

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING)
BY ST. MARY'S HEALTHCARE CENTER,)	COMPLAINT AND CLOSING)
PIERRE, SOUTH DAKOTA, AGAINST)	DOCKET)
MCLEODUSA TELECOMMUNICATIONS)	CT02-004)
SERVICES, INC. AND QWEST CORPORATION))
REGARDING NO SERVICE AND DELAYED))
REPAIR))

On January 17, 2002, the Public Utilities Commission (Commission) received a complaint filed by St. Mary's Healthcare Center, Pierre, South Dakota (Complainant), against McLeodUSA Telecommunications Services, Inc. (McLeod) and Qwest Corporation (Qwest) regarding no service and delayed repair.

On January 17, 2002, the complaint was faxed to McLeod and Qwest. Pursuant to ARSD 20:10:01:09, McLeod and Qwest were notified that they must satisfy the complaint or file answers in writing with the Commission by February 6, 2002. The Commission has not received answers from McLeod or Qwest to this complaint. 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, 49-31-85 and ARSD Chapters 20:10:01 and 20:10:32.

On February 26, 2002, 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 6th day of March, 2002.

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>Neiline Kalbo</i></u>
Date: <u>3/6/02</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner