

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FINDING
BY SHANNON AND SHELLY NASER, SIOUX)	PROBABLE CAUSE AND
FALLS, SOUTH DAKOTA, AGAINST SPRINT)	NOTICE REQUIRING
COMMUNICATIONS COMPANY L.P. AND)	ANSWER
CRUSADE COMMUNICATIONS REGARDING)	
UNAUTHORIZED SWITCHING OF SERVICES)	CT00-022

On January 18, 2000, the Public Utilities Commission (Commission) received a complaint filed by Shannon and Shelly Naser, Sioux Falls, South Dakota (Complainant), against Sprint Communications Company, L.P. (Sprint) and Crusade Communications (Crusade). The Complainants allege that their long distance provider was switched without their authorization. Complainants request that statutory remedies be applied.

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 February 2, 2000, at a duly noticed meeting, the Complainant appeared and the Commission considered this matter and determined that there was probable cause that an unlawful or unreasonable act, rate, practice or omission was committed by Sprint and Crusade. Sprint appeared through its local counsel Tom Harmon; Crusade appeared via teleconference. Commission Staff recommended a finding of probable cause.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13 and 49-31. The Commission voted unanimously to find probable cause. It is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice, or omission and the complaint shall be forwarded to Sprint and Crusade and Sprint and Crusade shall satisfy the complaint or file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 11th day of February, 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> Melaine Kalbo </u>
Date: <u> 2/14/00 </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