BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY LYNDA SEDERSTROM, MADISON, SOUTH DAKOTA, AGAINST SPRINT COMMUNICATIONS COMPANY L.P. AND U S WEST COMMUNICATIONS, INC. REGARDING UNAUTHORIZED SWITCHING OF SERVICES	))))))	ORDER FINDING PROBABLE CAUSE AND NOTICE REQUIRING ANSWER CT99-050

On October 26, 1999, the Public Utilities Commission (Commission) received a complaint filed by Lynda Sederstrom, Madison, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint) and U S WEST Communications, Inc. (U S WEST), regarding alleged unauthorized switching of services and incorrect billing for services by Sprint and U S WEST. Complainant seeks damages as provided by law.

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 November 15, 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 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, 49-31-11, 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 20:10:01:07.01 through 20:10:15:01, inclusive, and ARSD Chapter 20:10:34. 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 Sprint and U S WEST and Sprint and U S WEST shall file with the Commission their answers in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 18th day of November, 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: Delaine Kaebo

Date: 11/22/99

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner