

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY WALFRIDO AND DEBRA PAEZ, RAPID)	COMPLAINT AND CLOSING
CITY, SOUTH DAKOTA, AGAINST AT&T)	DOCKET
COMMUNICATIONS OF THE MIDWEST, INC.)	
REGARDING UNAUTHORIZED BILLING FOR)	CT01-003
SERVICES)	

On January 18, 2001, the Public Utilities Commission (Commission) received a complaint filed by Walfrido and Debra Paez, Rapid City, South Dakota (Complainants), against AT&T Communications of the Midwest, Inc. (AT&T) regarding unauthorized billing for services.

On January 19, 2001, the complaint was faxed to AT&T. Pursuant to ARSD 20:10:01:09, AT&T was notified that it must satisfy the complaint or file an answer in writing with the Commission by February 8, 2001. On February 7, 2001, the Commission received AT&T's Motion to Dismiss or in the Alternative, Motion to Join Midcontinent Communications. Commission Staff was informed that settlement had been reached in this matter.

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.

On April 17, 2001, 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 24th day of April, 2001.

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><i>Delaine Kelbo</i></u>
Date: <u><i>4/24/01</i></u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

 _____ JAMES A. BURG, Chairman
 _____ PAM NELSON, Commissioner