Consumer Complaint Orders - Issued 1999

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY HAMPTON INN/SUPER 8 MOTEL, NORTH SIOUX CITY, SOUTH DAKOTA, AGAINST U S WEST COMMUNICATIONS, INC. REGARDING DELAY OF SERVICE AND BILLING PROBLEMS	)	**ORDER CANCELLING HEARING**
	)	**CT99-028**

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 voted unanimously to find probable cause.

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, 49-31-60, and 49-31-61, and ARSD Chapter 20:10:33.

By order dated November 2, 1999, a hearing was scheduled for December 1, 1999, beginning at 9:00 o'clock A.M., at the Oaks Hotel & Convention Center, 3300 W. Russell in the North Dakota Room, Sioux Falls, South Dakota. On November 29, 1999, Commission Staff was informed by Complainant that settlement had been reached in this matter and it wished to have the complaint dismissed, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for December 1, 1999, is cancelled.

Dated at Pierre, South Dakota, this 30th day of November, 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:

_____
JAMES A. BURG, Chairman

_____
PAM NELSON, Commissioner

_____
LASKA SCHOENFELDER, Commissioner

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