

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

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| IN THE MATTER OF THE COMPLAINT FILED |) | ORDER DISMISSING |
| BY EARL A. ELIASON ON BEHALF OF EARL'S |) | COMPLAINT AND CLOSING |
| BARBER SHOP, PHILIP, SOUTH DAKOTA, |) | DOCKET |
| AGAINST AT&T COMMUNICATIONS OF THE |) | |
| MIDWEST, INC. REGARDING UNAUTHORIZED |) | CT00-100 |
| SWITCHING OF SERVICES |) | |

On August 24, 2000, the Public Utilities Commission (Commission) received a complaint filed by Earl A. Eliason on behalf of Earl's Barber Shop, Philip, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) regarding unauthorized switching of services.

On August 30, 2000, the complaint was faxed to AT&T. Pursuant to ARSD 20:10:01:09, AT&T was notified that it must satisfy the complaint or file an answer in writing with the Commission by September 19, 2000. On September 19, 2000, the Commission received an answer from AT&T. A hearing in this matter was scheduled for November 2, 2000. By order dated October 6, 2000, the hearing was cancelled as Commission Staff received word from the Complainant stating that the complaint against AT&T 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 October 17, 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 20th day of October, 2000.

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| <p>CERTIFICATE OF SERVICE</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:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner