

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

IN THE MATTER OF TOTAL NATIONAL ) ORDER CLOSING DOCKET  
COMMUNICATIONS D/B/A TOTAL WORLD )  
TELECOM'S FAILURE TO SUBMIT A REPORT ) TC97-211  
AND PAY THE GROSS RECEIPTS TAX )

On December 30, 1997, the Public Utilities Commission (Commission) issued an Order for and Notice of Show Cause Hearing against Total National Communications d/b/a Total World Telecom (Total World Telecom) for failure to submit an annual report and pay the gross receipts tax. A hearing was held on February 3, 1998, to give Total World Telecom an opportunity to show cause why the Commission should not revoke its Certificate of Authority, or other specified actions, for failure to submit an annual report as required by ARSD 20:10:24:04 or pay the gross receipts tax as required by SDCL 49-1A-1. No representative of Total World Telecom appeared at the hearing. At the hearing, it was noted that Total World Telecom was in bankruptcy proceedings. Therefore, the Commission voted unanimously to grant a continuance in this docket.

On November 16, 2000, Commission Staff received word from the bankruptcy trustee that it was unlikely that the Commission would 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>Delaine Kelso</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