

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

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| M. Gene Hand, Director, |) | Departmental Complaint 24 |
| Communications Department, |) | Application No. C-1784 |
| Nebraska Public Service |) | |
| Commission, Lincoln, |) | |
| Nebraska, Complainant, |) | |
| vs. |) | Complaint Dismissed |
| |) | Due to Revocation |
| Parcel Consultants, Inc., d/b/a |) | of Defendant's Authority |
| Minimum Rate Pricing, Inc., |) | |
| and also d/b/a MRP, of |) | |
| Bloomfield, New Jersey, |) | |
| Defendant. |) | Entered: September 21, 1998 |

BY THE COMMISSION:

On March 31, 1998, complainant, M. Gene Hand, presented preliminary evidence that Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP (MRP or defendant) of Bloomfield, New Jersey, had switched the interexchange carrier of numerous customers without first obtaining authorization from the affected customer (slamming). The complainant requested that the Commission order the defendant to show cause why the Commission should not (1) revoke defendant's Certificate of Public Convenience and Necessity to operate as a reseller of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska pursuant to Neb. Rev. Stat. Section 75-133 (1996); and (2) order the defendant to cease and desist from offering telecommunications services in Nebraska pursuant to Neb. Rev. Stat. Section 75-133 (1996).

On April 7, 1998, the Commission granted the request, entered an Order to show cause against defendant, and set a hearing on the matter for May 13, 1998. The Commission postponed that hearing to enable defendant to resolve the slamming complaints against it, and to revise its policies to prevent the continued slamming of customers.

However on August 11, 1998, after due notice, the Commission revoked MRP's certificate in Application C-1810, Departmental Complaint 25, for failure to file an annual report. Therefore, although the defendant has not addressed the slamming complaints or demonstrated an intention to amend its operations to prevent slamming, the Commission is of the opinion and finds that the complaint should be dismissed without prejudice to the complainant. The Commission is further of the opinion and finds that the defendant should cease all of its telecommunications operations in Nebraska because of its lack of authority. Finally, the Commission is of the opinion and finds that if the defendant continues to slam customers, or otherwise continues to operate in the state, that the complaints raised in this docket may be reinstated against MRP.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application C-1784, Departmental Complaint 24 be dismissed without prejudice to the complainant.

IT IS FURTHER ORDERED that Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP of Bloomfield, New Jersey, cease and desist from offering telecommunications services in Nebraska pursuant to Neb. Rev. Stat. Section 75-133 (1996).

IT IS FURTHER ORDERED that if Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP continues to operate in Nebraska in violation of this Order and in violation of the Commission's order in Application C-1810, then the complaints raised in this docket may be reinstituted against the defendant.



IT IS FURTHER ORDERED that within 14 days of the entry of this order, Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP, shall provide written notice to its customers that it will no longer provide telecommunications services in Nebraska.

IT IS FINALLY ORDERED that within 21 days of the entry of this order, Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP, shall provide the Commission with a copy of the notice sent to customers, along with a list of the customers who were sent such notice.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of September, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

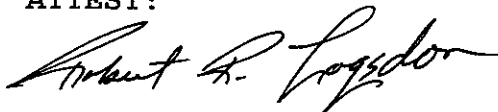
COMMISSIONERS CONCURRING:

//s//Lowell C. Johnson
//s//Frank E. Landis
//s//Daniel G. Urwiller


Chairman

ATTEST:


Executive Director