

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY ARNOLD SCHURR AGAINST MONTANA)	COMPLAINT AND CLOSING
DAKOTA UTILITIES COMPANY REGARDING)	<u>DOCKET</u>
DAMAGES TO A STREET LIGHT)	
)	EL96-013

On June 11, 1996, the Public Utilities Commission (Commission) received a formal complaint from Arnold Schurr, 34671 129th Street, Roscoe, SD 57471 (Schurr) concerning a demand for payment by Montana Dakota Utilities Company (MDU) for damages alleged to have been inflicted upon MDU's street light and disconnection procedures which were initiated by MDU. MidContinent Cable TV also billed Schurr for damages to its facility allegedly occurring in the same incident.

On July 30, 1996, at its regularly scheduled meeting, the Commission reviewed this matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-34A-2, 49-34A-2.1, 49-34A-4, 49-34A-6, 49-34A-9, 49-34A-58 and ARSD Chapter 20:10:20.

As Mr. Schurr and MDU have resolved all the issues complained of by Mr. Schurr, Commission Staff recommended that the Commission dismiss the complaint and close the docket. Further, Commission staff recommended that no action be taken as to MidContinent Cable TV due to the Commission's lack of jurisdiction over cable tv companies. It is therefore

ORDERED, that the complaint be dismissed and that docket EL96-013 be closed.

Dated at Pierre, South Dakota, this 6th day of August, 1996.

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><i>William Kalbo</i></u>
Date: <u>8/6/96</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kenneth Stofferahn
KENNETH STOFFERAHN, Chairman

James A. Burg
JAMES A. BURG, Commissioner