

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER CANCELLING
BY CHRIS WOLF ON BEHALF OF BROWN)	HEARING
CONSTRUCTION, NORTH SIOUX CITY,)	
SOUTH DAKOTA, AGAINST PRAIRIEWAVE)	CT03-007
TELECOMMUNICATIONS, INC. REGARDING A)	
CONTRACT DISPUTE)	

On March 10, 2003, the Public Utilities Commission (Commission) received a complaint filed by Chris Wolf on behalf of Brown Construction, North Sioux City, South Dakota (Complainant), against PrairieWave Telecommunications, Inc. (PrairieWave) regarding a contract dispute.

On March 17, 2003, the complaint was faxed to PrairieWave. Pursuant to ARSD 20:10:01:09, PrairieWave was notified that it must satisfy the complaint or file an answer in writing with the Commission by April 7, 2003. On July 7, 2003, the Commission received an answer from PrairieWave. A hearing was scheduled for October 24, 2003. By order dated October 17, 2003, the hearing was cancelled and a new hearing was to be rescheduled at a later time.

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.

By order dated May 4, 2004, a hearing was scheduled for June 3, 2004, beginning at 8:30 A.M., at the Holiday Inn City Centre, 100 West 8th Street, Sioux Falls, South Dakota. Commission Staff has now been informed that settlement had been reached in this matter, so therefore the hearing is cancelled. It is therefore

ORDERED, that the hearing scheduled for June 3, 2004, is cancelled.

Dated at Pierre, South Dakota, this 1st day of June, 2004.

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: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman

GARY HANSON, Commissioner

JAMES A. BURG, Commissioner