

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

<b>IN THE MATTER OF UNAUTHORIZED LONG</b>	)	<b>ORDER CANCELLING</b>
<b>DISTANCE CHANGES AND UNAUTHORIZED</b>	)	<b>HEARINGS</b>
<b>TELEPHONE CHARGES MADE BY REDUCED</b>	)	
<b>RATE LONG DISTANCE, LLC</b>	)	<b>TC07-107</b>

On October 5, 2007, the staff (Staff) of the South Dakota Public Utilities Commission (Commission) filed a Motion for Order to Show Cause (Motion) against Reduced Rate Long Distance, LLC (Reduced Rate). The Motion alleged that as early as 2005, the Commission's Consumer Affairs Division (Consumer Affairs) began receiving complaints regarding alleged misrepresentations by Reduced Rate that resulted in changes to subscribers' telecommunications service providers or added products or services to subscribers' bills without express authority from the subscribers in violation of SDCL 49-31-89 and ARSD 20:10:34:06. The Motion further alleges that to date, Consumer Affairs has collected 22 such complaints.

On October 10, 2007, the Commission received a Petition to Intervene from Midcontinent Communications (Midcontinent). On October 23, 2007, the Commission received a Notice of Appearance of counsel for Reduced Rate.

At its regular meeting on December 18, 2007, the Commission considered the Motion and Petition to Intervene. After hearing argument from counsel for Staff and Reduced Rate, the Commission found sufficient cause was demonstrated to issue an order to show cause and voted unanimously to issue an Order to Show Cause against Reduced Rate on the issues raised by the Motion. The Commission also voted unanimously to grant intervention to Midcontinent.

On December 27, 2007, the Commission received a Petition to Intervene from PrairieWave Black Hills, LLC and PrairieWave Telecommunications, Inc. (together, PrairieWave). At its regular meeting on January 15, 2008, the Commission voted unanimously to grant intervention to PrairieWave.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-89 through 49-31-97 and ARSD Chapter 20:10:34. The Commission may rely upon any or all of these or other laws of this state in making its determination.

By order dated May 8, 2008, the hearings in this matter were scheduled as follows:

May 20, 2008, at 10:30 a.m. (CDT) and, if necessary, again on May 21, 2008, at 9:00 a.m., at the University Center, 2205 Career Place, Room 282, Sioux Falls, South Dakota,

June 25, 2008, at 9:00 a.m. (CDT) at Northern State University, Student Center Maroon Rooms A and B, 1200 South Jay, Aberdeen, South Dakota, and

July 1, 2008, at 9:00 a.m. (MDT) at South Dakota School of Mines and Technology, Classroom Building Room 110, 501 East St. Joseph Street, Rapid City, South Dakota,

The Commission has been advised by Commission Staff that the parties have reached an agreement in this matter so the hearings are cancelled. It is therefore

ORDERED, that the hearings scheduled for May 20, May 21, June 25 and July 1, 2008, are cancelled.

Dated at Pierre, South Dakota, this 15<sup>th</sup> day of May, 2008.

**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, electronically.

By: *Delaine Kolbo*

Date: 5/15/08

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Chairman

*Steve Kolbeck*  
STEVE KOLBECK, Commissioner

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Commissioner *dk*