

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

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY DAVID HERSRUD ON BEHALF OF THE )	COMPLAINT AND CLOSING
HERSRUD COMPANY, STURGIS, SOUTH )	DOCKET
DAKOTA, AGAINST AT&T COMMUNICATIONS )	
OF THE MIDWEST, INC. REGARDING BILLING )	CT00-109
ISSUES )	

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. By order dated December 20, 2000, a hearing was scheduled for January 17, 2001. On January 3, 2001, the Commission received a Joint Motion to Stay Proceeding from AT&T. By order dated January 8, 2001, the hearing was cancelled. On May 17, 2001, Commission Staff was informed that settlement had been reached in this matter.

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.

On June 19, 2001, 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 and the docket closed.

Dated at Pierre, South Dakota, this 22<sup>nd</sup> day of June, 2001.

<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>Alaine Kallo</u>
Date: <u>6/25/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner