

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY EDWARD PELTZ, HILL CITY, SOUTH)	HEARING
DAKOTA, AGAINST U S WEST)	
COMMUNICATIONS, INC. REGARDING POOR)	CT99-027
SERVICE AND REQUEST TO HAVE LINES)	
UPDATED)	

On August 6, 1999, the Public Utilities Commission (Commission) received a complaint filed by Edward Peltz, Hill City, South Dakota (Complainant), against U S WEST Communications, Inc. (U S WEST). The Complainant alleges that his phone does not always work, sometimes only working a few hours per day. U S WEST repairmen have been out on numerous occasions to fix the problem but it continues to re-occur. The clarity is so bad that people cannot understand him. Repair service kept taking the complaints but no one fixed the problem. Phone is still noisy. Complainant requests that "U S WEST be forced to put some good equipment in. I pay just as much for service as the people in cities do. Why shouldn't I get the same good service. My service is lousy just so U S WEST can show a good P & L statement."

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, at a duly noticed meeting, the Complainant presented his problem to the Commission. U S WEST stated that it had not had the time to review the problem yet. The Commission voted unanimously to find probable cause.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1 through 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-60, and 49-31-61, and ARSD 20:10:01:07.01 through 20:10:01:15.01, inclusive, and ARSD Chapter 20:10:33.

By order dated October 7, 1999, a hearing was scheduled for 1:00 p.m. (MST), on November 18, 1999, in the Bear Butte Room at the Ramkota Hotel and Conference Center, 2211 LaCrosse Street, Rapid City, South Dakota. However, the Complainant is unable to attend the hearing on that date, thus the hearing shall be cancelled and rescheduled at a later time. It is therefore

ORDERED, that the hearing scheduled for November 18, 1999, is cancelled.

Dated at Pierre, South Dakota, this 3rd day of November, 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: <u><i>Aldwin Kalbo</i></u></p> <p>Date: <u>11/3/99</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner