



Control Number: 49736



Item Number: 4

Addendum StartPage: 0

**DOCKET NO. 49736**

**APPLICATION OF NETWORK  
BILLING SYSTEMS, LLC DBA FUSION  
TO AMEND A SERVICE PROVIDER  
CERTIFICATE OF OPERATING  
AUTHORITY**

§  
§  
§  
§  
§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

06

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY**

**COMES NOW** the Commission Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this recommendation on sufficiency. Staff recommends that the application be deemed deficient and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff would show the following:

**I. BACKGROUND**

On July 12, 2019, Network Billing Systems, LLC d/b/a Fusion filed an application to amend service provider certificate of operating authority (SPCOA) No. 60557, pursuant to Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 54.001-.008, §§ 54.151-.159 (PURA) and 16 Texas Administrative Code (TAC) § 26.111(i), to reflect a name change.

In Order No. 1, issued July 18, 2019, Staff was given a deadline of July 29, 2019, to file a recommendation on the sufficiency of the application. This pleading, therefore, is timely filed.

**II. SUFFICIENCY RECOMMENDATION**

After reviewing the application, and as described in the attached memorandum of Gordon Van Sickle of the Competitive Markets Division, Staff has determined that the name Fusion LLC has been forfeited and the name Network Billing System, LLC is inactive. Staff therefore recommends that the application be deemed insufficient and incomplete.

**III. CONCLUSION**

For the reasons discussed above, Staff recommends that the application be found administratively incomplete and that the applicant be ordered to address the identified deficiencies.

Dated: July 25, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Stephen Mack  
Managing Attorney



---

Creighton R. McMurray  
State Bar No. 24109536  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7275  
(512) 936-7268 (facsimile)  
creighton.mcmurray@puc.texas.gov

**DOCKET NO. 49736**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on July 25, 2019, in accordance with 16 TAC § 22.74.



---

Creighton R. McMurray

# *Public Utility Commission of Texas*

---

## **Memorandum**

**TO:** Creighton McMurray – Attorney  
Legal Division

**FROM:** Gordon H. Van Sickle – Senior Utility Analyst  
Competitive Markets Division

**DATE:** July 25, 2019

**SUBJECT:** Docket No. 49736: *Application of Network Billing Systems, LLC dba Fusion to Amend its Service Provider Certificate of Authority*

---

### **DEFICIENCIES & COMPLETENESS RECOMMENDATION**

On July 12, 2019, Network Billing Systems, LLC d/b/a Fusion (NBS) filed an application for an amendment to a service provider certificate of operating authority (SPCOA) No. 60557 for a name change. NBS filed this application requesting a name change to “Fusion LLC.” NBS filed this application pursuant to Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 54.151-.159 (PURA) and 16 Texas Administrative Code (TAC) § 26.111.

Commission Staff (Staff) has reviewed NBS’ application for deficiencies and found this application to be deficient.

Pursuant to 16 TAC § 26.111(i)(1)-(2), a person or entity that is granted a SPCOA by the Commission shall file an application to amend the SPCOA in a Commission-approved format in order to change the certificated name. Pursuant to 16 TAC § 26.111(d)(2), an application for a SPCOA certification shall be made on a form approved by the Commission, verified by oath or affirmation, and signed by an executive officer of the applicant. Staff has reviewed NBS’s application for an amendment to its SPCOA and has determined that the application was submitted in a Commission-approved format, verified by oath or affirmation and signed by an executive officer of the applicant.

Staff has reviewed NBS’s application for a name change to SPCOA No. 60557 and has found the following deficiencies: the certificated name “Network Billing Systems, LLC” has been “FORFEITED” by the Texas Secretary of State (SoS) in Document number 864075740899 as of January 25, 2019 and the requested name of “Fusion LLC” is not registered with the Texas SoS as

an assumed name of NBS nor independently as a limited liability company. Because of the aforementioned deficiencies; NBS is deficient for further review.

If you have any questions, please contact Mr. Gordon Van Sickle at 512-936-7343.