

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY FARMERS UNION COOP ELEVATOR,)	COMPLAINT AND CLOSING
KENNEBEC SOUTH DAKOTA, AGAINST U S)	DOCKET
REPUBLIC COMMUNICATIONS, INC.)	
REGARDING UNAUTHORIZED SWITCHING OF)	CT99-083
SERVICES	

On December 17, 1999, the Public Utilities Commission (Commission) received a complaint filed by Rodney Mick on behalf of the Farmers Union Coop Elevator, Kennebec, South Dakota (Complainant), against U S Republic Communications, Inc. (U S Republic) regarding alleged switching of telecommunications services. Mr. Mick claimed that only he was authorized to switch the long distance carrier on behalf of the Complainant. Complainant seeks relief in the form of reimbursement for all charges that were billed to Complainant by U S Republic and a return to AT&T as the long distance carrier.

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 December 28, 1999, meeting.

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 28, 1999, at a regularly scheduled meeting, the Commission considered this matter. The Complainant requested dismissal of the complaint, the matter having been resolved. 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 12th day of January, 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: <u><i>Debra Kalko</i></u>
Date: <u>1/13/00</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