

Consumer Complaint Orders - Issued 1999

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

IN THE MATTER OF THE COMPLAINT FILED BY TELE-)	ORDER
TECH, INC. AND LONG LINE, INC., SIOUX FALLS,)	APPROVING
SOUTH DAKOTA, AGAINST U S WEST)	STIPULATION
COMMUNICATIONS, INC. REGARDING OVERCHARGES)	FOR
FOR TELECOMMUNICATIONS SERVICES)	EXTENSION OF
)	TIME

CT99-006

On June 3, 1999, the Public Utilities Commission (Commission) received a complaint filed by Tele-Tech, Inc. and Long Line, Inc., Sioux Falls, South Dakota (Complainant), against U S West Communications, Inc. (U S WEST), regarding overbilling. Complainant describes a series of line updates and disconnections made in connection with its business. Complainant continues by outlining a series of overbillings it paid following the line work. Complainant requests that the Commission order U S WEST to repay the total amount of overpayment plus interest at the statutory rate of 10%.

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.

A regularly scheduled meeting of June 22, 1999, the Commission reviewed the Complainant's filing. Both Complainant and U S WEST were present. U S WEST recommended a finding of probable cause. Commission Staff concurred with U S WEST's position. The Commission voted unanimously to find probable cause. U S WEST filed its answer on July 22, 1999.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49- 13-1 through 49-13-14.1, inclusive, 49-31-3, 49-31-7, 49-31-7.1, and 49-31-11 and ARSD Chapter 20:10:33.

A hearing was held as scheduled at 1:00 p.m., on November 1, 1999, in Room 412, State Capitol Building, 500 East Capitol, Pierre, South Dakota. On December 6, 1999, the Commission received a Stipulation for an extension of time until December 16, 1999, for the filing of the Complainant's brief. The Stipulation was signed by the attorneys representing the Complainant and Respondent. The parties requested approval of the Stipulation by the Commission. The Commission approves the Stipulation and grants the Complainant an extension of time to file its initial brief. It is therefore

ORDERED, that the Stipulation is approved and Complainant shall file its initial brief on or before December 16, 1999.

Dated at Pierre, South Dakota, this 6th day of December, 1999.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner

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