

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY JIM AND GEORGIA BACON, CUSTER,)	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST LIGHTYEAR)	DOCKET
COMMUNICATIONS, INC. REGARDING)	
UNAUTHORIZED SWITCHING OF SERVICES)	CT00-099

On August 24, 2000, the Public Utilities Commission (Commission) received a complaint filed by Jim and Georgia Bacon, Custer, South Dakota (Complainants), against Lightyear Communications, Inc. (Lightyear) regarding unauthorized switching of services.

On August 29, 2000, the complaint was faxed to Lightyear. Pursuant to ARSD 20:10:01:09, Lightyear was notified that it must satisfy the complaint or file an answer in writing with the Commission by September 18, 2000. The Commission has not received an answer from Lightyear to this complaint. On September 18, 2000, Commission Staff received word from the Complainants stating that the complaint against Lightyear 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 26, 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 _____ 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: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner