

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FINDING
BY LYLE TUNHEIM, ANDOVER, SOUTH)	PROBABLE CAUSE AND
DAKOTA, AGAINST MCI WORLDCOM)	NOTICE REQUIRING
REGARDING INCREASE IN RATES WITHOUT)	ANSWER
NOTICE)	CT99-037

On July 8, 1999, the Public Utilities Commission (Commission) received a complaint filed by Lyle Tunheim, Andover, South Dakota (Complainant), against MCI WorldCom (MCI), regarding an increase in rates without notice. Complainant requests that the bill be re-rated to 10 cents per minute.

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 September 8, 1999, at a duly noticed meeting, Commission Staff recommended a finding of probable cause due to unresolved factual issues.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-13-13, 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-89 through 49-31-96, inclusive, and ARSD 20:10:01:08.01 and 20:10:01:09. 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 that the complaint shall be forwarded to MCI and MCI shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 14th day of September, 1999.

<p>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>Delaine Kaelo</i></u></p> <p>Date: <u><i>9/14/99</i></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