

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

IN THE MATTER OF THE COMPLAINT FILED) BY DAVID HERSRUD ON BEHALF OF THE) HERSRUD COMPANY, STURGIS, SOUTH) DAKOTA, AGAINST AT&T COMMUNICATIONS) OF THE MIDWEST, INC. REGARDING BILLING) ISSUES)	ORDER CANCELLING HEARING CT00-109
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On November 27, 2000, the Public Utilities Commission (Commission) received a complaint filed by David Hersrud on behalf of The Hersrud Company, Sturgis, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) regarding billing issues.

On November 28, 2000, the complaint was faxed to AT&T. Pursuant to ARSD 20:10:01:09, AT&T was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 18, 2000. On December 18, 2000, the Commission received an answer from AT&T.

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 December 20, 2000, a hearing was scheduled for January 17, 2001, beginning at 8:30 A.M., in the Commission's Cactus Conference Room, State Capitol Building, 500 E. Capitol, Pierre, South Dakota. On January 3, 2001, the Commission received a Joint Motion to Stay Proceeding from AT&T, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for January 17, 2001, is cancelled and a new hearing shall be set at a later time.

Dated at Pierre, South Dakota, this 8th day of January, 2001.

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>Alaine Kalbo</u>
Date: <u>1/8/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u>James A. Burg</u> JAMES A. BURG, Chairman
<u>Pam Nelson</u> PAM NELSON, Commissioner
<u>Laska Schoenfelder</u> LASKA SCHOENFELDER, Commissioner