

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>ORDER DISMISSING</b>
<b>BY EVELYN BULTSMA, SIOUX FALLS, SOUTH )</b>	<b>COMPLAINT AND CLOSING</b>
<b>DAKOTA, AGAINST EXCEL )</b>	<b>DOCKET</b>
<b>TELECOMMUNICATIONS, INC. REGARDING )</b>	
<b>UNAUTHORIZED BILLING AND SWITCHING )</b>	<b>CT00-076</b>
<b>OF SERVICES )</b>	

On May 25, 2000, the Public Utilities Commission (Commission) received a complaint filed by Evelyn Bultsma, Sioux Falls, South Dakota (Complainant), against Excel Telecommunications, Inc. (Excel) regarding unauthorized billing and switching of services.

On May 25, 2000, the complaint was faxed to Excel. Pursuant to ARSD 20:10:01:09, Excel was notified that it must satisfy the complaint or file an answer in writing with the Commission by June 14, 2000. The Commission has not received an answer from Excel to this complaint. A hearing in this matter was scheduled for July 20, 2000. By order dated July 13, 2000, the hearing was cancelled as Commission Staff received word from the Complainant stating that the complaint against Excel had been resolved.

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 July 20, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted unanimously 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 21st day of July, 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: _____</p> <p>Date: _____</p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

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PAM NELSON, Vice Chair

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LASKA SCHOENFELDER, Commissioner