

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

IN THE MATTER OF THE COMPLAINT FILED) BY EDWARD PELTZ, HILL CITY, SOUTH) DAKOTA, AGAINST U S WEST) COMMUNICATIONS, INC. REGARDING POOR) SERVICE AND REQUEST TO HAVE LINES) UPDATED)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT99-027
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On August 6, 1999, the Public Utilities Commission (Commission) received a complaint filed by Edward Peltz, Hill City, South Dakota (Complainant), against U S WEST Communications, Inc. (U S WEST) regarding poor service and request to have lines updated.

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 August 17, 1999, at a duly noticed meeting, the Complainant presented his problem to the Commission. U S WEST stated that it had not had the time to review the problem yet. The Commission voted unanimously to find probable cause. A hearing scheduled for November 18, 1999, was cancelled as the Complainant was unable to attend the hearing.

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 September 13, 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 19th day of September, 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>Alicia Kalbo</i></u>
Date: <u>9/20/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u><i>James A. Burg</i></u> JAMES A. BURG, Chairman
<u><i>Pam Nelson</i></u> PAM NELSON, Commissioner
<u><i>Laska Schoenfelder</i></u> LASKA SCHOENFELDER, Commissioner