

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

IN THE MATTER OF THE COMPLAINT FILED)
BY ROSALIE BURY, ABERDEEN, SOUTH)
DAKOTA, AGAINST NORTHWESTERN)
PUBLIC SERVICE REGARDING VIOLATION OF)
PRIVACY AND REFUSAL TO MAKE)
REASONABLE PAYMENT ARRANGEMENTS)

ORDER FINDING NO
PROBABLE CAUSE AND
CLOSING DOCKET

CE99-002

On July 12, 1999, the Public Utilities Commission (Commission) received a complaint filed by Rosalie Bury, Aberdeen, South Dakota (Complainant), against NorthWestern Public Service (NWPS). Complainant alleges that personal credit information was disclosed to a third party and that reasonable payment arrangements were not considered.

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. Russell C. Molstad, Jr. appeared on behalf of NWPS and presented its position. The Complainant did not appear. Commission Staff recommended a finding of no probable cause.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, specifically 49-34A-58, and ARSD 20:10:01:08.01 and 20:10:01:09, et seq. The Commission voted unanimously to find no probable cause. It is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is no probable cause of an unlawful or unreasonable act, rate, practice, or omission and that the docket shall be closed..

Dated at Pierre, South Dakota, this 26th day of August, 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: <u><i>Debra Kaelbs</i></u>
Date: <u>8/30/99</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner