BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY MARILYN CROMPTON, ABERDEEN, SOUTH DAKOTA, AGAINST OLS, INC. REGARDING UNAUTHORIZED SWITCHING OF SERVICES	)))))	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT99-062

On November 22, 1999, the Public Utilities Commission (Commission) received a complaint filed by Marilyn Crompton, Aberdeen, South Dakota (Complainant), against OLS, Inc. (OLS) regarding unauthorized switching of services. The Complainant indicates that a telemarketer representing U S WEST called her concerning her billing. As a result of this conversation, her service was switched to OLS, Inc. The Complainant requests that a large fine should be assessed to OLS for this activity. The matter was deferred at the December 14, 1999, regular meeting.

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.

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, 49-31-7.3, 49-31-7.4, 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 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On March 28, 2000, at a regularly scheduled meeting, the Commission considered this matter. The Complainant had spoken to Commission Staff and requested dismissal of the complaint. 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 31st day of March, 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: 4/3/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg

JAMES A. BURG, Chairman

Pam Nelson

PAM NELSON, Commissioner

Laska Schoenfelder

LASKA SCHOENFELDER, Commissioner