BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY RICHARD L. DIXON, DESMET, SOUTH DAKOTA, AGAINST TELEPHONE BILLING SERVICES AND RTR CONSULTANTS REGARDING UNAUTHORIZED SWITCHING OF SERVICES	)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT99-076

On December 13, 1999, the Public Utilities Commission (Commission) received a complaint filed by Richard L. Dixon, De Smet, South Dakota (Complainant), against Telephone Billing Services (TBS) and RTR Consultants (RTR). The Complainant alleges that there were charges for calls to his telephone bill that were not made by him. The Complainant wanted the charges removed

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 not scheduled for a probable cause determination.

On January 24, 2000, 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 and 49-31.

On February 2, 2000, 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 11th day of February, 2000.

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 Kolbo

Date: 2/14/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg

JAMES A. BURG, Chairman

Pam Nelson

PAM NELSON, Commissioner

Laska Schoenfelder

LASKA SCHOENFELDER, Commissioner