

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

M. Gene Hand, Director,) Departmental Complaint 24
Communications Department,) Application No. C-1784
Nebraska Public Service)
Commission, Lincoln,)
Nebraska, Complainant,)
vs.) ORDER TO SHOW CAUSE
)
Parcel Consultants, Inc., d/b/a)
Minimum Rate Pricing, Inc.,)
and also d/b/a MRP, of)
Bloomfield, New Jersey,)
Defendant.) Entered: April 7, 1998

BY THE COMMISSION:

On the motion filed by complainant in this matter on March 31, 1998, the Commission finds and orders as follows:

OPINION AND FINDINGS

Complainant, M. Gene Hand, presented preliminary evidence that Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP (defendant) of Bloomfield, New Jersey, has switched the interexchange carrier of numerous customers without first obtaining authorization from the affected customer (slamming). Specifically, complainant alleged:

1. Complainant is Director of the Department of Communications of this Commission.
2. On October 22, 1996, defendant obtained a Certificate of Public Convenience and Necessity to operate as a reseller of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska in Application No. C-1394.
3. Since September 1997, twelve consumers have filed informal complaints with the Commission against defendant for the unauthorized switching of their interexchange carrier (slamming). Nine of these complaints have been filed since January 1998.
4. Communications staff contacted the defendant by telephone on at least eight occasions in an effort to resolve the slamming complaints.
5. Despite the informal efforts by staff to work with defendant to resolve the slamming complaints, the number of slamming allegations against the defendant continues to rise.

Accordingly, the Commission finds that the defendant should be ordered 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); (2) order the defendant to cease and desist from offering telecommunications services in Nebraska pursuant to Neb. Rev. Stat. Section 75-133 (1996); and (3) order that the defendant remit any such fines authorized by law.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that defendant, Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP of Bloomfield, New Jersey, be, and is hereby, ordered 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); (2) order the defendant to cease and desist from offering telecommunications services in Nebraska pursuant to Neb. Rev. Stat. Section 75-133 (1996); and (3) order that the defendant remit any fines authorized by law.

IT IS FURTHER ORDERED that the defendant appear personally before this Commission at a hearing in this matter in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, on May 13, 1998, at 1:30 p.m.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of April, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Ann C. Boyle

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

Lowell C. Johnson
Chairman

ATTEST:

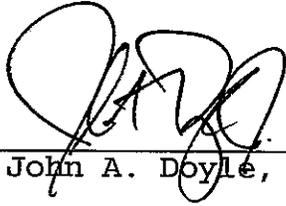
Robert R. Fogador
Executive Director

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing ORDER TO SHOW CAUSE was sent by registered certified mail to the defendant Parcel Consultants, Inc., d/b/a Minimum Rate Pricing, Inc. and also d/b/a MRP of Bloomfield, New Jersey, and its officers at 300 Broadacres Drive, Bloomfield, New Jersey 07003, on the 7th day of April, 1998.



John A. Doyle, Jr.