

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

IN THE MATTER OF S&S) COMMUNICATIONS/ALTERNA-CELL'S) COMPLIANCE WITH COMMISSION ORDER))	ORDER AUTHORIZING AFFIDAVIT TC02-166
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On June 16, 2003, the Public Utilities Commission (Commission) issued an Order to Show Cause and Notice of Hearing against S&S Communications/Alterna-Cell (S&S). In the order, the Commission directed Commission Staff to attempt to obtain the bond proceeds and the proceeds from the Irrevocable Letter of Credit issued by Aberdeen Finance Corporation. On June 19, 2003, Commission Staff requested that the Commission authorize a member of the Commission to sign an affidavit stating that claims have been presented by South Dakota consumers against S&S for not providing long distance services. The Irrevocable Letter of Credit issued by Aberdeen Finance Corporation requires an affidavit executed by an "authorized member of the South Dakota Public Utilities Commission certifying that claim(s) have been presented by South Dakota Consumers against S&S Communications for not providing long distance services." In addition, Commission Staff requested the Commission to authorize Staff to make application to the circuit court to deposit funds with the court pursuant to SDCL 15-6-67(c).

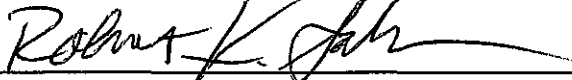
At its June 23, 2003, ad hoc meeting, the Commission considered Staff's requests. The Commission voted to authorize Chairman Sahr to sign an affidavit stating that claims have been presented by South Dakota consumers against S&S for not providing long distance services. The Commission notes that, to date, over 40 formal complaints have been filed against S&S alleging that S&S has failed to provide the complainants with long distance services. With respect to the issue of whether to authorize Staff to deposit any funds with the circuit court pursuant to SDCL 15-6-67(c), the Commission voted to defer acting on that request. It is therefore

ORDERED, that Chairman Sahr is authorized to sign an affidavit stating that claims have been presented by South Dakota consumers against S&S for not providing long distance services.

Dated at Pierre, South Dakota, this 23rd day of June, 2003.

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:	<i>Dellaine Kalbs</i>
Date:	<i>6/23/03</i>
(OFFICIAL SEAL)	


BY ORDER OF THE COMMISSION:



ROBERT K. SAHR, Chairman



GARY HANSON, Commissioner



JAMES A. BURG, Commissioner