

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

**IN THE MATTER OF THE COMPLAINT)
FILED BY DENISE BROVEAK, NEMO,)
SOUTH DAKOTA, AGAINST U S WEST)
COMMUNICATIONS, INC. REGARDING)
ADDITIONAL LINES)**

**ORDER DISMISSING
COMPLAINT AND CLOSING
DOCKET**

TC98-130

On July 8, 1998, the Public Utilities Commission (Commission) received a complaint from Denise Broveak against U S WEST Communications, Inc. (U S WEST) regarding additional lines that the Elk Ridge Home Owners Association felt were needed in its subdivision. Ms. Broveak requested the following relief: "U S WEST has known for several years of this problem and have done nothing to prepare. Now, the Van't Lands are suffering from their lack of telephone access. Another family will soon be moving here (also needing a business line) and they are out of luck also. We need a multiplexer or more cable! Van't Lands deserve compensation or credit for inconvenience!"

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 July 23, 1998, at its duly noticed meeting, the Commission deferred the complaint as U S WEST indicated that the matter would be resolved by August 15, 1998. At its regularly scheduled meeting of September 10, 1998, the Commission again considered the matter. U S WEST stated that it had completed the project.

The Commission has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-31-7, 49-31-7.1, and ARSD 20:10:01:07.01 and 20:10:01:08.01. As U S WEST stated that it had completed the project, the Commission unanimously voted to dismiss the complaint and to close the docket. It is therefore

ORDERED, that this complaint be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 21st day of September, 1998.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u><i>Delaine Kalbo</i></u></p> <p>Date: <u>9/21/98</u></p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner