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

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## IN THE MATTER OF THE COMPLAINTS FILED BY CUSTOMERS OF S&S COMMUNICATIONS

ORDER GRANTING MOTION TO CONSOLIDATE

CT03-010 - CT03-096; CT03-098 - CT03-130; CT03-132 -CT03-147; CT03-149 - CT03-153; CT03-156 - CT03-159 CT05-005

On April 15, 2005, Staff (Staff) of the South Dakota Public Utilities Commission (Commission) filed with the Commission a Motion to Consolidate the pending dockets involving complaints filed by customers of S&S Communications (S&S) for loss of pre-paid telecommunications services. The dockets Staff requested be consolidated are: CT03-010 through CT03-096, CT03-098 through CT03-130, CT03-132 through CT03-147, CT03-149 through CT03-153 and CT03-156 through CT03-159. Staff requested that the Commission: (i) grant its Motion to Consolidate the complaints into one docket which Staff has opened as CT05-005; (ii) order that any subsequently filed complaints against S&S involving the same subject matter be consolidated into the consolidated Docket CT05-005; (iii) order that the individual complaint dockets be closed and deemed merged into the consolidated proceeding, Docket CT05-005; and (iv) order that the individual complaint docket files be transferred to the consolidated docket and retained as working files in the consolidated proceeding for purposes of organizing filings pertaining to individual complaints. On April 15, 2005, the Motion to Consolidate and Notice of Hearing on Motion to Consolidate were mailed to counsel for S&S and to the complainants who had filed the above referenced formal complaints.

On April 21, 2005, the Commission electronically transmitted notice of the filing to interested individuals and entities. No comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL 15-6-42(a) and Chapters 1-26, 49-13 and 49-31.

At its regularly scheduled meeting of May 10, 2005, the Commission considered the Motion to Consolidate. The Commission voted to grant the Motion to Consolidate.

## It is therefore

ORDERED, that Staff's Motion to Consolidate the complaints into one docket which Staff has opened as CT05-005 is granted. It is further

ORDERED, that any subsequently filed complaints against S&S involving the same subject matter be consolidated into the consolidated Docket CT05-005. It is further

ORDERED, that the individual complaint dockets be closed and deemed merged into the consolidated proceeding, Docket CT05-005. It is further

ORDERED, that the individual complaint docket files be transferred to the consolidated docket and retained as working files in the consolidated proceeding for purposes of organizing filings pertaining to individual complaints.

Dated at Pierre, South Dakota, this <u>17<sup>Th</sup></u> day of May, 2005.

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: Allaine Kollo
Date: 5/18/05
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u>Sang Banson</u> GARY HANSON, Chairman

ROBERT K. SAHR, Commissioner

DUSTIN M. JOHNSON, Commissioner AB