BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY JAMES FRANKENSTEIN, REDFIELD, SOUTH DAKOTA, AGAINST U S WEST COMMUNICATIONS, INC. REGARDING POOR SERVICE AND REQUEST TO HAVE LINES UPDATED	))))))	**ORDER CANCELLING HEARING** **CT99-004**

On April 22, 1999, the Public Utilities Commission (Commission) received a complaint filed by James Frankenstein, Redfield, South Dakota (Complainant), against U S WEST Communications, Inc. (U S WEST), regarding poor service and request to have lines updated. Complainant outlines a series of service quality problems, phantom calls, and the inability to get caller ID.

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 May 12, 1999, at a duly noticed meeting, Complainant explained his complaint to the Commission. Commission Staff recommended a finding of probable cause due to unresolved factual issues. The Commission voted unanimously to find probable cause.

The Commission finds that it 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, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-60, and 49-31-61, and ARSD Chapter 20:10:33.

By order dated November 2, 1999, a hearing was scheduled for December 9, 1999, beginning at 12:30 o'clock P.M., at the Spink County Courthouse, Community Room, 210 E. 7th Ave., Redfield, South Dakota. On November 30, 1999, the Commission received a letter from Commission Staff stating that the Complainant has requested a month delay, so therefore the hearing is cancelled and may be rescheduled at a later date. It is therefore

ORDERED, that the hearing scheduled for December 9, 1999, is cancelled.

Dated at Pierre, South Dakota, this 1st day of December, 1999.

CERTIFICATE OF SERVICE	BY ORDER OF THE COMMISSION:
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)	_____ JAMES A. BURG, Chairman _____ PAM NELSON, Commissioner _____ LASKA SCHOENFELDER, Commissioner