

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

IN THE MATTER OF THE COMPLAINT FILED) BY MILLENIALINK D/B/A DAKOTA INTERNET,) SIOUX FALLS, SOUTH DAKOTA, AGAINST) QWEST CORPORATION REGARDING BILLING) AND SERVICE QUALITY ISSUES)))))))	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT01-047
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On October 12, 2001, the Public Utilities Commission (Commission) received a complaint filed by Millenialink d/b/a Dakota Internet, Sioux Falls, South Dakota (Complainant), against Qwest Corporation (Qwest) regarding billing and service quality issues.

On October 12, 2001, the complaint was faxed to Qwest. Pursuant to ARSD 20:10:01:09, Qwest was notified that it must satisfy the complaint or file an answer in writing with the Commission by November 1, 2001. On November 1, 2001, the Commission received an answer and motion to dismiss from Qwest. On November 20, 2001, the Commission received a brief in support of motion to dismiss from Qwest. On November 8, 2002, the Commission received a letter from Complainant's attorney requesting that this matter be dismissed without prejudice.

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.

On November 20, 2002, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 2nd day of December, 2002.

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>Delaine Kalbo</i></u>
Date: <u><i>12/2/02</i></u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner