Consumer Complaint Orders - Issued 1999

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY WILLIAM AND EILEEN REIDY, SIOUX FALLS, SOUTH DAKOTA, AGAINST SPRINT COMMUNICATIONS COMPANY L.P. AND U S WEST COMMUNICATIONS, INC. REGARDING UNAUTHORIZED SWITCHING OF SERVICES	**)** **)** **)** **)** **)** **)**	**ORDER FINDING PROBABLE CAUSE AND NOTICE REQUIRING ANSWER** **CT99-032**

On August 11, 1999, the Public Utilities Commission (Commission) received a complaint filed by William and Eileen Reidy, Sioux Falls, South Dakota (Complainants), against Sprint Communications Company L.P. (Sprint) and U S WEST Communications, Inc. (U S WEST). The Complainants alleged unauthorized switching of long distance services and ask that the provisions of the law for a $1,000 payment to the consumer be enforced and applied here.

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 25, 1999, at a duly noticed meeting, the Commission considered this matter and determined that there was probable cause that an unlawful or unreasonable act, rate, practice or omission was committed by Sprint and U S WEST.

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, 49-31-89 through 49-31-96, inclusive, and ARSD 20:10:01:07.01 through 20:10:01:15.01, inclusive. The Commission voted unanimously to find probable cause. It is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice, or omission and the complaint shall be forwarded to Sprint and U S WEST and Sprint and U S WEST shall file with the Commission their answers in writing within twenty (20) days of service of this order.

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

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, Chairman

_____
PAM NELSON, Commissioner

_____
LASKA SCHOENFELDER, Commissioner

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