

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

IN THE MATTER OF THE COMPLAINT FILED))	ORDER DENYING MOTION
BY ROGER L. HALL, RAPID CITY, SOUTH))	FOR SUMMARY
DAKOTA, AGAINST QWEST CORPORATION))	DISPOSITION OF
REGARDING THE COST OF TELEPHONE))	COMPLAINT
LINE EXTENSIONS))	CT08-002

On April 14, 2008, the Public Utilities Commission (Commission) received a complaint filed by Roger L. Hall, Rapid City, South Dakota (Complainant), against Qwest Corporation (Qwest) regarding the cost of telephone line extensions.

On April 17, 2008, the complaint was electronically transmitted to Qwest. Pursuant to ARSD 20:10:01:09, Qwest was notified that it must satisfy the complaint or file an answer in writing with the Commission by May 5, 2008. On May 5, 2008, the Commission received an Answer and Motion to Dismiss from Qwest. On June 24, 2008, the Commission received Roger L. Hall's Response to Qwest Corporation's Motion to Dismiss. On June 24, 2008, at a regularly scheduled meeting, the Commission determined that the complaint did not fail to state a claim upon which relief could be granted and unanimously voted to deny the Motion to Dismiss. On November 10, 2008, the Commission issued an Order Setting Procedural Schedule. On January 21, 2009, the Commission received a Motion to Adjust Procedural Schedule from Qwest. On January 27, 2009, at a regularly scheduled meeting, the Commission unanimously voted to grant the Motion to Adjust Procedural Schedule and rescheduled the date of hearing pre-hearing motions to February 24, 2009. On February 3, 2009, the Commission received a Motion for Summary Disposition of Complaint from Qwest. On February 23, 2009, the Commission received Roger L. Hall's Motion to Compel and Hall's Response to Qwest's Motion for Disposition.

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 and ARSD Chapters 20:10:01.

On February 24, 2009, at a regularly scheduled meeting, the Commission considered the Motion for Summary Disposition of Complaint. The Commission unanimously voted to deny the Motion for Summary Disposition of Complaint. It is therefore

ORDERED, that the Motion for Summary Disposition of Complaint is hereby denied.

Dated at Pierre, South Dakota, this 5th day of March, 2009.

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, electronically.
By: <u>Arlaine Kelbo</u>
Date: <u>3/6/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Austin M. Johnson
DUSTIN M. JOHNSON, Chairman *dk*

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner