

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER CANCELLING
BY MRS. ROBERT BINFET, ABERDEEN, )	HEARING
SOUTH DAKOTA, AGAINST OLS, INC. )	
REGARDING SWITCHING )	CT99-068
TELECOMMUNICATIONS SERVICES )	
THROUGH DECEPTIVE TACTICS )	

On December 8, 1999, the Public Utilities Commission (Commission) received a complaint filed by Mrs. Robert Binfet, Aberdeen, South Dakota (Complainant), against OLS, Inc. (OLS) regarding alleged switching telecommunications services through deceptive tactics. Complainant requests reimbursement and wants the Commission to assess a fee against the company.

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 December 28, 1999, at a duly noticed meeting, Commission Staff recommended a finding of probable cause due to unresolved factual issues. The Commission voted unanimously to find 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, 49-31-7.3, 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.

By order dated January 26, 2000, a hearing was scheduled for February 17, 2000, beginning at 10:00 o'clock A.M., in the Cactus Conference Room located in the office of the Public Utilities Commission, State Capitol Building, 500 E. Capitol, Pierre, South Dakota. On February 11, 2000, Commission Staff was contacted by Complainant who informed the Staff that settlement had been reached in this matter and she wished to have her complaint dismissed, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for February 17, 2000, is cancelled.

Dated at Pierre, South Dakota, this 14th day of February, 2000.

<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>Maureen Kalbo</i></u>
Date: <u>2/14/00</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