

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY BRENDA AND MARK DEGRAW, SIOUX)	COMPLAINT AND CLOSING
FALLS, SOUTH DAKOTA, AGAINST QWEST)	DOCKET
CORPORATION AND MCIWORLD.COM)	
REGARDING CONTRACT AND BILLING)	CT02-042
DISPUTE)	

On October 9, 2002, the Public Utilities Commission (Commission) received a complaint filed by Brenda and Mark DeGraw, Sioux Falls, South Dakota (Complainant), against Qwest Corporation (Qwest) and MCIWorldCom (MCI) regarding contract and billing dispute.

On October 17, 2002, the complaint was faxed to Qwest and MCI. Pursuant to ARSD 20:10:01:09, Qwest and MCI were notified that they must satisfy the complaint or file answers in writing with the Commission by November 6, 2002. On November 6, 2002, the Commission received an answer and motion to dismiss from MCI and a motion to dismiss from Qwest. 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 January 16, 2003, 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 28th day of January, 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>Hilaine Kolbo</u>
Date: <u>1/28/03</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