

1014

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

IN THE MATTER OF THE COMPLAINT FILED ) BY FSST SOCIAL SERVICES, FLANDREAU, ) SOUTH DAKOTA, AGAINST TELECOM*USA ) AND IONEX COMMUNICATIONS NORTH, INC. ) REGARDING UNAUTHORIZED SWITCHING ) OR BILLING OF SERVICES )	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET  CT00-115
--	---

On December 7, 2000, the Public Utilities Commission (Commission) received a complaint filed by FSST Social Services, Flandreau, South Dakota (Complainant), against Telecom\*USA (Telecom) regarding unauthorized switching or billing of services.

On December 11, 2000, the complaint was faxed to Telecom. Pursuant to ARSD 20:10:01:09, Telecom was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 31, 2000. On January 5, 2001, the Commission received an answer from Telecom and a Motion to Join Party asking that Ionex Communications North, Inc. (Ionex) be added as a party. At its regularly scheduled meeting of January 17, 2001, the Commission considered this matter. By order dated January 24, 2001, the Commission granted Telecom's motion to join party. On January 25, 2001, the Commission received a request from Jack Thomson, Program Director/Social Services, Flandreau Santee Sioux Tribe, asking that the Commission join all parties into Docket CT00-114 and to dismiss this complaint.

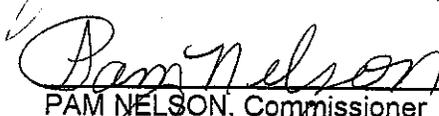
On February 6, 2001, at a regularly scheduled meeting, the Commission considered the request. The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 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. MCI and Ionex stated that they did not object to the request. The Commission unanimously voted to approve the request to join all parties into Docket CT00-114 and to dismiss this complaint. It is therefore

ORDERED, that all parties to this docket be joined into Docket CT00-114 and this complaint is dismissed and the docket closed.

Dated at Pierre, South Dakota, this 15<sup>th</sup> day of February, 2001.

<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>Nelaine Kelso</u>
Date:	<u>2/16/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

 _____ JAMES A. BURG, Chairman	
 _____ PAM NELSON, Commissioner	
 _____ LASKA SCHOENFELDER, Commissioner	