

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY STORBECK TRUCKING, INC., HURON,)	HEARING
SOUTH DAKOTA, AGAINST SPRINT)	
COMMUNICATIONS COMPANY L.P. AND)	CT99-053
ACCUTEL COMMUNICATIONS, INC.)	
REGARDING UNAUTHORIZED SWITCHING)	
OF SERVICES)	

On November 5, 1999, the Public Utilities Commission (Commission) received a complaint filed by Storbeck Trucking, Inc., Huron, South Dakota (Complainant), against Sprint Communications Company L.P. (Sprint) regarding unauthorized switching of services. Complainant seeks to have the matter corrected and any other amounts due to it.

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 November 15, 1999, at a duly noticed meeting, the Commission voted unanimously to find probable cause against Sprint due to unresolved factual issues. A hearing was scheduled for February 25, 2000. On February 23, 2000, Doris Storbeck, Complainant's representative, informed the Commission Staff that she was unable to attend the hearing on the date scheduled. By Order dated February 23, 2000, the hearing was cancelled.

On March 6, 2000, the Commission received a request from Sprint for the addition of Accutel Communications, Inc. (Accutel) as a party to the complaint. At its regularly scheduled March 28, 2000, meeting, the Commission voted to grant Sprint's request to add Accutel to the complaint.

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 May 26, 2000, a hearing was scheduled for June 28, 2000, beginning at 1:30 o'clock P.M., in the Meeting Room of the Best Western of Huron, 2000 Dakota Avenue South, Huron, South Dakota. On June 26, 2000, Commission Staff was contacted by Doris Storbeck who informed the Staff that settlement had been reached in this matter and she wished to have the complaint dismissed, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for June 28, 2000, is cancelled.

Dated at Pierre, South Dakota, this 26th day of June, 2000.

<p style="text-align: center;">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 style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner