

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY FSST TRIBAL SOCIAL SERVICES)	COMPLAINT AND CLOSING
PROGRAM, FLANDREAU, SOUTH DAKOTA)	DOCKET
AGAINST MCI WORLDCOM, IONEX)	
COMMUNICATIONS NORTH, INC. AND)	CT00-114
TELECOM*USA REGARDING UNAUTHORIZED)	
SWITCHING OR BILLING OF SERVICES)	

On December 7, 2000, the Public Utilities Commission (Commission) received a complaint filed by FSST Social Services, Flandreau, South Dakota (Complainant), against MCI WorldCom (MCI) regarding unauthorized switching or billing of services.

On December 11, 2000, the complaint was faxed to MCI. Pursuant to ARSD 20:10:01:09, MCI was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 31, 2000. On January 5, 2001, the Commission received an answer from MCI and a Motion to Join Party asking that Ionex Communications North, Inc. (Ionex) be added as a party. At its regularly scheduled meeting of January 17, 2001, the Commission considered this matter. By order dated January 24, 2001, the Commission granted MCI's motion to join party. On January 25, 2001, the Commission received a request from Jack Thomson, Program Director/Social Services, Flandreau Santee Sioux Tribe, asking that the name of the complainant be amended to read "FSST Tribal Social Services Program," and that all parties from Dockets CT00-113 and CT00-115 be added to this docket. On February 6, 2001, at a regularly scheduled meeting, the Commission considered the request. MCI and Ionex stated that they did not object to the request. The Commission unanimously voted to approve the request to amend the name of the complainant to read FSST Tribal Social Services Program and to join the parties from Dockets CT00-113 and CT00-115 into this docket. On February 21, 2001, the Commission received a consolidated answer and cross claim from MCI and Telecom*USA. On April 11, 2001, the Commission received a Stipulation stating that the complaint had been settled, and on May 30, 2001, Commission Staff received a letter from complainant stating that the complaint had been settled.

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 22nd day of June, 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><i>Delaine Kelbo</i></u>
Date: <u><i>6/25/01</i></u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner