

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

IN THE MATTER OF THE COMPLAINT FILED) ORDER DENYING MOTIONS
BY GARY R. AND VICTORIA A. WITCHER,) TO DISMISS
WATERTOWN, SOUTH DAKOTA, AGAINST)
U S WEST COMMUNICATIONS, INC. AND) CT00-050
AT&T COMMUNICATIONS OF THE MIDWEST,)
INC. REGARDING FAILURE TO SWITCH)
SERVICES AND UNAUTHORIZED CHARGES)

On March 22, 2000, the Public Utilities Commission (Commission), received a complaint from Gary R. and Victoria A. Witcher, Watertown, South Dakota (Complainants) against U S WEST Communications, Inc. (U S WEST) and AT&T Communications of the Midwest, Inc. (AT&T). Complainants alleged the mishandling of a cancellation of long distance service from AT&T.

On April 11, 2000, AT&T and U S WEST each filed Motions to Dismiss.

On May 17, 2000, at its regularly scheduled meeting, the Commission considered the Motions of the respective parties. AT&T was represented by Michel Singer Nelson and Colleen Sevold spoke on behalf of U S WEST. Commission Staff recommended denial of both motions.

The Commission, having heard the arguments of the respective parties and having considered their arguments and authorities which have been submitted by them and being fully advised in the premises, hereby

ORDERS, that the Motions to Dismiss which were filed by AT&T and U S WEST in this docket are hereby denied.

Dated at Pierre, South Dakota, this 23rd day of May, 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 first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Delaine Kolbo</u>
Date: <u>5/25/00</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