9/98 Time : 8:56:08

From : Leni Healy

Company : South Dakota PUC

Fax Number : 605 773 3809

Pages including cover page : 8

## Message:

This message is being sent to Jack Brown, Golden West Communications, and Tom Hertz, Dakota Telecommunications Group:

We have received the following information from Susan Schamber indicating difficulty she has experienced with her internet service. Since she has filed a formal complaint with this Commission, we are pursuing formal complaint procedures.

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**South Dakota Public Utilities Commission**

State Capitol Building, Pierre SD 57501

Telephone: (605) 773-3201 Fax: (605) 773-3809

TC97-160	Sterling International Funding, Inc. d/b/a Reconex requests the Commission grant an Order for Application for Rehearing for a Certificate of Authority to provide basic local exchange service on a resold basis within South Dakota. The motion is supported by the Affidavit of William E. Braun, General Counsel. (Staff: TS/KC)	07/01/98
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You may receive this listing and other PUC publications via our website or via internet e-mail. You may subscribe to the PUC mailing list at <http://www.state.sd.us/state/execute/puc/puc.htm>

PAGE 2 OF 2

South Dakota Public Utilities Commission State Capitol 500 E. Capitol Pierre, SD 57501-5070 Phone: (605) 773-3705 Fax: (605) 773-3809		<b>TELECOMMUNICATIONS SERVICE FILINGS</b> These are the telecommunications service filings that the Commission has received for the period of: <b>06/26/98 through 07/02/98</b> If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five days of this filing.	
DOCKET NUMBER	TITLE/STAFF/SYNOPSIS	DATE FILED	INTERVENTION DEADLINE
<b>REQUEST FOR CERTIFICATE OF AUTHORITY</b>			
TC98-122	Application by ST Long Distance, Inc. for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. (Staff: DJ/EM) "The Applicant proposes to resell Message Toll Service, inbound Wide Area Telecommunications Service (800/888) and calling card services."	06/29/98	07/17/98
<b>FORMAL COMPLAINT FILED</b>			
TC98-123	Susan Schamber vs DTG Internet Services. "We have been internet customers of DTG since Feb. 11, 1998. We had very good service until the end of March. At that time our internet began cutting out on us approximately every 2 minutes. DTG has record of how long our connection times were. We have made numerous calls to both DTG and our phone company, Golden West, trying to find out what the problem is and getting it resolved. Golden West tells me DTG has new modems and these modems can't keep up with the demand and DTG says they've had the modems since November with no problems until this time." What do you think the Commission should do to solve this problem? "We would like to know who is disconnecting our internet. We aren't getting straight answers. DTG should also quit advertising the \$14.95 unlimited rate if they can't give that service. I also want our bill credited since we are not receiving adequate service." (Staff: SW/CH)	06/09/98	
TC98-124	Don and Jenny Malsom vs U S WEST Communications. The problem with the telephone line goes "back at least 10" years. The sheriff's office receives 911 calls from their location when none were dialed, noise on the line is reported to U S WEST and when the repairman checks the line it is okay. Caller ID does not work, and calls can not "get thru to us." What do you think the Commission should do to solve this problem? "We are told we need new telephone lines - our equipment is too outdated - we request modern equipment like all others are on." (Staff: SW/KC)	06/29/98	
<b>NONCOMPETITIVE TELECOMMUNICATIONS FILING</b>			
TC98-125	U S WEST Communications filed "to remove the availability of three digit Carrier Identification Codes (CICs) from the Access Services Tariff per the Federal Communications Commission's order in Docket CC92-237. Effective July 1, 1998, only four digit CICs, 10XXXX and 101XXXX dialing patterns will be permitted." (Staff: HB/EM)	07/01/98	07/17/98
<b>APPLICATION FOR REHEARING</b>			

PAGE 1 OF 2

TC 98-123

RECEIVED

AUG 10 1998

8-7-98

Bill Bullew  
Public Utilities Commission  
State Capitol Building  
500 E. Capitol  
Sioux, SD 57501

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Dear Commissioners,

I am writing this letter asking that my complaint against DTG be withdrawn.

It was agreed during our phone conference on Thursday, August 6, 1998, that DTG would completely credit our account. We also agreed to accept Golden West's offer of \$14<sup>95</sup> a month for unlimited internet access. This is the regular \$14<sup>95</sup> a month rate minus \$5<sup>00</sup> a month for the educational discount. Golden West will also give a free 30 day trial package.

I would like to thank the commissioners for the time they've spent on this matter. Had DTG been persistent the whole situation, this matter would never have been pursued.

Thanks again for your time.

Gus Chamber



RECEIVED  
AUG 13 1998  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

August 11, 1998

William Bullard  
Executive Secretary  
South Dakota Public Utilities Commission  
Capitol Building, First Floor  
500 East Capitol Avenue  
Pierre, SD 57501

RE: Schamber Complaint - Docket No. TC98-123

Dear Mr. Bullard,

Attached is a copy of the release signed by Ms. Susan Schamber which agrees to dismiss the complaint in this docket. DTG Internet has credited her bills for the months of May through August, 1998, and has forwarded a check in the amount of \$23.25 to refund her payments for Internet service for half of March and all of April, 1998.

The copy is for your records and to support a request from Ms. Schamber to dismiss her complaint. If you have any questions, please contact me. Thank you for mediating this result.

Sincerely,

William P. Heaston  
General Counsel

Attachment

cc: Susan Schamber  
Chez Tschetter

Tradition

Technology

Talent

Teamwork

HEADQUARTERS  
P.O. Box 68  
29705 45<sup>th</sup> Avenue  
Sioux Falls, South Dakota  
57107-0066

605.263.3301  
800.239.7501  
Fax 605.263.3993

www.dtg.com



COPY

August 7, 1998

Susan Schamber  
P.O. Box 221  
Freeman, SD 57027

Dear Ms. Schamber,

I understand that you will accept my offer of a credit or refund of charges for your Internet service from late March to today's date. After talking to you and reviewing our records, you will not have to pay past due bills for May through July, 1998, or up to August 7, 1998, when your DTG Internet service was disconnected. If you do receive a bill in August, please disregard it. I will refund you your payment for the month of April and the last half of the month of March, 1998, which amounts to \$23.25.

It is my understanding that in exchange for the credit and refund described above, you will dismiss your complaint against DTG Internet, Inc. I also understand that you will agree to generally release Dakota Telecommunications Group, and its subsidiary DTG Internet, Inc., from any further claim or liability arising out of your subscription to and use of DTG Internet's service. If your understanding is the same as mine, please sign where indicated below and return one copy of this letter to me in the enclosed envelope. When I receive that letter, I will send you the check for \$23.25.

If you have any questions, please call me at (605) 263-3117. Thank you.

Sincerely,

William P. Heaston  
General Counsel

I agree to dismiss the complaint and to the general release of liability.

Susan Schamber

Date: 8/7/98

Tradition

Technology

Talent

Teamwork

**HEADQUARTERS**

P.O. Box 66  
29705 432<sup>nd</sup> Avenue  
West, Sioux Falls  
57037-0066

605 263 1301  
800 239 7501  
Fax 605 263 3995

[www.dtg.com](http://www.dtg.com)

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

IN THE MATTER OF THE COMPLAINT FILED ) ORDER CLOSING DOCKET  
BY SUSAN SCHAMBER, FREEMAN, SOUTH )  
DAKOTA, AGAINST DAKOTA ) TC98-123  
TELECOMMUNICATIONS GROUP, INC. )  
REGARDING INTERNET SERVICES )

On June 9, 1998, Susan Schamber, Freeman, South Dakota, (internet subscriber), filed a complaint against Dakota Telecommunications Group, Inc. (DTG) regarding internet services. The Complaint alleged that as an internet customer of DTG since February 11, 1998, the internet subscriber had good service until the end of March, 1998. After March, 1998, internet service was repeatedly interrupted. Golden West is the telephone service provider for the internet subscriber. Internet subscriber asked for a solution to getting internet service and for certain billing adjustments.

This matter came before the South Dakota Public Utilities Commission (Commission) at its regularly scheduled July 23, 1998, meeting, and action on it was deferred pending possible mediation between the parties. Informal mediation was conducted by Commission Executive Director William Bullard between the parties and Golden West via teleconference on August 6, 1998.

This matter again came before the Commission on August 18, 1998, at its regularly scheduled meeting. The Commission was in receipt of a settlement agreement between internet subscriber and DTG and a separate letter from the internet provider indicating settlement had been reached. Staff counsel recommended closing the docket.

The Commission unanimously voted to close the docket. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 49-13, 49-31 and ARSD Chapter 20:10.01. It is therefore

ORDERED that docket TC98-123 be closed.

Dated at Pierre, South Dakota, this 25<sup>th</sup> day of August, 1998.

**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 envelopes, with charges prepaid thereon.

By *William Laska*

Date 8/25/98

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner