

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

IN THE MATTER OF THE COMPLAINT FILED) BY WALTER MISEMER ON BEHALF OF THE) CONNECTION, RAPID CITY, SOUTH DAKOTA,) AGAINST ILD TELESERVICES, INC. AND NCP,) INC. REGARDING UNAUTHORIZED BILLING) FOR SERVICES)	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CT01-001
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On January 2, 2001, the Public Utilities Commission (Commission) received a complaint filed by Walter Misemer on behalf of The Connection, Rapid City, South Dakota (Complainant), against ILD Teleservices, Inc. (ILD) and NCP, Inc. (NCP) regarding unauthorized billing for services.

On January 2, 2001, the complaint was faxed to ILD and NCP. Pursuant to ARSD 20:10:01:09, ILD and NCP were notified that they must satisfy the complaint or file answers in writing with the Commission by January 22, 2001. On January 4, 2001, the Commission received a letter response from NCP. The Commission has not received an answer from ILD to this complaint. Commission Staff was informed that settlement had been reached in this matter.

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 January 17, 2001, 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 24th day of January, 2001.

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>Helaine Kelbo</u>
Date: <u>1/24/01</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