

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

|  |                       |
|--|-----------------------|
| IN THE MATTER OF THE COMPLAINT FILED ) | ORDER DISMISSING      |
| BY MITZI AND STEVE MOORE, WATERTOWN, ) | COMPLAINT AND CLOSING |
| SOUTH DAKOTA, AGAINST U S WEST )       | DOCKET                |
| COMMUNICATIONS, INC. REGARDING DELAY ) |                       |
| IN SERVICE )                           | TC98-180              |

On September 30, 1998, the Commission received a complaint filed by Mitzi and Steve Moore, Watertown, South Dakota (Complainants), against U S WEST Communications, Inc. (Respondent), regarding a delay in services which resulted in the Complainants incurring expenses. The Complainants do not have a land line and they are requesting compensation and installation of their line.

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 October 15, 1998, at its duly noticed meeting, the Commission reviewed the complaint. Commission Staff represented to the Commission that the Complainants, before the meeting, had indicated to Staff that accord had been reached with Respondent. Based upon this communication from the Complainants, Commission Staff recommended that the complaint be dismissed and the docket closed.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 49-13 and 49-31 and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission voted unanimously to dismiss the complaint and close the docket, it is therefore

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

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of October, 1998.

|  |
|--|
| <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>Debra Kellie</i></u>   |
| Date: <u>10/27/98</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