

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendrayer	Chair
Marshall Johnson	Commissioner
Ken Nickolai	Commissioner
Phyllis A. Reha	Commissioner
Gregory Scott	Commissioner

In the Matter of the Complaint by the City of
Redwood Falls Against Redwood County
Telephone Company (RCTC)

ISSUE DATE: October 21, 2003

DOCKET NO. P-424/C-03-897

ORDER DISMISSING COMPLAINT

PROCEDURAL HISTORY

On June 11, 2003, the City of Redwood Falls (the City) filed a complaint against Redwood County Telephone Company (RCTC). The complaint asserted that RCTC installed cable within a city right-of-way and failed to obtain a required permit, and that RCTC also operated in the Redwood Exchange without authority.

On July 22, 2003, the Commission issued its ORDER ASSERTING JURISDICTION AND REQUIRING ANSWER.

On August 11, 2003, Redwood County Telephone Company filed its answer to the City's complaint. The answer confirmed that RCTC has granted the relief requested by the City. RCTC requested that the Commission dismiss the complaint pursuant to Minn. Rules 7829.1800, subd.3.

This matter came before the Commission on October 16, 2003.

FINDINGS AND CONCLUSIONS

The Commission's July 22, 2003 ORDER ASSERTING JURISDICTION AND REQUIRING ANSWER stated:

If the Telephone Company alleges in its Answer that it has granted the relief requested by the City, the City shall file a Reply admitting or denying that the relief has been granted. If a Reply is thus required, the City shall serve it on the respondent (Telephone Company), the Department of Commerce, and the Residential Utilities Division of the Office of the

attorney General within 20 days of receiving the Answer. If a Reply is thus required and none is filed, the Commission is to dismiss the Complaint.¹

RCTC has asserted that it has granted the relief requested. No Reply has been filed by the City, which signifies that the relief has been granted. Therefore, the Commission will dismiss the Complaint.

ORDER

1. The Complaint filed by the City of Redwood Falls against Redwood County Telephone Company on June 11, 2003, is hereby dismissed.
2. The Docket is hereby closed.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)

This document can be made available in alternative formats (i.e., large print or audio tape) by calling (651) 297-4596 (voice), (651) 297-1200 (TTY), or 1-800-627-3529 (TTY relay service).

¹ See Minn. Rules, part 7829.1800, subd. 3.