

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

IN THE MATTER OF THE COMPLAINT FILED) BY ROBERT FOGG, JR., MARTIN, SOUTH) DAKOTA, AGAINST AT&T COMMUNICATIONS) OF THE MIDWEST, INC. REGARDING) DISPUTED BILLING))	ORDER FINDING NO PROBABLE CAUSE, DISMISSING COMPLAINT AND CLOSING DOCKET CT00-007
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On December 30, 1999, the Public Utilities Commission (Commission) received a complaint from Robert Fogg, Jr., Martin, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) regarding his eligibility for various billing plans and the rates at which he was billed for long distance service by AT&T.

On January 18, 2000, at its regularly scheduled meeting, the Commission considered this matter. The Complainant appeared via teleconference. Commission Staff recommended that no finding of probable cause be made.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, and 49-31.

The Commission voted unanimously to find no probable cause of an unlawful or unreasonable act, rate, practice, or omission on the part of AT&T and to dismiss the complaint and close the docket. As the Commission's final decision in this matter, it is therefore

ORDERED, that the complaint is dismissed and Docket CT00-007 is hereby closed.

Dated at Pierre, South Dakota, this 26th day of January, 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 Kabis</i></u>
Date: <u>1/26/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u><i>James A. Burg</i></u> JAMES A. BURG, Chairman
<u><i>Pam Nelson</i></u> PAM NELSON, Commissioner
<u><i>Laska Schoenfelder</i></u> LASKA SCHOENFELDER, Commissioner