

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

IN THE MATTER OF THE COMPLAINT FILED ) BY ROXY RASMUSSEN AND MICK ) BETTMENG, BLACK HAWK, SOUTH DAKOTA, ) AGAINST U.S. REPUBLIC COMMUNICATIONS, ) INC. REGARDING UNAUTHORIZED LONG ) DISTANCE SERVICES, FAILURE TO CANCEL ) AND CONTINUED BILLING )	ORDER DENYING MOTION FOR DISMISSAL  CT01-021
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On May 3, 2001, the Public Utilities Commission (Commission) received a complaint filed by Roxy Rasmussen and Mick Bettmeng, Black Hawk, South Dakota (Complainants), against U.S. Republic Communications, Inc. (U.S. Republic) regarding unauthorized long distance services, failure to cancel and continued billing.

On May 3, 2001, the complaint was faxed to U.S. Republic. Pursuant to ARSD 20:10:01:09, U.S. Republic was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 23, 2001. On May 23, 2001, the Commission received a letter response from U.S. Republic. On June 7, 2001, the Commission received a Motion for Dismissal from U.S. Republic.

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 June 19, 2001, at a regularly scheduled meeting, the Commission considered the Motion for Dismissal. The Commission voted unanimously to deny the Motion for Dismissal. It is therefore

ORDERED, that the Motion for Dismissal is hereby denied.

Dated at Pierre, South Dakota, this 22nd day of June, 2001.

<b>CERTIFICATE OF SERVICE</b>
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 Kelso</i></u>
Date: <u>6/25/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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