

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER GRANTING MOTION
BY THERMO BOND BUILDINGS INT'L, INC.,)	TO DISMISS
ELK POINT, SOUTH DAKOTA, AGAINST)	
QWEST CORPORATION, FORMERLY KNOWN)	CT00-096
AS U S WEST COMMUNICATIONS, INC., MCI)	
WORLDCOM AND USBI REGARDING)	
UNAUTHORIZED CHARGES AND)	
EXORBITANT RATES AFTER SWITCHING ITS)	
LONG DISTANCE SERVICES TO MCI)	

On August 16, 2000, the Public Utilities Commission (Commission) received a complaint filed by Thermo Bond Buildings Int'l, Inc., Elk Point, South Dakota (Complainant), against Qwest Corporation (Qwest), fka U S WEST Communications, Inc., MCI WorldCom (MCI) and USBI (USBI) regarding unauthorized charges and exorbitant rates after switching its long distance services to MCI. On September 6, 2000, USBI filed an Answer and Motion to Dismiss. On September 19, 2000, USBI filed a Motion for Continuance. On September 19, 2000, the Complainant filed an Objection to Continuance.

On September 26, 2000, at a duly noticed meeting, USBI presented its argument for the granting of its Motion to Dismiss.

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. The Commission voted to grant the Motion to Dismiss and determined that the Motion for Continuance was moot. It is therefore

ORDERED, that USBI's Motion to Dismiss shall be granted.

Dated at Pierre, South Dakota, this 29th 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: <u><i>Aldino Kelbo</i></u>
Date: <u>9/29/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner