

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

IN THE MATTER OF THE COMPLAINT FILED) BY SCOTT AND TAMI JUNG, ABERDEEN,) SOUTH DAKOTA, AGAINST QWEST) COMMUNICATIONS, INC. REGARDING) UNAUTHORIZED SWITCHING OF SERVICES)))))))	ORDER CANCELLING HEARING CT99-052
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On November 2, 1999, the Public Utilities Commission (Commission) received a complaint filed by Scott and Tami Jung, Aberdeen, South Dakota (Complainants), against Qwest Communications, Inc. (Qwest) regarding unauthorized switching of services. Complainants seek compensation deemed to be fair and legal.

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 November 15, 1999, at a duly noticed meeting, Commission Staff recommended a finding of probable cause due to unresolved factual issues. The Commission voted unanimously to find probable cause.

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, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

By order dated January 25, 2000, a hearing was scheduled for February 17, 2000, beginning at 1:30 o'clock P.M., in Room 468 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. On February 17, 2000, Commission Staff was contacted by Complainants who informed the Staff that settlement had been reached in this matter and they wished to have their complaint dismissed, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for February 17, 2000, is cancelled.

Dated at Pierre, South Dakota, this 17th day of February, 2000.

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:	<u><i>William Kelso</i></u>
Date:	<u>2/18/00</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