

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY GARY AND RITA STEWART, SIOUX )	COMPLAINT AND CLOSING
FALLS, SOUTH DAKOTA, AGAINST SPRINT )	DOCKET
COMMUNICATIONS COMPANY L.P. )	
REGARDING UNAUTHORIZED SWITCHING OF )	CT01-048
SERVICES )	

On October 29, 2001, the Public Utilities Commission (Commission) received a complaint filed by Gary and Rita Stewart, Sioux Falls, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint) regarding unauthorized switching of services.

On October 30, 2001, the complaint was faxed to Sprint. Pursuant to ARSD 20:10:01:09, Sprint was notified that it must satisfy the complaint or file an answer in writing with the Commission by November 19, 2001. The Commission has not received an answer from Sprint to this complaint. On November 16, 2001, the Commission received a Release and Waiver of all Claims.

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 November 27, 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 5<sup>th</sup> day of December, 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>Neiline Kelso</i></u>
Date: <u><i>12/6/01</i></u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner