

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

**IN THE MATTER OF THE APPLICATION OF)
S&S COMMUNICATIONS/ALTERNA-CELL)
FOR A CERTIFICATE OF AUTHORITY TO)
PROVIDE INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)
)**

**AFFIDAVIT OF JAMES
MEHLHAFF OF THE
CONSUMER AFFAIRS
DIVISION OF THE PUC

TC02-166**

James Mehlhaff, after being duly sworn upon his oath, hereby states and disposes as follows:

1. My name is James Mehlhaff and I am an employee of the South Dakota Public Utilities in the Consumer Affairs Division.
2. Since June 3, 2003 the Consumer Affairs Division of the South Dakota Public Utilities Commission has received more than 40 complaints regarding S&S Communications.
3. Amongst those complaints was a call from Legends Seeds, located in De Smet, South Dakota.
4. Legends Seeds has provided me a copy of a prepaid telecommunications contract that was signed on April 17, 2003, in the amount of \$11,700.28, which is attached to this Affidavit.
5. I have also received documentation for Dakota Premium Hay, located in Meckling, South Dakota, indicating that S&S sold them prepaid telecommunication services on April 29, 2003, in the amount of \$3,360. According to this complaint, S&S cashed the check from Dakota Premium Hay but never provided service. A copy of the contract and letter are attached to this Affidavit.
6. To the best of my knowledge S&S has not received or sought any authorization from the Commission or Commission Staff which would permit the company to sell prepaid telecommunication services.

Further affiant sayeth not.

James Mehlaff
South Dakota Public Utilities Commission

On this _____ day of _____, 2003, came before me, a Notary Public

in and for the State of South Dakota, James Mehlafl, well known to me or having proved his identity by means of sufficient proof, and being duly sworn, executed the foregoing "Affidavit" in my presence.

(SEAL)

Notary Public

Notary Print Name:

My Commission Expires: