

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

IN THE MATTER OF THE COMPLAINT FILED) BY DONALD E. LIPP, BOX ELDER, SOUTH) DAKOTA, AGAINST WEBNET) COMMUNICATIONS, INC. REGARDING) UNAUTHORIZED SWITCHING OF SERVICES)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT01-017
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On April 30, 2001, the Public Utilities Commission (Commission) received a complaint filed by Donald E. Lipp, Box Elder, South Dakota (Complainant), against WebNet Communications, Inc. (WebNet) regarding unauthorized switching of services.

On April 30, 2001, the complaint was faxed to WebNet. Pursuant to ARSD 20:10:01:09, WebNet was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 21, 2001. The Commission has not received an answer from WebNet to this complaint. A hearing in this matter was scheduled for June 19, 2001. By order dated June 15, 2001, the hearing was cancelled as Commission Staff was informed that there was a scheduling conflict. Commission Staff has now been 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 July 10, 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 12th day of July, 2001.

CERTIFICATE OF SERVICE	
<small>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.</small>	
By:	<u><i>Delaine Kalbo</i></u>
Date:	<u>7/13/01</u>
<small>(OFFICIAL SEAL)</small>	

BY ORDER OF THE COMMISSION:

<u><i>James A. Burg</i></u> JAMES A. BURG, Chairman
<u><i>Pam Nelson</i></u> PAM NELSON, Commissioner