

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY GSA, INC., RAPID CITY, SOUTH DAKOTA, )	COMPLAINT AND CLOSING
AGAINST QWEST COMMUNICATIONS, INC. )	DOCKET
REGARDING UNAUTHORIZED SWITCHING OF )	
SERVICES )	CT99-045

On October 12, 1999, the Public Utilities Commission (Commission) received a complaint filed by GSA, Inc., Rapid City, South Dakota (Complainant), against Qwest Communications, Inc. (Qwest) regarding unauthorized switching of 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. On October 19, 1999, the Commission determined that there was probable cause that an unlawful or unreasonable act, rate, practice or omission was committed by Qwest. The matter was scheduled for hearing on December 6, 1999.

On December 2, 1999, the Commission Staff received a letter 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, 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, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On December 14, 1999, 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 21<sup>st</sup> day of December, 1999.

<b>CERTIFICATE OF SERVICE</b>
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>Debrae Keeso</i></u>
Date: <u>12/23/99</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