

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

IN THE MATTER OF THE COMPLAINT FILED BY JOHN AND SHIRLEY HATCH, PIERRE, SOUTH DAKOTA, AGAINST QWEST COMMUNICATIONS REGARDING UNAUTHORIZED BILLING FOR SERVICES))))))	ORDER CANCELLING HEARING CT99-018
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On July 26, 1999, the Public Utilities Commission (Commission) received a complaint filed by John and Shirley Hatch, Pierre, South Dakota (Complainants), against Qwest Communications, Inc. (Qwest). Complainants allege the unauthorized switching of their long distance service at a house they own in the Black Hills south of Lead, South Dakota.

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 August 17, 1999, the Commission considered this matter. Complainant John Hatch appeared before the Commission on this matter. The Commission found there was probable cause of an unlawful or unreasonable act, rate, practice or omission, and ordered that the complaint be forwarded to Qwest for an answer to be filed within twenty (20) days of service of the order. The order was dated August 26, 1999.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-13-13, 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-38 through 49-31-38.3, inclusive, 49-31-89 through 49-31-97, inclusive, and ARSD Chapter 20:10:34.

By order dated September 22, 1999, a hearing was scheduled for October 27, 1999, beginning at 1:00 o'clock P.M., in Room 412 of the State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota. On October 22, 1999, the Commission received a letter from the Complainants requesting that they be allowed to amend their complaint and that additional companies be added to their complaint. Due to this request the hearing shall be rescheduled for a later time. It is therefore

ORDERED, that the hearing scheduled for October 27, 1999, is cancelled.

Dated at Pierre, South Dakota, this 25th day of October, 1999.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>	<p>BY ORDER OF THE COMMISSION:</p> <p style="text-align: center;">_____ JAMES A. BURG, Chairman</p> <p style="text-align: center;">_____ PAM NELSON, Commissioner</p> <p style="text-align: center;">_____ LASKA SCHOENFELDER, Commissioner</p>
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