

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

IN THE MATTER OF THE COMPLAINT)
FILED BY TERRY NAGEL, LEAD, SOUTH)
DAKOTA, AGAINST U S WEST)
COMMUNICATIONS, INC. REGARDING)
TELEPHONE SERVICE)

ORDER DISMISSING
COMPLAINT AND CLOSING
DOCKET

TC97-146

On August 15, 1997, the Public Utilities Commission (Commission) received a complaint from Terry Nagel, Lead South Dakota, against U S West Communications, Inc. (U S West) regarding telephone service.

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 September 9, 1997, at its duly noted meeting, the Commission deferred the complaint. On September 24, 1997, Commission Staff received word from Mr. Nagel that U S West had resolved all the issues raised in the complaint and Mr. Nagel requested that the complaint be dismissed and the docket closed.

On September 25, 1997, at its regularly scheduled meeting, the Commission reviewed this matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-4, 49-31-7, 49-31-7.1, and ARSD 20:10:01:07.01 and 20:10:01:08.01. As Mr. Nagel and U S West had resolved all the issues complained of by Mr. Nagel and he had requested dismissal and closure of the docket, Commission Staff recommended that the Commission close the docket. It is therefore

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

Dated at Pierre, South Dakota, this 3rd day of October, 1997.

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 Kalbo

Date: 10/7/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner