

**Consumer Complaint Orders - Issued 1999**

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

<b>IN THE MATTER OF THE COMPLAINT FILED BY HAMPTON INN/SUPER 8 MOTEL, NORTH SIOUX CITY, SOUTH DAKOTA, SOUTH DAKOTA, AGAINST U S WEST COMMUNICATIONS, INC. REGARDING DELAY OF SERVICE AND BILLING PROBLEMS</b>	) ) ) ) ) ) )	<b>ORDER FINDING PROBABLE CAUSE AND NOTICE REQUIRING ANSWER</b>
		<b>CT99-028</b>

On August 9, 1999, the Public Utilities Commission (Commission) received a complaint filed by Hampton Inn/Super 8 Motel, North Sioux City, South Dakota (Complainant), against U S WEST Communications, Inc. (U S WEST). The Complainant alleged delays in providing service to a new business and billing irregularities.

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 September 8, 1999, at a duly noticed meeting, the Commission considered this matter and determined that there was probable cause that an unlawful or unreasonable act, rate, practice or omission was committed by U S WEST.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1- 26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31- 3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-96, inclusive, and ARSD 20:10:01:07.01 through 20:10:01:15.01, inclusive. The Commission voted unanimously to find probable cause. It is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice, or omission and the complaint shall be forwarded to U S WEST and U S WEST shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 14th day of September, 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: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner

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LASKA SCHOENFELDER, Commissioner

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