

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

IN THE MATTER OF THE COMPLAINT FILED) BY DEBRA D. ESCHE, CANTON, SOUTH) DAKOTA, AGAINST U S WEST) COMMUNICATIONS, INC. REGARDING) MISSED COMMITMENTS AND) UNACCEPTABLE SERVICE)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET TC98-193
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On October 26, 1998, the Public Utilities Commission (Commission) received a complaint filed by Debra D. Esche, Canton, South Dakota (Complainant), against U S WEST Communications, Inc. (U S WEST), regarding missed commitments and poor service. Complainant outlines a series of missed commitments by U S WEST in installing service for a newly constructed home and expense and inconvenience in attempting to obtain satisfactory service. Complainant requested reimbursement for long distance calls that were necessary, time that was spent dealing with the situation and that U S WEST produce a written policy addressing these problems.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On November 25, 1998, at a duly noticed meeting, the Commission reviewed the complaint. Commission Staff represented to the Commission that the Complainant, before the meeting, had indicated to Staff that accord had been reached with U S WEST. Based upon this communication from the Complainant, Commission Staff recommended that the complaint be dismissed and the docket closed.

Commission Staff asked the Commission to request the details of the settlement.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-13-13, 49-13-14.1, 49-31-3, 49-31-7, 49-31-7.1, 49-31-11, 49-31-60 through 49-31-68, inclusive, and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission voted unanimously to dismiss the complaint and close the docket. The Commission further requested the details of the settlement. It is therefore

ORDERED, that this complaint be dismissed and the docket be closed; and it is

REQUESTED, that U S WEST furnish the details of this settlement to the Commission's executive director within two weeks of the date of this Order.

Dated at Pierre, South Dakota, this 4th day of December, 1998.

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> Melaine Kalbs </u>
Date: <u> 12/8/98 </u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

 James A. Burg
JAMES A. BURG, Chairman

 Pam Nelson
PAM NELSON, Commissioner

 Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner