

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

IN THE MATTER OF THE COMPLAINT FILED ) BY HAI NGUYEN, SIOUX FALLS, SOUTH ) DAKOTA, AGAINST QWEST ) COMMUNICATIONS, INC. REGARDING ) UNAUTHORIZED SWITCHING OF SERVICES )	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET  CT00-024
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On January 19, 2000, the Public Utilities Commission (Commission) received a complaint filed by Hai Nguyen, Sioux Falls, South Dakota (Complainant), against Qwest Communications, Inc. (Qwest). The Complainant alleges that his long distance provider was switched without his authorization. Complainant requests 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. Probable cause was determined at the Commission's regularly scheduled February 2, 2000, meeting.

On March 10, 2000, the Commission Staff received a Stipulation for Dismissal with Prejudice 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 and 49-31.

On March 14, 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 with prejudice and the docket closed.

Dated at Pierre, South Dakota, this 20<sup>th</sup> day of March, 2000.

<b>CERTIFICATE OF SERVICE</b>
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>Delvin Kelbo</i></u>
Date: <u>3/21/00</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