

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>ORDER FINDING</b>
<b>BY JERRY OGAN ON BEHALF OF OGAN )</b>	<b>PROBABLE CAUSE AND</b>
<b>CONSTRUCTION, BLUNT, SOUTH DAKOTA, )</b>	<b>NOTICE REQUIRING</b>
<b>AGAINST SPRINT COMMUNICATIONS )</b>	<b>ANSWER</b>
<b>COMPANY L.P. REGARDING UNAUTHORIZED )</b>	
<b>SWITCHING OF SERVICES )</b>	<b>CT99-087</b>

On December 20, 1999, the Public Utilities Commission (Commission) received a complaint filed by Jerry Ogan on behalf of Ogan Construction, Blunt, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint). The Complainant alleged that his long distance service was switched without his authorization and he seeks application of all appropriate rules and laws as the remedy.

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 January 6, 2000, 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 Sprint.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31. 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 Sprint and Sprint shall satisfy the complaint or file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 12<sup>th</sup> day of January, 2000.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Delaine Kelso</u></p> <p>Date: <u>1/13/00</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

James A. Burg  
 JAMES A. BURG, Chairman

Pam Nelson  
 PAM NELSON, Commissioner

Laska Schoenfelder  
 LASKA SCHOENFELDER, Commissioner