

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

IN THE MATTER OF THE COMPLAINT FILED))	ORDER DISMISSING
BY JOHN AND ROBERTA LOVALD, PIERRE,))	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST EXCEL))	DOCKET
TELECOMMUNICATIONS, INC. REGARDING))	
UNAUTHORIZED SWITCHING OF SERVICES))	CT99-015

On July 22, 1999, the Public Utilities Commission (Commission) received a complaint filed by John and Roberta Lovald, Pierre, South Dakota (Complainants), against Excel Telecommunications, Inc., regarding unauthorized switching of services.

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 August 17, 1999, at a duly noticed meeting, the Commission considered this matter. The Complainants, represented by Roberta Lovald, explained that the matter had been resolved and that they were satisfied. The Commission unanimously voted to dismiss the complaint and close the docket.

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, 49-31-10, 49-31-11, and ARSD 20:10:01:08.01 and 20:10:01:09. It is therefore

ORDERED, that the complaint is dismissed and the docket is hereby closed.

Dated at Pierre, South Dakota, this 26th day of August, 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: <u><i>Alvina Kelbo</i></u>
Date: <u>8/30/99</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