

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>)</b>	<b>ORDER DISMISSING</b>
<b>BY KELLER ELECTRIC, PIERRE, SOUTH )</b>	<b>)</b>	<b>COMPLAINT AND CLOSING</b>
<b>DAKOTA, AGAINST NATIONWIDE LONG )</b>	<b>)</b>	<b>DOCKET</b>
<b>DISTANCE SERVICE REGARDING )</b>	<b>)</b>	
<b>UNAUTHORIZED SWITCHING OF SERVICES )</b>	<b>)</b>	<b>CT08-007</b>

On October 30, 2008, the Public Utilities Commission (Commission) received a complaint filed by Keller Electric, Pierre, South Dakota (Complainant), against Nationwide Long Distance Service (Nationwide) regarding unauthorized switching of services.

On November 6, 2008, the complaint was faxed to Nationwide. Pursuant to ARSD 20:10:01:09, Nationwide was notified that it must satisfy the complaint or file an answer in writing with the Commission by November 19, 2008. On November 19, 2008, the Commission received a response to complaint from Nationwide. Commission Staff informed the Commission that a 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 November 25, 2008, 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 9<sup>th</sup> day of December, 2008.

<b>CERTIFICATE OF SERVICE</b>
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, electronically.
By: <u><i>Delaine Kolbe</i></u>
Date: <u><i>12/9/08</i></u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Chairman

*Steve Kolbeck*  
STEVE KOLBECK, Commissioner

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Commissioner