

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the complaint and) Docket FC-1264
request for relief of Tel-Save, Inc.)
against US West, Inc. for violation)
of Sections 201(b) and 202 of the) DISMISSED WITHOUT
Communications Act of 1934, as) PREJUDICE
amended, and violation of Neb. Rev.)
Stat. Sect. 75-126.) Entered: November 24, 1998

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On July 6, 1998, Tel-Save, Inc. ("TSI") filed with this Commission a formal complaint against US West, Inc. for violation of Sections 201(b) and 202 of the Communications Act of 1934 as amended, and violation of Neb. Rev. Stat. Sect. 75-126.

In summary, the complaint alleged that US West's failure to accept e-mailed requests to lift PIC freezes unreasonably and unnecessarily delays, impedes, and often thwarts customer attempts to lift PIC freezes in order to switch their long distance service to that provided by TSI. Specifically, US West does not permit end-user customers to lift PIC freezes by means of e-mail, whether transmitted directly by the customer or forwarded by TSI.

TSI and US West subsequently requested that this complaint be held in abeyance in the hopes of negotiating a settlement. As a settlement could not be timely reached, the parties have requested the Commission to proceed.

In so doing, the Commission has reviewed its current rules and regulations. While the Commission believes that it has the authority to regulate procedures regarding lifting of PIC freezes, it at this time has no regulations prohibiting US West's actions. Furthermore, considering the alternative options available to the consumer to lift a PIC freeze, the Commission at this time declines to implement any such additional regulations.

The Commission notes that US West is continuing to investigate the acceptance of e-mails and believes that it can develop processes to enable it to appropriately handle and complete such requests. Therefore, the Commission will continue to review the situation and reserves the right to reconsider instituting additional procedures at a later date.

Upon consideration of the complaint, the governing statutes and rules, and being fully informed, the Commission is of the opinion and finds that the complaint should be dismissed without prejudice.

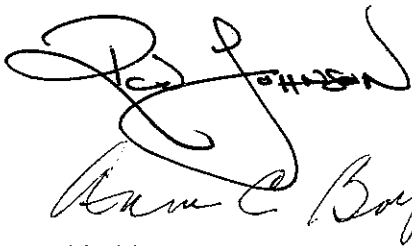
O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Formal Complaint FC-1264 be, and is hereby, dismissed without prejudice.

MADE AND ENTERED in Lincoln, Nebraska, this 24th day of November, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

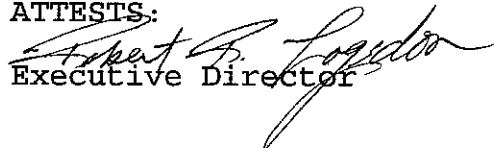


//s//Frank E. Landis
//s//Daniel G. Urwiller



Vice Chairman

ATTESTS:



Executive Director