

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

**IN THE MATTER OF CARIBBEAN TELEPHONE ) ORDER CLOSING DOCKET  
AND TELEGRAPH D/B/A THE LONG DISTANCE )  
COMPANY'S FAILURE TO SUBMIT AN ANNUAL )  
REPORT PURSUANT TO ARSD 20:10:24:04 ) TC96-149**

ARSD 20:10:24:04, promulgated pursuant to SDCL §49-31-5 and §49-31-7.1(4), requires that any telecommunications company registered with the Public Utilities Commission (Commission) submit on May 1, of each year a report of certain specified financial and business information from the preceding calendar year.

Despite a reminder letter from the Commission on March 15, 1996, and a second reminder reflecting the possibility of a Show Cause Order on May 31, 1996, Caribbean Telephone and Telegraph d/b/a The Long Distance Company (CT&T) has failed to file such annual report as required by ARSD 20:10:24:04.

At its regularly scheduled July 9, 1996, meeting, the Commission considered whether to issue an Order to Show Cause as to why the Commission should not revoke CT&T's Certificate of Authority for failure to file an annual report. CT&T asked for an extension to July 24, 1996. The Commission voted to grant the requested extension. That extended deadline passed without the filing of the required report. The Commission was informed that CT&T filed for Chapter 11 bankruptcy protection in United States Bankruptcy Court on April 5, 1996. On August 14, 1996, the Commission granted a continuance in this matter, until such time as the Commission determines that proceeding further will not interfere with the powers of the U.S. Bankruptcy Court.

On November 16, 2000, Commission Staff received word that the Bankruptcy Court had closed its file in this matter and the Commission would not receive any payment from the debtor.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-1, 49-1A, and 49-31, specifically, 49-1-11(4), 49-1A-3, 49-1A-4, 49-1A-5, 49-1A-6, 49-31-3, and ARSD 20:10:01:45.

On November 30, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to close the docket. It is therefore

ORDERED, that the above captioned matter shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 7<sup>th</sup> day of December, 2000.

<b>CERTIFICATE OF SERVICE</b>
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>Melanie Kelbo</u>
Date: <u>12/7/00</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