

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

IN THE MATTER OF THE COMPLAINT FILED) BY MARGARET UNDERWOOD, PIERRE,) SOUTH DAKOTA, AGAINST TALK AMERICA,) INC. REGARDING FAILURE TO CANCEL) TELECOMMUNICATIONS SERVICES)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT01-050
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On November 7, 2001, the Public Utilities Commission (Commission) received a complaint filed by Margaret Underwood, Pierre, South Dakota (Complainant), against Talk America, Inc. (Talk America) regarding failure to cancel telecommunications services.

On November 7, 2001, the complaint was faxed to Talk America. Pursuant to ARSD 20:10:01:09, Talk America was notified that it must satisfy the complaint or file an answer in writing with the Commission by November 27, 2001. On November 27, 2001, the Commission received a letter response from Talk America. 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 December 12, 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 20th day of December, 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: *Dalaine Kelso*

Date: 12/21/01

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner