

**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 DISMISSING COMPLAINT AND CLOSING DOCKET CT99-004
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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). The Complainant alleged intermittent loud static, disconnections, no service and random ringing. Complainant requested that the service be repaired and that he be afforded the opportunity to receive such services as connection to the internet, caller ID and similar services.

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. In this matter, probable cause was determined at the Commission's regularly scheduled May 12, 1999, meeting. A hearing was to be held on December 9, 1999.

The Commission Staff received a phone call from Complainant indicating that there had been a resolution of the matter and that the case should be considered closed.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31.

On February 2, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

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

Dated at Pierre, South Dakota, this 11th day of February, 2000.

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>Deldine Kalbo</i></u>
Date: <u>2/11/00</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