

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

IN THE MATTER OF THE COMPLAINT FILED))	ORDER DISMISSING
BY GARY M. JOHNSON, SIOUX FALLS,))	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST SPRINT))	DOCKET
COMMUNICATIONS COMPANY L.P.))	
REGARDING UNAUTHORIZED SWITCHING OF))	CT00-019
SERVICES))	

On January 14, 2000, the Public Utilities Commission (Commission) received a complaint filed by Gary M. Johnson, Sioux Falls, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint). The Complainant alleges that his long distance service was switched to Sprint without his authorization. Complainant sought restoration of his prior service and appropriate statutory remedies.

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. Probable cause has not been determined and was scheduled for determination at the February 2, 2000, meeting of the Commission.

On January 28, 2000, the Commission Staff received a fax transmission from Complainant indicating that there had been a resolution of the matter and that the case should be considered closed. Sprint appeared by its attorney Tom Harmon.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31.

On February 2, 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 11th day of February, 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>Delaine Kelbo</i></u>
Date: <u>2/14/00</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