BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY SUZANNE HANSON, MCCOOK LAKE, SOUTH DAKOTA, AGAINST COMMCHOICE, LLC REGARDING POOR QUALITY OF SERVICE AND A REQUEST TO BE SERVED BY U S WEST COMMUNICATIONS, INC.	**)** **)** **)** **)** **)** **)**	**ORDER DISMISSING COMPLAINT AND CLOSING DOCKET** **TC98-189**

On October 19, 1998, the Public Utilities Commission (Commission) received a complaint by Suzanne Hanson (Complainant) against CommChoice, LLC. The Complainant claims that confusion and poor service have led her to file a complaint. The Complainant seeks the following relief: "We would like the approval of the PUC to allow U S WEST to bring service into the Deer Run Subdivision in McCook Lake, SD. Due to the nature of our businesses (general sales) it is imperative we have a dependable, quality oriented telephone service."

On November 25, 1998, at a duly noticed meeting, the Complainant explained her complaint to the Commission. CommChoice explained its actions in this matter to the Commission. The Commission deferred the matter at this time.

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 February 17, 1999, at its duly noticed meeting, the Commission reviewed the complaint. Commission staff represented to the Commission that the Complainant, before the meeting, had indicated to staff that accord had been reached with CommChoice. Based upon this communication from the Complainant, 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 26th day of February, 1999.

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:_____

BY ORDER OF THE COMMISSION:

_____

JAMES A. BURG, Chairman

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Date:_____

PAM NELSON, Commissioner

(OFFICIAL SEAL)