

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FOR AND NOTICE
BY KATHY ROTTENBUCHER, NEWELL, SD,)	OF HEARING
A G A I N S T S T A T E L I N E)	
TELECOMMUNICATIONS, INC. REGARDING)	TC97-107
UNPUBLISHED ADDRESS)	

On June 23, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint from Kathy Rottenbucher (Complainant), Newell, SD, against Stateline Telecommunications, Inc. (Stateline) regarding an unpublished address. Complainant states that she specifically requested an unpublished address, but her address was published in the Rapid City telephone book for West River customers. Stateline provides customer information to U S WEST Communications, Inc. for the purpose of publishing telephone books. Complainant requested proof of written reprimands for all parties, proof that changes were made to avoid similar mistakes in the future, access to the Board of Directors, and one thousand dollars for violation of trust, emotional and mental anguish, duress, and inconvenience.

At its regularly scheduled July 15, 1997, meeting, the Commission found probable cause of an unlawful or unreasonable act, rate, practice or omission and served the complaint on Stateline. Stateline filed its response on August 14, 1997.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, and 49-31, and ARSD 20:10:01:07.01 through 20:10:01:15.01.

The issue at the hearing is whether Stateline's release of the Rottenbuchers' address for publication is an unlawful or unreasonable act, rate, practice, or omission which caused the Rottenbuchers to suffer damages.

A hearing shall be held from 10:00 a.m. until noon MST, on Monday, October 27, 1997, in the Third Floor West Meeting Room, of the City/School Administrative Center, 300 6th Street, Rapid City, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. The Commission's decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

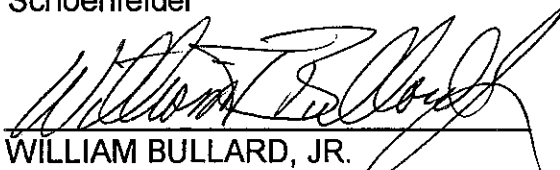
ORDERED that a hearing shall be held at the time and place specified above on the issue of whether Stateline's release of the Rottenbuchers' address for publication is an unlawful or unreasonable act, rate, practice, or omission which caused the Rottenbuchers to suffer damages.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 14th day of October, 1997.

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>Alison Kalbo</u>
Date:	<u>10/15/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:
Commissioners Burg, Nelson and
Schoenfelder



WILLIAM BULLARD, JR.
Executive Director