

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY JOAN CLARK, YANKTON, SOUTH )	COMPLAINT AND CLOSING
DAKOTA, AGAINST AT&T COMMUNICATIONS )	DOCKET
OF THE MIDWEST, INC. REGARDING )	
UNAUTHORIZED SWITCHING OF LONG )	CT00-104
DISTANCE CARRIER )	

On September 22, 2000, the Public Utilities Commission (Commission) received a complaint filed by Joan Clark, Yankton, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) regarding unauthorized switching of long distance carrier.

On September 25, 2000, the complaint was faxed to AT&T. Pursuant to ARSD 20:10:01:09, AT&T was notified that it must satisfy the complaint or file an answer in writing with the Commission by October 16, 2000. On October 16, 2000, the Commission received an answer from AT&T. At the Commission's regularly scheduled meeting of November 2, 2000, action on a motion was deferred. A hearing in this matter was scheduled for November 29, 2000. By order dated November 8, 2000, the hearing was cancelled since action on a motion was deferred and a hearing was to be set at a later time. Commission Staff has now been informed that settlement had been reached in this matter.

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 12, 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 20<sup>th</sup> day of December, 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>Maureen Kalbo</u>
Date: <u>12/21/00</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