

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FINDING
BY LAUER CAPITAL MANAGEMENT LTD.,)	PROBABLE CAUSE AND
SIoux FALLS, SOUTH DAKOTA, AGAINST)	NOTICE REQUIRING
MCLEODUSA TELECOMMUNICATIONS)	ANSWER
SERVICES, INC. REGARDING)	
UNAUTHORIZED SWITCHING OF SERVICES)	CT00-041

On February 29, 2000, the Public Utilities Commission (Commission) received a complaint filed by Lauer Capital Management Ltd., Sioux Falls, South Dakota (Complainant), against McLeodUSA Telecommunications Services, Inc. (McLeod) regarding unauthorized switching of services. Complainant requests "\$1,000 and the return of our long distance service to Sprint."

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 March 14, 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 McLeod and McLeod 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 20th day of March, 2000.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u><i>Delaine Kelbo</i></u></p> <p>Date: <u>3/21/00</u></p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

James A. Burg
 JAMES A. BURG, Chairman

Pam Nelson
 PAM NELSON, Commissioner

Laska Schoenfelder
 LASKA SCHOENFELDER, Commissioner