

**BEFORE THE PUBLIC SERVICE COMMISSION
OF
THE STATE OF MISSISSIPPI**

DOCKET NO. 98-AD-459

**Mississippi Public
Service Commission**

**In Re: Order To All Telecommunications
Service Providers To Show Cause
Why They Should Not Be Ordered
To Cease And Desist Providing
Certain Billing Services**

FINAL ORDER

COMES NOW, the Mississippi Public Service Commission ("Commission") and it appearing to the Commission, for good cause shown and after reviewing the Comments filed by interested parties pursuant to the Commission's Order entered on September 2, 1998, in this Cause, and this Commission being otherwise sufficiently advised, finds as follows:

1. On June 11, 1998, the Commission entered an Order in 98-AD-90 adopting Rule 47.1 of the Mississippi Public Service Commission Rules and Regulations Governing Public Utilities Service. This rule was adopted in response to the large number of complaints received by the Commission regarding the practice of "slamming" and has uniform application throughout Mississippi.

2. On July 2, 1998, the Commission entered an Order in 98-AD-459 directing BellSouth Telecommunications, Inc. ("BST") "to cease and desist from

performing any billing services for any TSP doing business in Mississippi, that does not have a CPCN issued by this Commission.”

3. Since other companies throughout Mississippi may also be providing billing services for uncertificated TSPs, and since it is in the public interest for the Commission's rules and orders generally to have uniform application throughout the State, the Commission entered an Amended Order on July 22, 1998 which provided, inter alia, that the original Order should apply to all TSPs holding CPCNs issued by this Commission.

4. A prehearing conference was held on August 26, 1998 with the Honorable Bruce McKinley presiding as Hearing Examiner. BST was the only TSP to participate in the prehearing conference.

5. Based on discussions at the prehearing conference, the Commission found that more information should be developed concerning which billing services are at issue in this docket. Therefore, on September 2, 1998, the Commission entered a Second Amended Order and Amended Procedural Schedule which provided, inter alia, that: (a) the Hearing originally set for September 10, 1998, was canceled; (b) all parties shall file Comments no later than September 22, 1998; and (c) if needed, a date for a Hearing would be determined in the future.

6. Comments were received by USA Global Link, Inc. ("USA GL") and by BST on September 22, 1998. Upon review of the Comments, the Commission finds that the Comments by USA GL are without merit and, therefore, rejects same. The

Commission further finds that the Comments by BST are reasonable and, thus, are well taken.

IT IS THEREFORE, ORDERED, that all telecommunications service providers ("TSPs") (as defined in the Commissioner's Service Rule 47.1 issued June 11, 1998) that are certificated by this Commission are hereby ordered to cease and desist from performing any billing services, over which this Commission has jurisdiction, for any other TSP that does not have a Certificate of Public Convenience and Necessity ("CPCN") issued by this Commission.

Chairman Bo Robinson voted Aye; Vice Chairman George Byars voted Aye; Commissioner Nielsen Cochran voted Aye.

SO ORDERED on this 21ST day of October, 1998.



MISSISSIPPI PUBLIC SERVICE COMMISSION

Bo Robinson
BO ROBINSON, CHAIRMAN

George Byars
GEORGE BYARS, VICE CHAIRMAN

Nielsen Cochran
NIELSEN COCHRAN, COMMISSIONER

ATTEST, A True Copy

Brian U. Ray
Brian U. Ray
Executive Secretary

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