

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL STAFF

FROM: JOHN HAMMOND

DATE: MARCH 17, 2004

RE: IN THE MATTER OF STAFF'S PETITION TO INITIATE A COMMISSION INVESTIGATION TO DETERMINE IF OCMC, INC. VIOLATED THE TERMS OF ITS PRICE LIST AND THE COMMISSION'S OPERATOR SERVICES AND PAY TELEPHONE RULE 104.4. CASE NO. GNR-T-04-4.

On March 15, 2004, the Staff of the Idaho Public Utilities Commission filed a Petition pursuant to *Idaho Code* 62-616 and 62-620 recommending that the Commission initiate an investigation to resolve subscriber complaints, to determine if OCMC is providing service in compliance with its price list and to decide if the Company has violated the Commission's Operator Services and Pay Telephone Rules. IDAPA 31.51.01.000 *et seq.* Staff alleged that OCMC, Inc., an operator services provider ("OSP"), operating in the state of Idaho as itself or under the assumed business names of OPTICOM, Inc., One Call Communications, Inc., AdvanTel, LiveTel, SuperTel, RegionTel or 1-800-MAX-SAVE (hereinafter "OCMC") has violated the Commission's Operator Services and Pay Telephone Rule 104.04 and the terms of its own price list between the dates of March 15, 2002 until July 29, 2003. Specifically, Staff alleged that OCMC failed to provide the opportunity for customers to receive information about call charges on connected intrastate collect calls.

Staff also requested that as part of the investigation the Commission hold an evidentiary hearing. In this regard Staff now requests that the Commission set a prehearing conference in order for the parties to establish a schedule, including date(s) for an evidentiary hearing that can be recommended to the Commission for adoption.

COMMISSION DECISION

Does the Commission wish to open an investigation based on the allegations contained in Staff's Petition?

If so, does the Commission wish to establish a date for a pre-hearing conference for the parties to set a schedule for this proceeding including a date for an evidentiary hearing?



John Hammond

Vld/M:GNRT0404_jh