

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY BARBARA ANNE SCHOCK, SIOUX FALLS,)	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST DIRECT ONE)	DOCKET
COM.LONG DISTANCE REGARDING)	
UNAUTHORIZED BILLING FOR SERVICES)	CT01-036

On August 3, 2001, the Public Utilities Commission (Commission) received a complaint filed by Barbara Anne Schock, Sioux Falls, South Dakota (Complainant), against Direct One Com.Long Distance (Direct One) regarding unauthorized billing for services.

On August 7, 2001, the complaint was faxed to Direct One. Pursuant to ARSD 20:10:01:09, Direct One was notified that it must satisfy the complaint or file an answer in writing with the Commission by August 27, 2001. The Commission has not received an answer from Direct One to this complaint. A hearing in this matter was scheduled for September 18, 2001. By order dated September 6, 2001, the hearing was cancelled as 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 September 18, 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 27th day of September, 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>Alain Kalbs</u>
Date: <u>9/28/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner