

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

IN THE MATTER OF THE COMPLAINT FILED) BY MARK E. FERDIG ON BEHALF OF) SIOUXLAND TELEPHONE COMPANY, INC.,) NORTH SIOUX CITY, SOUTH DAKOTA,) AGAINST LIGHTYEAR COMMUNICATIONS,) INC. F/K/A UNIDIAL COMMUNICATIONS) REGARDING FAILURE TO PAY DIAL-AROUND) COMPENSATION)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT01-042
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On September 24, 2001, the Public Utilities Commission (Commission) received a complaint filed by Mark E. Ferdig on behalf of Siouxland Telephone Company, Inc., North Sioux City, South Dakota (Complainant), against Lightyear Communications, Inc. f/k/a Unidial Communications (Lightyear) regarding failure to pay dial-around compensation.

On September 26, 2001, the complaint was faxed to Lightyear. Pursuant to ARSD 20:10:01:09, Lightyear was notified that it must satisfy the complaint or file an answer in writing with the Commission by October 16, 2001. On October 16, 2001, the Commission received an answer from Lightyear. On October 25, 2001, the Commission received Lightyear's Interrogatories, Requests for Admission and Requests for Production to Siouxland. On May 1, 2002, Commission Staff was informed that Lightyear was filing Chapter 11 bankruptcy on April 29, 2002. On May 14, 2002, the Complainant requested that the matter be dismissed.

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, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, and ARSD Chapter 20:10:01.

On May 30, 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 7th day of June, 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: Melaine Kolbo

Date: 6/10/02

(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