

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

IN THE MATTER OF THE COMPLAINT FILED )  
BY DEAN ELECTRIC INC. DBA: DYKSTRA )  
ELECTRIC, YANKTON, SOUTH DAKOTA, )  
AGAINST NETWORK SERVICES REGARDING )  
UNAUTHORIZED SWITCHING OF 800 )  
SERVICES AND CONTINUED BILLING FOR )  
UNAUTHORIZED SERVICES )

ORDER CANCELLING  
HEARING

CT00-069

On May 1, 2000, the Public Utilities Commission (Commission) received a complaint filed by Dean Electric Inc. dba: Dykstra Electric, Yankton, South Dakota (Complainant), against Network Services (Network Services) regarding unauthorized switching of 800 services and continued billing for unauthorized services.

On May 2, 2000, the complaint was faxed to Network Services. Pursuant to ARSD 20:10:01:09, Network Services was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 22, 2000. To date, the Commission has not received an answer from Network Services to this 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 17, 2000, a hearing was scheduled for May 30, 2000, beginning at 8:30 o'clock A.M., in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. On May 25, 2000, Commission Staff was contacted by a representative of Complainant 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 May 30, 2000, is cancelled.

Dated at Pierre, South Dakota, this 25<sup>th</sup> day of May, 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>Debbie Kalbo</u>
Date:	<u>5/25/00</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