

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

|                                        |                       |
|----------------------------------------|-----------------------|
| IN THE MATTER OF THE COMPLAINT FILED ) | ORDER GRANTING MOTION |
| BY FSST SOCIAL SERVICES, FLANDREAU, )  | TO JOIN PARTY         |
| SOUTH DAKOTA, AGAINST TELECOM*USA )    |                       |
| AND IONEX COMMUNICATIONS NORTH, INC. ) | CT00-115              |
| REGARDING UNAUTHORIZED SWITCHING )     |                       |
| OR BILLING OF SERVICES )               |                       |

On December 7, 2000, the Public Utilities Commission (Commission) received a complaint filed by FSST Social Services, Flandreau, South Dakota (Complainant), against Telecom\*USA (Telecom) regarding unauthorized switching or billing of services.

On December 11, 2000, the complaint was faxed to Telecom. Pursuant to ARSD 20:10:01:09, Telecom was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 31, 2000. On January 5, 2001, the Commission received an answer from Telecom and a Motion to Join Party asking that Ionex Communications North, Inc. (Ionex) be added as a party.

At its regularly scheduled meeting of January 17, 2001, the Commission considered this matter.

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.

The Commission voted to grant Telecom's Motion to Join Party. It is therefore

ORDERED, that Ionex shall be added as a party in the above captioned matter, and that the complaint shall be forwarded to Ionex and Ionex shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 24<sup>th</sup> day of January, 2001.

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| <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>Nellaine Kelbo</i></u>                                                                                                                                                                                                                               |
| Date: <u>1/24/01</u>                                                                                                                                                                                                                                           |
| (OFFICIAL SEAL)                                                                                                                                                                                                                                                |

BY ORDER OF THE COMMISSION:

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

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner