

**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 DISMISSING COMPLAINT AND CLOSING DOCKET  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. 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. A hearing in this matter was scheduled for June 20, 2001. By order dated June 19, 2001, the hearing was cancelled as Commission Staff was informed that settlement was pending 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 July 24, 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 27<sup>th</sup> day of July, 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>Melaine Kelbo</u>
Date: <u>8/3/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner