

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY QUALITY INN, RAPID CITY, SOUTH)	SECOND HEARING
DAKOTA, AGAINST MCLEODUSA)	
TELECOMMUNICATIONS SERVICES, INC.)	CT02-017
AND QWEST CORPORATION REGARDING)	
FAILURE TO PROVIDE SERVICE)	

On May 15, 2002, the Public Utilities Commission (Commission) received a complaint filed by Quality Inn, Rapid City, South Dakota (Complainant), against McLeodUSA Telecommunications Services, Inc. (McLeod) regarding failure to provide service.

On May 15, 2002, the complaint was faxed to McLeod. Pursuant to ARSD 20:10:01:09, McLeod was notified that it must satisfy the complaint or file an answer in writing with the Commission by June 4, 2002. On June 3, 2002, the Commission received an answer from McLeod. On February 7, 2003, the Commission received a motion and third party complaint of McLeod against Qwest Corporation (Qwest). By order dated March 7, 2003, the Commission granted McLeod's request to add Qwest as a party. On March 28, 2003, the Commission received an answer from Qwest.

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, 49-31-11, 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.

By order dated April 14, 2003, a hearing was scheduled for July 8, 2003, beginning at 10:00 A.M. MDT, at the Holiday Inn Plaza, 505 North 5th Street, Rapid City, South Dakota. Commission Staff has now been informed that settlement had been reached in this matter, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for July 8, 2003, is cancelled.

Dated at Pierre, South Dakota, this 1st day of July, 2003.

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 Kolbo</i></u>
Date: <u>7/1/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner