

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY LOREN A. ODLAND, ARLINGTON, SOUTH)	COMPLAINT AND CLOSING
DAKOTA, AGAINST PREFERRED BILLING)	DOCKET
REGARDING UNAUTHORIZED SWITCHING OF)	
SERVICES)	CT99-038

On August 9, 1999, the Public Utilities Commission (Commission) received a complaint by Loren A. Odland, Arlington, South Dakota (Complainant), against Preferred Billing regarding the unauthorized switching of services. Complainant alleged that phone service for Trinity Lutheran Church was switched to Preferred Billing without authorization during December 1998, and that he has been unable to resolve the dispute. He is seeking reimbursement of the charges and penalties assessed.

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 September 8, 1999, at a duly noticed meeting, Commission Staff informed the Commission that the parties had reached a settlement and the Complainant wished to have the complaint dismissed and the docket closed.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-13-13, 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-89 through 49-31-96, inclusive, and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission voted unanimously to dismiss the complaint and close the docket. It is therefore

ORDERED, that this complaint be dismissed and the docket be closed.

Dated at Pierre, South Dakota, this 14th day of September, 1999.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>Delaine Kaelbo</u></p> <p>Date: <u>9/14/99</u></p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

James A. Burg
 JAMES A. BURG, Chairman

Pam Nelson
 PAM NELSON, Commissioner

Laska Schoenfelder
 LASKA SCHOENFELDER, Commissioner