

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

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| <b>IN THE MATTER OF THE COMPLAINT FILED )</b> | <b>ORDER FINDING NO</b>     |
| <b>BY CHARLES GUSTAFSON, SIOUX FALLS, )</b>   | <b>PROBABLE CAUSE,</b>      |
| <b>SOUTH DAKOTA, AGAINST PREFERRED )</b>      | <b>DISMISSING COMPLAINT</b> |
| <b>BILLING REGARDING UNAUTHORIZED )</b>       | <b>AND CLOSING DOCKET</b>   |
| <b>SWITCHING OF SERVICES )</b>                | <b>CT00-025</b>             |

On January 19, 2000, the Public Utilities Commission (Commission) received a complaint from Charles Gustafson, Sioux Falls, South Dakota (Complainant), against Preferred Billing (Preferred) regarding an alleged switching of his long distance service.

On February 2, 2000, at its regularly scheduled meeting, the Commission considered this matter. Preferred had furnished Commission Staff a copy of its third party verification. The Complainant acknowledged that the switch had been authorized and asked that the complaint be dismissed. Commission Staff recommended that no finding of probable cause be made.

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 find no probable cause of an unlawful or unreasonable act, rate, practice, or omission on the part of Preferred and to dismiss the complaint and close the docket. As the Commission's final decision in this matter, it is therefore

ORDERED that the complaint is dismissed and Docket CT00-025 is hereby closed.

Dated at Pierre, South Dakota, this 11th day of February, 2000.

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| <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