

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER FINDING
BY JULIE ROESLER ON BEHALF OF SLEEP )	PROBABLE CAUSE AND
INN, SIOUX FALLS, SOUTH DAKOTA, )	NOTICE REQUIRING
AGAINST SPRINT COMMUNICATIONS )	ANSWER
COMPANY L.P. REGARDING UNAUTHORIZED )	
DISCONNECTION AND UNAUTHORIZED )	CT00-014
SWITCHING OF SERVICES )	

On January 10, 2000, the Public Utilities Commission (Commission) received a complaint filed by Julie Roesler on behalf of Sleep Inn, Sioux Falls, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint). The Complainant alleges that the phone lines, including the fax lines were inoperable from September 20 through October 8, 1999. Complainant also alleges that they were switched from AT&T to Sprint without authorization. Complainant requests that the Sprint charges be removed from its bill, and that a fine of \$1000 per phone line be imposed.

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, the Commission considered this matter and determined that there was probable cause that an unlawful or unreasonable act, rate, practice or omission was committed by Sprint. Commission Staff recommended a finding of probable cause.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31. The Commission voted unanimously to find probable cause. It is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice, or omission and the complaint shall be forwarded to Sprint and Sprint shall satisfy the complaint or file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 11<sup>th</sup> day of February, 2000.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u><i>Delaine Kales</i></u></p> <p>Date: <u>2/14/00</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

*James A. Burg*  
 JAMES A. BURG, Chairman

*Pam Nelson*  
 PAM NELSON, Commissioner

*Laska Schoenfelder*  
 LASKA SCHOENFELDER, Commissioner