

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

IN THE MATTER OF THE COMPLAINT )  
FILED BY CATHY FEICKERT AGAINST U S )  
WEST COMMUNICATIONS, INC. )  
REGARDING THE INSTALLATION OF )  
TELEPHONE SERVICE )

ORDER FINDING PROBABLE  
CAUSE AND NOTICE  
REQUIRING ANSWER

TC96-174

On September 30, 1996, the Public Utilities Commission (Commission) received a Complaint from Cathy Feickert, 38493-132 Street, Aberdeen, SD 57401 (Complainant) against U S WEST Communications, Inc. (U S WEST) alleging delays in installation of phone service and excessive construction costs.

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 November 1, 1996, at its duly noticed meeting, the Commission reviewed the complaint.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-13-1, 49-13-1.1, 49-13-4, 49-13-13, 49-13-14, 49-13-14.1, 49-31-3, 49-31-4, 49-31-7, 49-31-7.1, 49-31-11, 49-31-12, 49-31-12.4, 49-31-21 and ARSD Chapter 20:10:25, 20:10:01:08.01 and 20:10:01:09. The Commission voted unanimously to find probable cause, it is therefore

ORDERED, that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice, or omission and that the complaint shall be forwarded to U S WEST and U S WEST shall file with the Commission their answers in writing within twenty (20) days of service of this order and the Executive Director shall set a procedural schedule.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of November, 1996.

<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:	<u><i>Delaine Kalbs</i></u>
Date:	<u>11/6/96</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

*Kenneth Stofferahn*  
KENNETH STOFFERAHN, Chairman

*James A. Burg*  
JAMES A. BURG, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner