

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY STORBECK TRUCKING, INC., HURON,)	HEARING
SOUTH DAKOTA, AGAINST SPRINT)	
COMMUNICATIONS COMPANY L.P.)	CT99-053
REGARDING UNAUTHORIZED SWITCHING)	
OF SERVICES)	

On November 5, 1999, the Public Utilities Commission (Commission) received a complaint filed by Storbeck Trucking, Inc., Huron, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint) regarding unauthorized switching of services. Complainant seeks to have the matter corrected and any other amounts due to it.

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 November 15, 1999, at a duly noticed meeting, Commission Staff recommended a finding of probable cause due to unresolved factual issues. 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, 49-31-7.3, 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.

By order dated January 25, 2000, a hearing was scheduled for February 25, 2000, beginning at 1:30 o'clock P.M., in Room 468 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. A representative of Complainant informed the Staff that representatives of the Complainant are unable to attend the hearing on the date scheduled, so therefore the hearing is cancelled and shall be rescheduled at a later date. It is therefore

ORDERED, that the hearing scheduled for February 25, 2000, is cancelled.

Dated at Pierre, South Dakota, this 23rd 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: <u><i>William K. Kelso</i></u>
Date: <u>2/23/00</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