

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

IN THE MATTER OF THE COMPLAINT FILED) BY THOMAS C. HARBESON, SIOUX FALLS,) SOUTH DAKOTA, AGAINST DIRECT ONE) COM.LONG DISTANCE REGARDING) UNAUTHORIZED BILLING FOR SERVICES)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT01-033
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On July 19, 2001, the Public Utilities Commission (Commission) received a complaint filed by Thomas C. Harbeson, Sioux Falls, South Dakota (Complainant), against Direct One Com.Long Distance (Direct One) regarding unauthorized billing for services.

On July 19, 2001, the complaint was faxed to Direct One. Pursuant to ARSD 20:10:01:09, Direct One was notified that it must satisfy the complaint or file an answer in writing with the Commission by August 8, 2001. The Commission has not received an answer from Direct One to this complaint. 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.

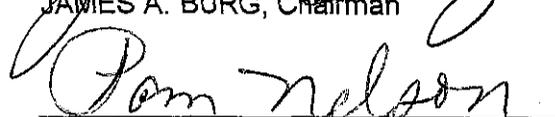
On August 16, 2001, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 21st day of August, 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>Delaine Kelbo</u>
Date: <u>8/23/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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