

**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 L &amp; M LAND MANAGEMENT, HURON, )</b>	<b>COMPLAINT AND CLOSING</b>
<b>SOUTH DAKOTA, AGAINST ACCUTEL )</b>	<b>DOCKET</b>
<b>COMMUNICATIONS, INC. REGARDING )</b>	
<b>UNAUTHORIZED SWITCHING OF SERVICES )</b>	<b>CT99-055</b>

On November 9, 1999, the Public Utilities Commission (Commission) received a complaint filed by L & M Land Management, Huron, South Dakota (Complainant), against Accutel Communications, Inc. (Accutel) regarding unauthorized switching of services. The Complainant asked for removal of unauthorized charges and the imposition of appropriate statutory remedies.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint. Probable cause was found against Accutel on November 29, 1999.

On April 6, 2000, the Commission Staff received a letter from Complainant stating that the complaint against Accutel has been resolved.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31.

On April 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 April, 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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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner

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LASKA SCHOENFELDER, Commissioner