BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY SHIRLEY J. NOBLE, RAPID CITY, SOUTH DAKOTA, AGAINST PREFERRED BILLING REGARDING UNAUTHORIZED BILLING FOR SERVICES	)))))	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT99-046

On October 19, 1999, the Public Utilities Commission (Commission) received a complaint filed by Shirley J. Noble, Rapid City, South Dakota (Complainant), against Preferred Billing (Preferred). The Complainant alleged that her long distance provider was switched without her authorization and she asked for appropriate statutory remedies.

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. Probable cause was determined at the Commission's regularly scheduled November 1, 1999, meeting. A hearing was to be held on January 26, 2000, but was cancelled.

The Commission Staff received a letter from Complainant indicating that there had been a resolution of the matter and that the case should be considered closed.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31.

On February 2, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 11th day of February, 2000.

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: Delaine Kolbo

Date: 2/14/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg

JAMES A. BURG, Chairman

Pam Nelson

PAM NELSON, Commissioner

Laska Schoenfelder

LASKA SCHOENFELDER, Commissioner