

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

IN THE MATTER OF THE COMPLAINT FILED) BY JOHN AND BRENDA FORMAN, PIERRE,) SOUTH DAKOTA, AGAINST U S WEST) COMMUNICATIONS, INC. AND MCLEODUSA) TELECOMMUNICATIONS SERVICES, INC.) REGARDING THE FAILURE TO PROVIDE) TELEPHONE SERVICE)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT00-083
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On July 10, 2000, the Public Utilities Commission (Commission) received a complaint filed by John and Brenda Forman, Pierre, South Dakota (Complainants), against U S WEST Communications, Inc. (U S WEST) and McLeodUSA Telecommunications Services, Inc. (McLeod) regarding the failure to provide telephone service.

On July 11, 2000, the complaint was faxed to U S WEST and McLeod. Pursuant to ARSD 20:10:01:09, U S WEST and McLeod were notified that they must satisfy the complaint or file answers in writing with the Commission by July 31, 2000. On July 31, 2000, the Commission received answers from U S WEST and McLeod. Commission Staff received word from the Complainants stating that the complaint against the companies 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 September 13, 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 19th day of September, 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>Alvin Kelbo</i></u>
Date:	<u>9/20/00</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

<u><i>James A. Burg</i></u> JAMES A. BURG, Chairman
<u><i>Pam Nelson</i></u> PAM NELSON, Commissioner
<u><i>Laska Schoenfelder</i></u> LASKA SCHOENFELDER, Commissioner