

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER FINDING
BY DOUGLAS HOLLER, PIERPONT, SOUTH )	PROBABLE CAUSE AND
DAKOTA, AGAINST MCI WORLDCOM )	NOTICE REQUIRING
REGARDING BILLING ERRORS )	ANSWER
)	CT99-031

On August 11, 1999, the Public Utilities Commission (Commission) received a complaint filed by Douglas Holler, Pierpont, South Dakota (Complainant), against MCI WorldCom (MCI). The Complainant alleged that he attempted to switch two telephone numbers to AT&T from MCI, that only one number was released, and MCI continued to bill for the second number. Complainant requests reimbursement of \$36.03 and an admission of error on the part of MCI.

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. Complainant's wife, Janice Holler, appeared via teleconference and explained their case. Commission staff recommended a finding of 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, 49-31-89 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 MCI and MCI shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 14<sup>th</sup> day of September, 1999.

<b>CERTIFICATE OF SERVICE</b>
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: <u>Helsinki Kalbo</u>
Date: <u>9/14/99</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner