

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

IN THE MATTER OF THE COMPLAINT FILED ) BY GORDON WILKERSON, MANAGER, ON ) BEHALF OF SIOUX FALLS STOCKYARDS ) CO., SIOUX FALLS, SOUTH DAKOTA, ) AGAINST FIRSHEL BUSINESS SYSTEMS ) REGARDING BILLING DISPUTE )	)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET  CT00-035
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On February 8, 2000, the Public Utilities Commission (Commission) received a complaint filed by Gordon Wilkerson, Manager, on behalf of the Sioux Falls Stockyards Co., Sioux Falls, South Dakota (Complainant), against FirsTel Business Systems (FirsTel). The Complainant contests retroactive charges and otherwise disputes the bill from FirsTel.

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 had not been scheduled for determination by the Commission.

On February 17, 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.

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

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 16<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>Alma Kees</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