

A-310728

PARTS OF CASE PREVIOUSLY MICROFILMED @

- REEL 9718, BLIP 36
- REEL 9902, BLIP 48 (CONFIDENTIAL)



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

November 30, 2007

IN REPLY PLEASE
REFER TO OUR FILE

**DOCUMENT
FOLDER**

C-20077669
A-310728

NETWORK BILLING SYSTEMS LLC
155 WILLOWBROOK BOULEVARD
WAYNE NJ 07470

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff

v.

Network Billing Services, LLC (2006.0295.00)

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on November 29, 2007 adopted a Default Order in the above entitled proceeding.

A Default Order has been enclosed for your records.

Very truly yours,

James J. McNulty
Secretary

Encls
Cert. Mail
MH

See attached list for additional parties of record.

OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET
5TH FLOOR
FORUM PLACE
HARRISBURG PA 17101-1923

OFFICE OF SMALL BUSINESS ADVOCATE
SUITE 1102 COMMERCE BUILDING
300 NORTH SECOND ST
HARRISBURG PA 17101

OFFICE OF TRIAL STAFF
BOX 3265
KEYSTONE BUILDING
2ND FLOOR
HARRISBURG PA 17105-3265

BUREAU OF CONSUMER PROTECTION
PENNSYLVANIA PLACE
301 CHESTNUT STREET SUITE 105
HARRISBURG PA 17101

NETWORK BILLING SYSTEMS LLC
155 WILLOWBROOK BOULEVARD
WAYNE NJ 07470

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held November 29, 2007

Commissioners Present:

Wendell F. Holland, Chairman
James H. Cawley, Vice-Chairman
Tyrone J. Christy
Kim Pizzingrilli

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff

C-20077669

v.

Network Billing Services, LLC (2006.0295.00)

A-310728

DEFAULT ORDER

BY THE COMMISSION:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Network Billing Services, LLC (the Respondent), a reseller of toll services certificated at A-310728. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa. C.S. §504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa. C.S. §504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the

Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa. C.S. §§504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Network Billing Services, LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; **THEREFORE**,

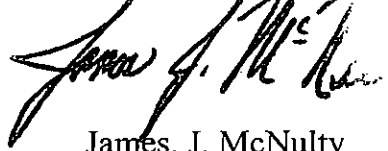
IT IS ORDERED:

1. That the allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. That the Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. That Network Billing Services, LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent

adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate(s) of public convenience held by Network Billing Services, LLC at A-310728 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

BY THE COMMISSION,



James, J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: November 29, 2007

ORDER ENTERED: NOV 30 2007