

PLEASE TYPE OR PRINT CLEARLY

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

COMPLAINT

Complainant(s): (The party filing the complaint)		Respondent(s): (The person or Company complained against)	
Name	Denise Broveak	Contact Person	
Address	HC 73 Box 295	Company	US West
City, State, Zip	Nemo, SD 57759	Address	Black Hills Region
Work Phone	(605) 578-7951	City, State, Zip	South Dakota
Home Phone	(605) 578-7523	Work Phone	
Cellular Phone		Cellular Phone	
Fax	605 578-1330	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:

The facts giving rise to my complaint:

I am writing this as President of the Elk Ridge Home Owners Assoc.

Our Subdivision consists of 56 lots and in 1993, the US West Engineer for our area noted that there were only 80+ pairs (cable) available to our development. The engineer was told that the lots were selling quickly and something needed to be done to correct the shortage. We have officially used all ~~of~~ that is available to us and less than one-third of the properties are developed. One new home will be completed this summer and we have been informed by US West that there are no guarantees for additional service before Sept or maybe December.

The tragedy is as follows: James Van't Land and his family have moved into Elk Ridge - June 27th. They moved back to the US from Malaysia. Early April of this year, they were issued 3 phone numbers for 3 lines to be installed upon arrival 6/22/98. As of today, they have no service (July 8) and were issued 1 cell phone on July 3rd to carry them over. James' business line is not active and he is struggling with his job as a result. They receive help from US West.

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?)

US West has known for several ~~years~~ years of this problem and have done nothing to prepare. Now, the Van't hands are suffering from their lack of telephone access. Another family will soon be moving here (also needing a business line) and they are out of luck also. We need a multiplexer or more cable! Van't hands deserve compensation or credit for inconvenience!

NOTE: Please attach any additional pages, if necessary.

VERIFICATION

Signature must be witnessed by a notary public.

Denise Brovek _____ 7-8-98 _____
Complainant's Signature Date

Denise Brovek

State of South Dakota)
County of MEAD) :SS

On this 9TH day of JULY, 1998, before me personally came and appeared DENISE M BROVEK 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.

Paul Hinder
Signature of Notary Public



(SEAL)

MILLS BROVEAK ASSOCIATES

HC 73 Box 295

Nemo, South Dakota 57759

(605) 578-7751 • Fax (605) 578-1330

FAX TRANSMITTAL

TO: Leni Healy

PAGES

CO: PUC

3

FAX #: (605) 773-3809

FROM: Denise Broveak

FAX #: (605) 578-1330

PHONE: (605) 578-7751

DATE: 07/08/98

James Van't Land has made countless calls to US WEST trying to get the 3 lines installed that were requested late March or early April. They were given the following three numbers to publish to family and business contacts: Home # 578-7798, Office # 578-9723, and fax # 578-9741. These arrangements were made while still living in Malaysia and it was understood that the lines would be operational June 22, 1998. Upon arrival on that date, they were told that no cable pairs were available and that there was no guarantee that he could have telephone until November this year. The Van't Lands were also told that after an 8-day waiting period, they would be given one cell phone to handle personal communication needs (605) 390-9152. Meanwhile, the original numbers ring with a message that all circuits are busy or, most recently, that the number has been disconnected and no forwarding information to the cell phone is given. Royal (Mac) McCrackin, a US West contact in Rapid City was called on Monday July 6th by myself, Denise Broveak, and asked when the Van't Lands could expect their phone lines. He talked to an engineer that indicated it could be possible to have something to them by July 10th and that other lines may be available sometime after the end of August.

James and Hollie Van't Land have suffered a great deal of stress from this ordeal. There was enough stress in moving the family back to the United States after 11 years of living in Asia. Many family and business contacts have been greatly anticipating their return and were issued the phone numbers early on. No one has been able to reach them in a normal fashion. And no comfort or cooperation has come from US West.

I anticipate a repeat problem shortly with other new arrivals unless I can be sure that telephone service is made available soon.

F A X TRANSMISSION from Consumer Affairs

To : Colleen Sevoid

Company : U S WEST

Fax Number : 8-605-339-5390

Date : 7/8/98

Time : 3:35:00

From : Leni Healy

Company : South Dakota PUC

Fax Number : 605.773.3809

Pages including cover page : 4

Message:

Mike & Colleen,

We have received the following complaints from Denise Broveak, one formal and one informal.

The formal complaint will not be docketed until Friday, July 10, at 5PM to allow an informal resolution.

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

South Dakota Public Utilities Commission

WEEKLY FILINGS

For the Period of July 10, 1998 through July 16, 1998

TC98-129 Complaint by Dale and Linda Brooks vs USWC Lack of and poor telephone service in the Mina, South Dakota area. The complainants request the following relief "The P.U.C. should get on U S WEST and not allow any rate increases until we have the same services that are available to residents of Aberdeen."
Staff Analyst: Leni Healy Staff Attorney: Ethan Meaney
Date Filed: July 10, 1998
Intervention Deadline: NA

TC98-130 Complaint by Denise Broveak vs USWC "I am writing this as President of the Elk Ridge Home Owners Association Our subdivision consists of 56 lots and in 1993 the U S WEST engineer for our area noted that there were only 20+ pairs (cable) available to our development. The engineer was told that the lots were selling quickly and something needed to be done to correct the shortage. The tragedy is as follows. James Van't Land and his family have moved to Elk Ridge - June 22nd. Early April of this year, they were issued 3 phone numbers for 3 lines to be installed upon arrival 6/22/98. As of today, they have no service (July 8) and were issued 1 cell phone on July 3rd to carry them over. James' business line is not active and he is struggling with his job as a result. They receive no help from U S WEST." The complainant requests the following relief "U S WEST has known for several years of this problem and have done nothing to prepare. Now, the Van't Lands are suffering from their lack of telephone access. Another family will soon be moving here (also needing a business line) and they are out of luck also. We need a multiplexer or more cable! Van't Lands deserve compensation or credit for inconvenience!"
Staff Analyst: Leni Healy Staff Attorney: Ethan Meaney
Date Filed: July 8, 1998
Intervention Deadline: NA

TC98-131 Application by Main Street Telephone Company for a Certificate of Authority to operate as a telecommunications company within the state of South Dakota. "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-WATS, in-WATS, and Calling Card services. Applicant does not intend to provide operator services, 900 or 700 services."
Staff Analyst: David Jacobson Staff Attorney: Karen Cremer
Date Filed: July 14, 1998
Intervention Deadline: July 31, 1998

TC98-132 Complaint by Wilson Enterprises, Inc vs U S WEST "We are being served by old, antiquated telephone equipment. U S WEST has us on an "anaconda" phone system due to a lack of physical pairs of wires. With this system, we are unable to use or

access any digital services, including Caller ID." Complainant requests the following relief "Require U S WEST to provide newer, fast, more reliable and digital service to the phone numbers associated with our main number 605-574-2684."
Staff Analyst: Leni Healy Staff Attorney: Camon Hoseck
Date Filed: July 13, 1998
Intervention Deadline: NA

TC98-133 Complaint by Marian C Brooks vs USWC. "We have had phone problems for years" in the Mina, South Dakota area. The complainant requests the following relief "You know the answer to that better than I do."
Staff Analyst: Leni Healy Staff Attorney: Ethan Meaney
Date Filed: July 15, 1998
Intervention Deadline: NA

EL98-019 Complaint by Rob Thorson vs Northwestern Public Service Company (NWPS). Complainant alleges that his appliances and equipment were damaged by a power surge caused when NWPS severed an electrical cable while installing a gas line. Complainant states that he is seeking monetary damages, that the electrical line is still exposed and he is asking the Commission to do all it can to resolve the problem.
Staff Analyst: Bob Knadle Staff Attorney: Camron Hoseck
Date Filed: July 9, 1998
Intervention Deadline: NA

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing. Phone: 605-773-3705 Fax: 605-773-3809

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/executive/puc/puc.htm>

September 9, 1998

William Bullard, Jr., Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501

VIA FACSIMILE - 605-773-3809

Re: Hofer Complaint (TC97-178)
Mina Complaints (TC Nos. 98-124, 98-128, 98-129, **98-130**, 98-133)

Dear Mr. Bullard:

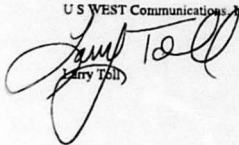
The purpose of this letter is to advise the Commission as to the anticipated completion date of above construction projects and to request that the Commission extend the completion date of the Hofer project accordingly.

U S WEST is currently concentrating on a backlog of repair and installation jobs which occurred as a result of the work stoppage involving U S WEST occupational employees. U S WEST nevertheless anticipates completing the Hofer project by the end of this month and requests that the Commission enter an order establishing a September 30th completion date.

Due to the work stoppage and recovery therefrom, U S WEST does not know whether it be able to complete the Mina Lake project by October 31st. We are working as expeditiously as possible on the Mina Lake project and will keep the Commission advised as to the completion of major project milestones.

Sincerely yours,

U S WEST Communications, Inc.



Larry Tell

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT)	ORDER DISMISSING
FILED BY DENISE BROVEAK, NEMO,)	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST U S WEST)	DOCKET
COMMUNICATIONS, INC. REGARDING)	
ADDITIONAL LINES)	TC98-130

On July 8, 1998, the Public Utilities Commission (Commission) received a complaint from Denise Broveak against U S WEST Communications, Inc. (U S WEST) regarding additional lines that the Elk Ridge Home Owners Association felt were needed in its subdivision. Ms. Broveak requested the following relief: "U S WEST has known for several years of this problem and have done nothing to prepare. Now, the Van't Lands are suffering from their lack of telephone access. Another family will soon be moving here (also needing a business line) and they are out of luck also. We need a multiplexer or more cable! Van't Lands deserve compensation or credit for inconvenience!"

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 July 23, 1998, at its duly noticed meeting, the Commission deferred the complaint as U S WEST indicated that the matter would be resolved by August 15, 1998. At its regularly scheduled meeting of September 10, 1998, the Commission again considered the matter. U S WEST stated that it had completed the project.

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 U S WEST stated that it had completed the project, the Commission unanimously voted to dismiss the complaint and to close the docket. It is therefore

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

Dated at Pierre, South Dakota, this 21st day of September, 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

Date

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner