

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

| | |
|--|-----------------------|
| IN THE MATTER OF THE COMPLAINT FILED) | ORDER DISMISSING |
| BY PETER AND DOROTHY BEAUDETTE,) | COMPLAINT AND CLOSING |
| RAPID CITY, SOUTH DAKOTA, AGAINST) | DOCKET |
| AMERIVISION COMMUNICATIONS, INC.) | |
| REGARDING UNAUTHORIZED BILLING FOR) | CT00-081 |
| SERVICES AND REFUSAL TO CANCEL) | |
| ACCOUNT) | |

On July 5, 2000, the Public Utilities Commission (Commission) received a complaint filed by Peter and Dorothy Beaudette, Rapid City, South Dakota (Complainants), against AmeriVision Communications, Inc. (AmeriVision) regarding unauthorized billing for services and refusal to cancel account.

On July 5, 2000, the complaint was faxed to AmeriVision. Pursuant to ARSD 20:10:01:09, AmeriVision was notified that it must satisfy the complaint or file an answer in writing with the Commission by July 25, 2000. The Commission has not received an answer from AmeriVision to this complaint. Commission Staff received word from the Complainants stating that the complaint against AmeriVision had been resolved.

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 August 9, 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 16th day of August, 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>Alvino Kelbo</i></u> |
| Date: <u>8/17/00</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