

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

IN THE MATTER OF THE COMPLAINT FILED ) BY RANDY DAUGHENBAUGH, RAPID CITY, ) SOUTH DAKOTA, AGAINST U S WEST ) COMMUNICATIONS, INC. REGARDING ) DELAYED INSTALLATION )	)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET  CT00-030
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On January 27, 2000, the Public Utilities Commission (Commission) received a complaint filed by Randy Daughenbaugh, Rapid City, South Dakota (Complainant), against U S WEST Communications, Inc., (U S WEST). The Complainant alleges that he has been trying for seven months to get service provided to his new residence and that U S WEST has missed several promised installation dates. Complainant is requesting that a temporary line be installed. The Commission considered this matter on February 15, 2000. It was deferred at that time.

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 29, 2000, meeting of the Commission. On February 29, 2000, the Commission Staff was notified by the Complainant that there had been a resolution of the matter and that the case should be considered closed.

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 February 29, 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 6<sup>th</sup> day of March, 2000.

<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><i>Maureen Kelso</i></u>
Date: <u>3/8/00</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