

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>)</b>	<b>ORDER DISMISSING</b>
<b>BY JERRY GALLOWAY ON BEHALF OF BOLD )</b>	<b>)</b>	<b>COMPLAINT AND CLOSING</b>
<b>VENTURE, LLC, SIOUX FALLS, SOUTH )</b>	<b>)</b>	<b>DOCKET</b>
<b>DAKOTA, AGAINST MCLEODUSA )</b>	<b>)</b>	
<b>TELECOMMUNICATIONS SERVICES, INC. )</b>	<b>)</b>	<b>CT04-002</b>
<b>REGARDING OVER BILLING FOR SERVICES )</b>	<b>)</b>	

On July 30, 2004, the Public Utilities Commission (Commission) received a complaint filed by Jerry Galloway on behalf of Bold Venture, LLC, Sioux Falls, South Dakota (Complainant), against McLeodUSA Telecommunications Services, Inc. (McLeodUSA) regarding over billing for services.

On August 3, 2004, the complaint was faxed to McLeodUSA. Pursuant to ARSD 20:10:01:09, McLeodUSA was notified that it must satisfy the complaint or file an answer in writing with the Commission by August 23, 2004. On September 14, 2004, the Commission received a Settlement Agreement from McLeodUSA.

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 October 12, 2004, 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 20th day of October, 2004.

<b>CERTIFICATE OF SERVICE</b>
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:

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ROBERT K. SAHR, Chairman

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GARY HANSON, Commissioner

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JAMES A. BURG, Commissioner