

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

IN THE MATTER OF THE COMPLAINT FILED) BY ROGER L. HALL, RAPID CITY, SOUTH) DAKOTA, AGAINST QWEST CORPORATION) REGARDING THE COST OF TELEPHONE) LINE EXTENSIONS))	ORDER DENYING MOTION TO DISMISS CT08-002
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On April 14, 2008, the Public Utilities Commission (Commission) received a complaint filed by Roger L. Hall, Rapid City, South Dakota (Complainant), against Qwest Corporation (Qwest) regarding the cost of telephone line extensions.

On April 17, 2008, the complaint was electronically transmitted to Qwest. Pursuant to ARSD 20:10:01:09, Qwest was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 5, 2008. On May 5, 2008, the Commission received an Answer and Motion to Dismiss from Qwest.

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 and ARSD Chapters 20:10:01.

On June 24, 2008, at a regularly scheduled meeting, the Commission considered the Motion to Dismiss. The Commission determined that the complaint did not fail to state a claim upon which relief could be granted and unanimously voted to deny the Motion to Dismiss. It is therefore

ORDERED, that the Motion to Dismiss is hereby denied.

Dated at Pierre, South Dakota, this 2nd day of July, 2008.

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, electronically.
By: <u>Alpine Koldo</u>
Date: <u>7/2/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin Johnson
DUSTIN JOHNSON, Commissioner