

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY DAN GRIDER, BALTIC, SOUTH DAKOTA,)	HEARING
AGAINST QWEST COMMUNICATIONS, INC.)	
REGARDING UNAUTHORIZED SWITCHING OF)	CT00-002
SERVICES)	

On December 28, 1999, the Public Utilities Commission (Commission) received a complaint filed by Dan Grider, Baltic, South Dakota (Complainant), against Qwest Communications Inc. (Qwest). The Complainant alleges his long distance provider was switched to Qwest without his authorization. Complainant requests reinstatement to his previous provider and the imposition of statutory fines and penalties.

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 January 18, 2000, at a duly noticed meeting, the Complainant appeared and 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 Qwest. Qwest did not appear. 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, 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.

By order dated June 6, 2000, a hearing was scheduled for July 19, 2000, beginning at 1:30 P.M., in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. Commission Staff was informed that settlement had been reached in this matter, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for July 19, 2000, is cancelled.

Dated at Pierre, South Dakota, this 14th day of July, 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>Helene Kalbs</u>
Date: <u>7/14/00</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