

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of M. Gene Hand,) Departmental Complaint 008
Director, Communications Depart-) Docket No. C-1080
ment, Nebraska Public Service)
Commission, Lincoln, Nebraska,)
Complainant)
vs.) PETITION DISMISSED
Overlooked Opinions, Chicago,)
Illinois, Defendant.) Entered: August 9, 1994

BY THE COMMISSION:

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

On June 10, 1994, M. Gene Hand, Director of the Communications Department in the Nebraska Public Service Commission petitioned the Commission to set a hearing in the matter against Overlooked Opinions, of Chicago, Illinois, as it appeared that the Defendant was operating as a reseller of telecommunications services in Nebraska without a Certificate of Public Convenience and Necessity.

The Communications Department requested the Defendant to provide the Commission with information including, but not limited to its sales materials and telemarketing scripts, customer contracts, an explanation of the arrangement with the underlying carrier, and a listing of rates the company charges.

The Commission received the pertinent information on August 5, 1994. The material explained that the Defendant markets calls for Amerifax, Inc., dba AmeriConnect, a Nebraska certified reseller. The sample customer bill and the contract to establish telecommunications service displays AmeriConnect's name. The Defendant does not offer telecommunications services to the public, thus a Certificate of Convenience is not necessary.

The Defendant advised the Commission that the company is in the process of changing its corporate structure. We take this opportunity to advise the Defendant and its officers and directors that any changes in marketing should be brought to the attention of the Commission. If Overlooked Opinions desires to become a reseller of telecommunications in the future, a proper certificate must be obtained prior to offering service.

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After due consideration of the motion and being fully advised in the premises, the Commission is of the opinion and finds:

1. The Defendant is not currently a reseller of telecommunications services in Nebraska.
2. Docket C-1080 / Departmental Complaint 008 should be dismissed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Docket No. C-1080 / Departmental Complaint 008 be, and it is hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of August, 1994.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Daniel G. Kraville

//s//Duane D. Gay

//s//Rod Johnson

//s//James F. Munnelly

James Sander
Chairman

ATTEST:

John R. King
Executive Director