

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

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| IN THE MATTER OF THE COMPLAINT FILED) | ORDER CANCELLING |
| BY KEITH ENSTAD, WATERTOWN, SOUTH) | HEARING |
| DAKOTA, AGAINST OLS, INC. REGARDING) | |
| SWITCHING TELECOMMUNICATIONS) | CT99-080 |
| SERVICES THROUGH DECEPTIVE TACTICS) | |

On December 15, 1999, the Public Utilities Commission (Commission) received a complaint filed by Keith Enstad, Watertown, South Dakota (Complainant), against OLS, Inc. (OLS) regarding alleged switching telecommunications services through deceptive tactics. Complainant requests full credit of all OLS charges.

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.

On December 28, 1999, at a duly noticed meeting, Commission Staff recommended a finding of probable cause due to unresolved factual issues. The Commission voted unanimously to find probable cause.

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.

By order dated January 25, 2000, a hearing was scheduled for February 16, 2000, in Room 468 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota, immediately following the hearing for Docket CT99-070, which was scheduled to begin at 1:30 o'clock P.M. On February 11, 2000, Commission Staff was contacted by Complainant who informed the Staff that settlement had been reached in this matter and he wished to have his complaint dismissed, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for February 16, 2000, is cancelled.

Dated at Pierre, South Dakota, this 14th day of February, 2000.

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| 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