



Control Number: 49736



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DOCKET NO. 49736

FILED

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

**PUBLIC UTILITY COMMISSION: 34
OF TEXAS**

2019 SEP 27
FILED
FILING CLERK

COMMISSION STAFF’S SUPPLEMENTAL FINAL RECOMMENDATION

COMES NOW the Commission Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this supplemental recommendation. Staff recommends that the application be deemed sufficient for further review. 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 Tex. Admin. Code (TAC) § 26.111(i), to reflect a name change.

On July 25, 2019, Staff filed its insufficiency recommendation of the application. On July 29, 2019, Order No. 2 was issued, finding the application insufficient and establishing an opportunity to cure the deficiencies by August 12, 2019. Fusion filed a Request for Extension on August 12, 2019 to cure the application deficiencies identified by Staff. On September 12, 2019, Fusion filed supplemental information to cure the deficiencies.

In Order No. 3, the Administrative Law Judge (ALJ) granted the extension and established a deadline for Staff to file its supplemental final recommendation by October 2, 2019. This pleading, therefore, is timely filed.

II. SUPPLEMENTAL FINAL RECOMMENDATION

After review, and, as supported by the attached memorandum of Gordon Van Sickle of the Commission’s Licensing and Compliance Section of the Customer Protection Division, Staff has concluded that the application, as supplemented, provides the information required to demonstrate that Fusion has met the technical requirements of PURA §§ 54.151–.159 and the customer protection requirements of 16 TAC § 26.111(i) for an amendment to SPCOA No. 60557. Therefore, Staff recommends approval of the application.

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III. CONCLUSION

Staff respectfully requests an order consistent with the foregoing recommendation.

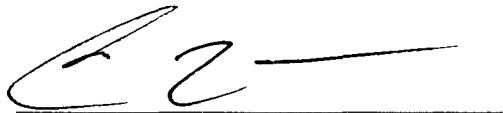
Dated: September 27, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Rachelle Nicolette Robles
Managing Attorney

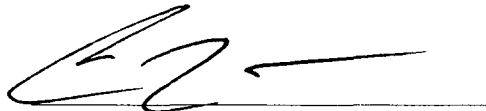


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 27, 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
Licensing & Compliance Section
Customer Protection Division

DATE: September 27, 2019

SUBJECT: Docket No. 49736: *Application of Network Billing Systems, LLC d/b/a Fusion to Amend its Service Provider Certificate of Operating Authority*

FINAL RECOMMENDATION

On July 12, 2019, Network Billing Systems, LLC (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 from “Network Billing Systems, LLC” to “Fusion LLC” pursuant to Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 54.151-.159 (PURA) and 16 Texas Administrative Code (TAC) § 26.111. NBS is requesting that SPCOA No. 60557 be granted a name change to “Fusion LLC.”

Commission Staff (Staff) recommends that NBS’s application for a name change to SPCOA No. 60557 from “Network Billing Systems, LLC” to “Fusion LLC” be approved as filed.

Analysis

Pursuant to 16 TAC § 26.111(i)(1) a person or entity 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 of the certificate holder. Pursuant to 16 TAC § 26.111(d)(2), an application for 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.

Pursuant to 16 TAC § 26.111(h), the requested name is required to be registered with the Texas Secretary of State (SoS) and shall not be deceptive, misleading, inappropriate, confusing or duplicative of an existing certificated name currently in use. Staff determined that the requested name, “Fusion LLC” is registered with the Texas SoS under File No. 703869623 and with the Texas Comptroller’s Office under Tax Id. No. 12235909947. Fusion LLC also has an assumed name of “Fusion Connect LLC.” Staff concludes that NBS meets the requirements outlined in 16 TAC § 26.111(h).

Conclusion

Based on Staff’s review of NBS’s application, Staff recommends that the application to amend SPCOA No. 60557 to reflect a name change from “Network Billing Systems LLC” to “Fusion LLC” be approved as filed.

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