

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY WAYNE W. CROCKETT, HARTFORD, )	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST AT&T )	DOCKET
COMMUNICATIONS OF THE MIDWEST, INC. )	
REGARDING UNAUTHORIZED SWITCHING OF )	CT99-057
SERVICES )	

On November 15, 1999, the Public Utilities Commission (Commission) received a complaint filed by Wayne W. Crockett, Hartford, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) regarding unauthorized switching of services from MCI to AT&T.

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. This matter was scheduled for a probable cause determination at the Commission's regularly scheduled November 29, 1999, meeting.

On November 29, 1999, the Commission received a letter from Complainant indicating that he was satisfied with 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 November 29, 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 8<sup>th</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>Debra Kalko</u>
Date: <u>12/8/99</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