

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

IN THE MATTER OF THE COMPLAINT FILED ) BY DALE W. AND P. RENE LARSON, LEAD, ) SOUTH DAKOTA, AGAINST U S WEST ) COMMUNICATIONS, INC. REGARDING ) DISCONNECTION )	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET  TC98-156
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On September 11, 1998, the Public Utilities Commission (Commission) received a complaint filed by Dale W. and P. Rene Larson, Lead, South Dakota (Complainants), against U S WEST Communications, Inc. (U S WEST), regarding their business line being disconnected. Complainants allege that on August 22, 1998, their telephone number was disconnected and someone else's number was ringing into their line. The business line had been disconnected several days before the problem was discovered. The Complainants requested a repair of their service. At the time the Complainants filed the complaint, the service had not been repaired. The Complainants are requesting \$1,500 from U S WEST for lost business and damages.

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 October 20, 1998, at a duly noticed meeting, the Commission voted unanimously to find probable cause. At its regularly scheduled November 25, 1998, meeting, Staff reported that the complainant and U S WEST had reached an agreement in this matter and they were requesting that the Commission dismiss the complaint and close the docket. The Commission voted to close the docket as the matter had been resolved to the parties' satisfaction.

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, 49-31-10, 49-31-11, and ARSD 20:10:01:08.01 and 20:10:01:09. It is therefore

ORDERED, that the complaint is dismissed and the docket is hereby closed.

Dated at Pierre, South Dakota, this 4<sup>th</sup> day of December, 1998.

<b>CERTIFICATE OF SERVICE</b>	
<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>	
By:	<u><i>Arlene Kees</i></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