





BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA  
500 E Capitol, State Capitol Building, Pierre SD 57501

TC 98-178  
RECEIVED

SEP 23 1998

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

COMPLAINT

Complainant(s): (Persons filing the complaint)		Respondent(s): (Persons or Company complained against)	
Name	Earl Waterland	Contact Person	Golden West Telecom
Address	HC 177 Box 48	Company	Jack Brown - Mgr.
City, State, Zip	Meade SD 57757	Address	Box 411
Home Phone	999-5510	City, State, Zip	Meade, SD 57757-411
Work Phone	Same	Work Phone	279-2161
Cellular Phone	281-2271	Cellular Phone	
Fax #		Fax #	

If the Complainant is represented by an attorney, please list the attorney's name, address, telephone number and fax number below. (If Complainant is not represented by an attorney, please leave blank.)

These are the facts giving rise to my complaint:

This is a copy of a statement in the  
Meade News-Courier. I believe  
I have given telephone records  
as well as the value of such services  
these services are not as good as we are  
paying for. I have called the Department of  
Commerce.  
The meeting I had with the Golden West  
branch was unproductive. I was told that  
monthly service is not as good as we are  
paying for.  
The Golden West Telecom was told  
that some of the services are not as good  
as we are paying for. I have called the  
Department of Commerce. I have  
called the Golden West Telecom.  
I would like to see the Golden West  
branch.

NOTE: Please attach additional pages, if necessary, to explain your situation. Also enclose copies of any bills or other documents which may pertain to your complaint.

RESOLUTION REQUEST

I ask that the Public Utilities Commission grant the following relief. (What do you think the Commission should do to solve this problem?)

I believe the coop should either make  
agreements or be allowed to do away with the  
policy on their power contracts.

NOTE: Please attach any additional pages, if necessary.

VERIFICATION

Complainant's signature must be witnessed by a notary public.

Earl Waterland  
Complainant's Signature Date Sept 23, 1998

State of South Dakota )  
County of Meade )SS

On this 21<sup>st</sup> day of September, 1998

before me personally came and appeared EARL WATERLAND  
known to me to be the individual described herein and who executed the foregoing instrument, and who  
duly acknowledged to me that he/she executed same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Bryan S. Austin  
Signature of Notary Public

(SEAL) My commission expires  
December 12, 1999

**F A X   T R A N S M I S S I O N****To:** Jack Brown**Company:** G.W.S., Inc.**Fax Number:** 8-605-279-2727**Date:** 9/23/98      **Time:** 11:17:40**From:** Leni Healy**Company:** South Dakota PUC**Fax Number:** 605.773.3809**Pages including cover page:** 7**Message:**

We have received the following formal complaints from Earl Waterland and Barry & Dawn Austin.

Commission policy allows a brief period in which the parties may attempt an informal resolution. If such a resolution is reached by noon on Friday, Sept. 25, 1998, please inform Bill Bullard. If we do not hear of such a resolution, we will docket the issue and schedule it for a Commission meeting.

THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any distribution, use or copying of this communication is prohibited.

**South Dakota Public Utilities Commission****State Capitol Building; Pierre SD 57501****Telephone: (605) 773-3201 Fax: (605) 773-3809**



**GOLDEN WEST TELECOMMUNICATIONS  
COOPERATIVE, INC.**

*A Golden West Company*

HEADQUARTERS OFFICE  
P.O. Box 411  
Wall, South Dakota 57790-0411  
Phone: 605/279-2161  
Fax: 605/279-2727

DISTRICT BRANCH OFFICE  
1510 National Avenue  
Hot Springs, South Dakota 57747-1489  
Phone: 605/745-3103  
Fax: 605/745-5331

September 28, 1998

Ms. Leni Healy  
Consumer Representative  
South Dakota Public Utilities Commission  
500 E. Capital  
Pierre, SD 57501

**RECEIVED**

OCT 02 1998

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**


Dear Ms. Healy:

Thank you for forwarding the complaints filed by Barry & Dawn Austin of White Owl, SD and Earl Waterland of Marcus, SD.

Although we've had conversations with all the parties involved and respect their concerns, Golden West cannot, in good conscious, change a policy that has been in place for many years (even during Earl Waterland's tenure as a GW board member) and increase the financial risks to the members of our cooperative.

I understand that our decision may not resolve the matter, however, we must maintain our responsibility to all our members, not just a select few. Thank you again for your prompt attention to this matter. We look forward to hearing from you.

Sincerely,



Jack Brown  
Management Consultant  
Golden West Telecommunications Cooperative, Inc.

cc: Bill Bullard

enc. 1

**GOLDEN WEST TELECOMMUNICATIONS COOPERATIVE, INC.**  
Wall, South Dakota

**Policy Statement No. 30-15**

**SUBJECT:** Construction of service lines after initial exchange construction.

**Definition:** Initial Exchange Construction: The original construction contract for any new exchange development.

**Policy:** The Golden West Telecommunications Cooperative, Inc., will construct longer (up to 4 miles) than normal (1 and 3/10 miles) telephone lines provided the applicant agrees to a longer than normal (1 year) retention of service and maintains a deposit, with the Cooperative, sufficient to cover the extra required retention period.

The Cooperative will not exceed 4 miles under these agreements.

**Purpose:** To provide a means of offering service anywhere within our certified boundaries. To circumvent the requirement for aid to construction up to 4 miles to permanently inhabited locations.

Services to locations that are non-inhabited and exceed 750 feet shall be subject to aid to construction. Line extension costs for portion of service exceeding the first 750 feet shall be borne by subscriber. Payment of estimated amount to be completed before job start up.

1. When an application is received for service the length of line required will be careful, measured by the area serviceman or assigned employee.
2. After measurements have been made and the distance exceeds our normal (1 3/10 miles or 6,964 feet) service line, the surveying employee will notify the manager, or person assigned by the manager, of total line required. He will also advise what type of facility is to be served and grade the permanency of the occupants indicating owner of property. Homes without a permanent foundation shall receive special attention hereinafter.
3. Upon notification by the area serviceman or employee assigned, the manager or person assigned by the manager, will contact the applicant to explain the Cooperative's policy and attempt to reach agreement with the applicant.
4. Following are the terms agreeable to the Cooperative:

A. Up to 1 and 3/10 miles the Cooperative will construct under the normal one year agreement included in the application for service. Service must be to permanently established farmstead or ranch. Homes without a permanent foundation do not qualify.

B. Estimates to extend line extensions to homes without a permanent foundation will include the costs associated with reconfiguring cable and adding station carrier equipment. This information will be on file with the plant manager and updated as needed. Line extension requests exceeding 750 feet shall be furnished service as follows:

1. Regular application plus a deposit of .20 cents per foot multiplied times the length of the service drop.
2. All deposits will be held for one full year from date of service connection. Thereafter, \$10.00 credit will be applied monthly until deposit is reimbursed.

In case of termination of service prior to the expiration of this agreement, then the entire remaining amount of the deposit shall be credited to the original construction cost overheads

No interest will be paid on deposits held for construction cost security.

C. All services to permanently established farmstead or ranch over 1 3/10 miles but not over 4 miles at following terms:

All services require a regular application plus completion of a line extension agreement as contained in this Policy.

Regular application plus a deposit of .10 cents per foot multiplied times the length of the service drop.

All deposits will be held for one full year from date of service connection. Thereafter, \$15.00 credit will be applied monthly until deposit is reimbursed.

In case of termination of service prior to the expiration of this agreement, then the entire remaining amount of the deposit shall be credited to the original construction cost overheads.

No interest will be paid on deposits held for construction cost security.

D. The Board of Directors may alter any or all of the provisions of the Policy by appropriate Board action when they deem it to be necessary to protect the security of the Cooperative's investments.

E. As a matter of precaution so as to provide maximum security of the Cooperative's investment in plant, the following conditions should be found acceptable to the Cooperative before extending service:

1. Electric power should have been extended to site.
2. Adequate water supply on premises.
3. Satisfactory road to premise.
4. Applicant should have satisfactory arrangement for use of land where residence is located. Preferably ownership, etc.

F. On line extensions longer than 4 miles each such extension shall receive evaluation and approval by the Board of Directors. Terms and conditions governing such extensions will be handled on an individual basis.

This policy supersedes and cancels all similar policies prior to this date.

Adopted: November 21, 1985

Revised: December 2, 1996

Revised: July 30, 1998

*Richard Baye*  
*Herb Zink*  
President/Secretary

South Dakota Public Utilities Commission  
**WEEKLY FILINGS**  
For the Period of October 2, 1998 through October 8, 1998

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing.  
Phone: 605-773-3705 Fax: 605-773-3809

**ELECTRIC**

EL98-020 In the Matter of the Complaint filed by Lori Bult, Crooks, South Dakota, against Northern States Power Company Regarding Poor Customer Service.

Complaint by Lori Bult vs. Northern States Power Company. The Complainant outlines rude treatment and inconsistent information from the NSP call center on several occasions. Although the Sioux Falls Salvation Army, Heat Share and Interlakes Community Action representatives contacted the NSP call center on behalf of the Bult family, these contacts were not noted on the computer account notes. The Complainant requests the Public Utilities Commission to "examine how NSP handles their accounts, notes their PC system, and communicates with other NSP employees. It should also force NSP to reopen the Sioux Falls office to handle the customers from South Dakota. (Even the service representative who assisted with our disconnect received 3 different answers from NSP.) NSP also needs to train their reps to treat the customers with respect and dignity; we don't need to be humiliated and scolded by someone on the other end of the phone."

Staff Attorney: Camron Hoseck  
Consumer Representative: Leni Healy  
Date Filed: 10/01/98  
Intervention Deadline: N/A

EL98-021 In the Matter of the Complaint filed by Ellen Medicine Horn, Sioux Falls, South Dakota, against Northern States Power Company Regarding a Cross Wired Meter.

Complaint by Ellen Medicine Horn vs. Northern States Power Company. The Complainant was billed \$712.91 for charges resulting from a cross wired meter. The Complainant seeks the following relief: "I don't think I should pay all of this because it wasn't my fault about the mixed up meters. I have been paying my light bill. I should be charged from the time this got noticed."

Staff Attorney: Camron Hoseck  
Consumer Representative: Leni Healy  
Date Filed: 10/02/98  
Intervention Deadline: N/A

**TELECOMMUNICATIONS**

TC98-178 In the Matter of the Complaint filed by Earl Waterland, Marcus, South Dakota, against Golden West Telecommunications Cooperative, Inc., Regarding Discriminatory Installation Fees.

Complaint by Earl Waterland vs. Golden West Telecommunications Cooperative, Inc. The Complainant supports the complaint filed by Barry and Dawn Austin (TC98-179). The Complainant seeks the following relief: "I believe the coop should either make (an) exception in hardship case or do away with the policy on trailer houses entirely."

Staff Attorney: Karen Cremer  
Consumer Representative: Leni Healy  
Date Filed: 09/23/98  
Intervention Deadline: N/A

TC98-179 In the Matter of the Complaint filed by Barry and Dawn Austin, White Owl, South Dakota, against Golden West Telecommunications Cooperative, Inc., Regarding Discriminatory Installation Fees.

Complaint by Barry and Dawn Austin vs. Golden West Telecommunications Cooperative, Inc. The Complainants allege that Golden West Telecommunications Cooperative, Inc. discriminates against mobile home owners in their line extension policy. The Complainants seek relief from such a policy.

Staff Attorney: Karen Cremer  
Consumer Representative: Leni Healy  
Date Filed: 09/23/98  
Intervention Deadline: N/A

TC98-180 In the Matter of the Complaint filed by Mitzi and Steve Moore, Watertown, South Dakota, against U S West Communications, Inc., Regarding Delay in Service.

Complaint by Mitzi and Steve Moore vs. U S West Communications, Inc. The Complainants state that on August 1, 1998, they contacted U S West to transfer service to their new home on September 21, 1998. Service was not installed on that date. As a result, the Complainants have incurred expenses and do not have a land line. The Complainants are requesting compensation and installation of their line.

Staff Attorney: Karen Cremer  
Consumer Representative: Leni Healy  
Date filed: 09/30/98  
Intervention Deadline: NA



TC98-181 In the Matter of the Complaint filed by Michael F. Meyer, Watertown, South Dakota, against U S West Communications, Inc., Regarding Delay in Service.

Complaint by Michael F. Meyer vs. U S West Communications, Inc. The Complainant states that on July 15, 1998, he contacted U S West to transfer service to his new home on July 30, 1998. Service was not installed on that date. As a result, the Complainant has incurred expenses and does not have a land line. The Complainant is requesting compensation and installation of his line.

Staff Attorney: Camron Hoseck  
Consumer Representative: Leni Healy  
Date filed: 09/30/98  
Intervention Deadline: NA

### PROPOSED TELECOMMUNICATIONS RULES

The Proposed Telecommunications Rules can be found on the internet at:

<http://www.state.sd.us/state/executive/puc/rulessgl.html>

The hearing will be held at 8:30 a.m., on November 2, 1998, in Room 412, State Capitol, Pierre, South Dakota. The complete Notice of Public Hearing to Adopt Rules can be found on the internet at:

<http://www.state.sd.us/state/executive/puc/rulesnot.htm>

If you do not have access to the internet, you may call 1-800-332-1782 or write to the South Dakota Public Utilities Commission, 500 East Capitol, Pierre, South Dakota 57501 to request a copy of the rules or notice.

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You may receive this listing and other PUC publications via our website or via internet e-mail.

You may subscribe to the PUC mailing list at  
<http://www.state.sd.us/state/executive/puc/puc.htm>

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY EARL WATERLAND, MARCUS, SOUTH )	COMPLAINT AND CLOSING
DAKOTA, AGAINST GOLDEN WEST )	DOCKET
TELECOMMUNICATIONS COOPERATIVE, INC. )	
REGARDING DISCRIMINATORY )	TC98-178
INSTALLATION FEES )	

On September 23, 1998, the Commission received a complaint filed by Earl Waterland, Marcus, South Dakota (Complainant), against Golden West Telecommunications Cooperative, Inc (Respondent), regarding a complaint filed by Barry and Dawn Austin (TC98-179). The Complainant supports the allegations contained in the complaint by the Austins. The Complainant seeks the following relief. "I believe the coop should either make an exception in hardship cases or do away with the policy on trailer houses entirely."

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. 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 as Mr. Waterland could voice his support of the allegations contained in docket TC98-179 within that docket. The Commission also voted to 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.

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: Adeline Kalbo

Date: 10/27/98

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner