

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

M. Gene Hand, Director,	)	Departmental Complaint No. 010
Communications Department	)	Docket C-1095
Nebraska Public Service	)	
Commission, Lincoln,	)	
Nebraska, Complainant	)	
	)	PETITION TO REVOKE OPERATING
vs.	)	AUTHORITY AND TO CEASE AND
	)	DESIST OPERATIONS IN NEBRASKA
Tel-Save, Inc. of New Hope,	)	
Pennsylvania, Defendant.	)	

M. Gene Hand, Director of the Nebraska Public Service Commission's Communications Department, petitions the Nebraska Public Service Commission in the matter against Tel-Save, Inc. and its officers and directors and alleges as follows:

1. Complainant is Director of the Department of Communications of this Commission.
2. Defendant is a telecommunications company regulated by the Commission pursuant to Neb. Rev. Stats. §75-101 et. seq. (1990 Reissue), §86-801 to §86-811 (Reissue 1987 and Cum. Supp. 1992) and Title 291 NAC Ch. 5 of the Commission's telecommunications rules.
3. Defendant is affiliated with Business Network Services, of Cherry Hill, New Jersey, a telecommunications company who was ordered on August 16, 1994 to cease and desist operations in Nebraska until proper certification was obtained.
4. Defendant is affiliated with Direct Network Services, Inc. of New Hope, Pennsylvania, (also known as Group Long Distance) a telecommunications company who, on August 4, 1994, was requested by the Commission to cease and desist operations, until proper certification has been obtained.
5. Direct Network Services (DNS) has allegedly "slammed" a customer in Nebraska, and DNS has informed the Commission that Mr. Jim Logan, Compliance Manager of Tel-Save handles complaints of this nature.
6. Since July 5, 1994, Commission staff has attempted to contact Mr. Logan on numerous occasions to resolve the slamming complaint; however, calls have not been returned and the complaint remains unresolved.

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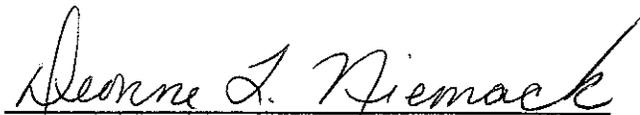
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7. Tel-Save, Inc. was named as a defendant in Departmental Complaint No. 007/Docket C-1078, for failing to submit an annual report by April 30, 1994. Written notice was provided to Tel-Save regarding the annual report requirement on or about January 10, May 9, June 10, and July 21, 1994. Tel-Save was ultimately dismissed from the complaint as the company rendered the requisite information to the Commission on August 5, 1994, two working days prior to the hearing which had been scheduled to revoke their certificate of operating authority.
8. Tel-Save, Inc. was granted authority to operate in Nebraska on September 1, 1992. It came to the Commission's attention in March 1994, that the company had not submitted an operating tariff as required. After notifying Tel-Save of this condition, a tariff was submitted on April 1, 1994. While the company did not operate in Nebraska during 1992; the company was operating and doing business in 1993 without a tariff on file.

WHEREFORE, complainant prays that the Commission convene a hearing on the foregoing petition and enter an order revoking the certificate of Public Convenience and Necessity issued to Tel-Save, Inc. and further to order the company to cease and desist from operating in Nebraska without a lawful grant of authority.



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