

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY JEANETTE MOES, WATERTOWN, SOUTH)	HEARING
DAKOTA, AGAINST OLS, INC. REGARDING)	
SWITCHING TELECOMMUNICATIONS)	CT00-001
SERVICES THROUGH DECEPTIVE TACTICS)	

On December 27, 1999, the Public Utilities Commission (Commission) received a complaint filed by Jeanette Moes, Watertown, South Dakota (Complainant), against OLS, Inc. (OLS) regarding alleged switching of telecommunications services through deceptive tactics. Complainant requests that the state laws on slamming be enforced, that she be compensated for her inconvenience, and all assessed fees be removed.

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, Commission Staff recommended a finding of probable cause due to unresolved factual issues. The Commission voted unanimously to find probable cause.

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 March 14, 2000, a hearing was scheduled for May 5, 2000, beginning at 1:00 o'clock P.M., in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. On April 20, 2000, Commission Staff was contacted by Complainant who informed the Staff that settlement had been reached in this matter and she wished to have her complaint dismissed, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for May 5, 2000, is cancelled.

Dated at Pierre, South Dakota, this 26th day of April, 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>Melanie Kalbo</u>
Date: <u>4/26/00</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