

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

IN THE MATTER OF THE COMPLAINT FILED )  
 BY FR. YVON SHEEHY, SCJ, ON BEHALF OF )  
 ST. MARY'S CATHOLIC CHURCH, LOWER )  
 BRULE, SOUTH DAKOTA, AGAINST )  
 BUSINESS OPTIONS, INC., CEO )  
 TELECOMMUNICATIONS, INC. AND SPRINT )  
 COMMUNICATIONS COMPANY L.P. )  
 REGARDING UNAUTHORIZED SWITCHING OF )  
 SERVICES AND UNAUTHORIZED BILLING )  
 FOR SERVICES )

ORDER GRANTING  
 REQUEST TO ADD CEO  
 AND SPRINT AS PARTIES

CT00-085

On July 13, 2000, the Public Utilities Commission (Commission) received a complaint filed by Fr. Yvon Sheehy, SCJ, on behalf of St. Mary's Catholic Church, Lower Brule, South Dakota (Complainant), against Business Options, Inc. (Business Options) regarding unauthorized switching of services and unauthorized billing for services.

On July 14, 2000, the complaint was faxed to Business Options. Pursuant to ARSD 20:10:01:09, Business Options was notified that it must satisfy the complaint or file an answer in writing with the Commission by August 3, 2000. The Commission has not received an answer from Business Options to this complaint. On October 4, 2000, Complainant filed a request to add CEO Telecommunications, Inc. (CEO) as a party. On October 10, 2000, Complainant filed a request to add Sprint Communications Company L.P. (Sprint) as a party. On October 11, 2000, Commission Staff received a letter from CEO requesting that the Commission refrain from adding CEO as a party.

At its regularly scheduling meeting of October 17, 2000, the Commission considered this matter. CEO did not appear at the meeting. Sprint stated that it objected to being added as a party.

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.

The Commission voted to grant Complainant's requests to add CEO and Sprint as parties. It is therefore

ORDERED, that CEO and Sprint shall be added as parties in the above captioned matter, and that the complaint shall be forwarded to CEO and Sprint and CEO and Sprint shall file with the Commission their answers in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 20<sup>th</sup> day of October, 2000.

<b>CERTIFICATE OF SERVICE</b>	
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>William Kolbe</u>
Date:	<u>10/23/00</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