

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

IN THE MATTER OF THE COMPLAINT FILED) BY NETWAY ADVERTISING, WHITE RIVER,) SOUTH DAKOTA, AGAINST GOLDEN WEST) TELECOMMUNICATIONS COOPERATIVE, INC.) REGARDING INTERNET ACCESS CHARGES)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET TC97-028
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On March 25, 1997, the Public Utilities Commission (Commission) received a complaint from Netway Advertising (Netway), White River, South Dakota, against Golden West Telecommunications Cooperative, Inc. (Golden West) alleging a billing disagreement with Golden West regarding installation fees and rates.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On April 15, 1997, at its duly noted meeting, the Commission reviewed the complaint. The Commission found that there was probable cause of an unlawful or unreasonable act, rate, practice, or omission. The Commission further ordered the executive director to establish a procedural schedule. The complaint was forwarded to Golden West and Golden West filed its answer on May 16, 1997. A hearing was scheduled for August 1, 1997. On July 25, 1997, Netway filed a request to withdraw the complaint.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-13, 49-31 and ARSD 20:10:01:08.01 and 20:10:01:09.

At its regularly scheduled September 25, 1997, meeting, the Commission considered the request to withdraw its complaint. The Commission granted Netway's request to withdraw its complaint. It is therefore

ORDERED, that Netway's request to withdraw its complaint is granted and this docket is closed.

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

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><i>William Halbo</i></u>
Date: <u>10/7/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner