

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FINDING
BY ELAINE M. INGALLS, WATERTOWN,)	PROBABLE CAUSE AND
SOUTH DAKOTA, AGAINST OLS, INC.)	NOTICE REQUIRING
REGARDING SWITCHING)	ANSWER
TELECOMMUNICATIONS SERVICES)	
THROUGH DECEPTIVE TACTICS)	CT00-003

On December 28, 1999, the Public Utilities Commission (Commission) received a complaint filed by Elaine M. Ingalls, Watertown, South Dakota (Complainant), against OLS, Inc. (OLS) regarding alleged switching of telecommunications services through deceptive tactics. Complainant requests that all OLS charges be removed from her billing.

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 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. 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 that the complaint shall be forwarded to OLS and OLS 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 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>Neilene Kalbo</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