

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY PATRICIA LANDSTROM ON BEHALF OF)	COMPLAINT AND CLOSING
POTTER SHOE CO., HURON, SOUTH)	DOCKET
DAKOTA, AGAINST U S REPUBLIC)	
COMMUNICATIONS, INC., ACCUTEL)	CT00-021
COMMUNICATIONS, INC., ZERO PLUS)	
DIALING AND AMERICAN TELECOM)	
NETWORK COMMUNICATIONS REGARDING)	
UNAUTHORIZED SWITCHING OF SERVICES)	
AND BILLING ISSUES)	

On January 18, 2000, the Public Utilities Commission (Commission) received a complaint filed by Patricia Landstrom on behalf of Potter Shoe Co., Huron, South Dakota, against U S Republic Communications, Inc., Accutel Communications, Inc., Zero Plus Dialing and American Telecom Network Communications regarding unauthorized switching of services and billing issues. Complainant was solicited by U S Republic Communications and agreed to its service. March 1999, the complainant did not have long distance service and was unable to reach customer service regarding the problem. At that time complainant switched service to AT&T. Complainant has continued to be billed from U S Republic Communications, USBI, Zero Plus Dialing, and Accutel. Complainant is requesting a refund of \$59.01 plus \$200.00 for lost income because of time spent waiting for "the next available customer service person," and for trying to straighten out this nightmare. The complainant requests that the Commission "Please tell all of them that we do not want them to call here again."

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.

The matter was scheduled for consideration at the Commission's regularly scheduled February 2, 2000, meeting. The matter was deferred at that time. On March 18, 2000, the Commission Staff received a letter from Complainant indicating that there had been a resolution of the matter and that the case should be considered closed.

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 March 28, 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 31st day of March, 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>Delaine Koels</u>
Date:	<u>4/3/00</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