

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

|                                                                                                                                                                                  |                                                                               |
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| IN THE MATTER OF THE COMPLAINT FILED )<br>BY PAULA MUCHOW, RAPID CITY, SOUTH )<br>DAKOTA, AGAINST CREATIVE )<br>OPPORTUNITIES REGARDING )<br>UNAUTHORIZED BILLING FOR SERVICES ) | ORDER FINDING<br>PROBABLE CAUSE AND<br>NOTICE REQUIRING<br>ANSWER<br>CT99-042 |
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On October 4, 1999, the Public Utilities Commission (Commission) received a complaint filed by Paula Muchow, Rapid City, South Dakota (Complainant), against Creative Opportunities (CO) regarding unauthorized long distance telephone charges.

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 October 19, 1999, at a duly noticed meeting, the Commission considered this matter. Commission Staff recommended a finding of probable cause.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-10, 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 CO and CO shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 29<sup>th</sup> day of October, 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: Debrae Kaebo

Date: 10/29/99

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner