

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

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| IN THE MATTER OF THE COMPLAINT FILED )<br>BY JEANETTE MOES, WATERTOWN, SOUTH )<br>DAKOTA, AGAINST OLS, INC. REGARDING )<br>SWITCHING TELECOMMUNICATIONS )<br>SERVICES THROUGH DECEPTIVE TACTICS ) | ORDER DISMISSING<br>COMPLAINT AND CLOSING<br>DOCKET<br><br>CT00-001 |
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On December 27, 1999, the Public Utilities Commission (Commission) received a complaint filed by Jeanette Moes, Watertown, South Dakota (Complainant), against OLS, Inc. (OLS) regarding alleged switching of telecommunications services through deceptive tactics. Complainant requests that the state laws on slamming be enforced, that she be compensated for her inconvenience, and all assessed fees be removed.

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 February 2, 2000, at a duly noticed meeting, Commission Staff recommended a finding of probable cause due to unresolved factual issues. The Commission voted unanimously to find probable cause. A hearing scheduled for May 5, 2000, was cancelled as a settlement had been reached by the parties.

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 May 17, 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 23<sup>rd</sup> day of May, 2000.

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| <b>CERTIFICATE OF SERVICE</b>   |                      |
| <small>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.</small> |                      |
| By:   | <u>Helaine Kelbo</u> |
| Date:   | <u>5/25/00</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