

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY WILLIAM AND EILEEN REIDY, SIOUX )	COMPLAINT, CLOSING
FALLS, SOUTH DAKOTA, AGAINST SPRINT )	DOCKET AND CANCELLING
COMMUNICATIONS COMPANY L.P. )	HEARING
REGARDING UNAUTHORIZED SWITCHING OF )	
SERVICES )	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.

On September 20, 1999, U S WEST filed a Motion to Dismiss U S WEST as a respondent in the complaint. On October 1, 1999, Sprint filed an Amended Answer stating that its original assertion that U S WEST was at fault in the switching of the Complainants was in error. Sprint stated that the Complainants were improperly switched as a result of a keying error of a Sprint employee. Based on Sprint's Amended Answer, the Commission voted unanimously to grant U S WEST's Motion to Dismiss. A hearing in this matter was scheduled for December 2, 1999, in Sioux Falls, South Dakota, and notice of the hearing was issued by the Commission on November 2, 1999. At a regularly scheduled meeting on November 15, 1999, Commission staff informed the Commission that the matter was resolved. The Commission voted unanimously to dismiss the complaint, close the docket and cancel the hearing. It is therefore

ORDERED, that the complaint in this docket shall be dismissed, the docket shall be closed and the hearing scheduled in this matter shall be cancelled.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of November, 1999.

<p><b>CERTIFICATE OF SERVICE</b></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>Delaine Kalbo</u></p> <p>Date: <u>11/22/99</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner