

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cullen	)	Application No. ADC-15
Robbins, Director of the	)	
Communications Department of	)	
the Nebraska Public Service	)	
Commission,	)	ORDER TO CEASE AND DESIST,
	)	AND NOTICE OF HEARING
Complainant,	)	
v.	)	
	)	
Remington Research Group	)	
	)	
and	)	
	)	
Nebraska Republican Party,	)	
	)	
Respondents.	)	Entered: October 6, 2020

BY THE COMMISSION:

On October 6, 2020, a Complaint was filed by the Communications Department of the Nebraska Public Service Commission ("Commission"), alleging that Respondents Remington Research Group and the Nebraska Republican Party violated Nebraska statutes and Commission rules and regulations regarding automatic dialing-announcing devices. The Complaint seeks administrative remedies, including the entry of an order requiring the Respondents to immediately cease and desist transmitting any messages through their automatic dialing-announcing device(s), or through any other third party, which have not been approved by the Commission prior to their transmission, in the State of Nebraska under Neb. Rev. Stat. § 86-253.

The Commission finds that sufficient cause exists for the entry of the requested order to cease and desist. Respondents Remington Research Group and the Nebraska Republican Party are hereby ordered to immediately cease and desist transmitting any messages through any automatic dialing-announcing devices, including through contract or agreement with any third party, which have not received approval from the Commission in advance of their transmission. Respondents will not be barred from transmitting messages which have received prior approval by the Commission.

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Under Neb. Rev. Stat. § 86-253, this order may be effective for no more than twenty days, and a hearing on the complaint must be set within twenty days. The Commission therefore finds that this order will be effective until October 20, 2020. Unless modified by further order of this Commission, Respondents may resume transmitting messages using an automatic dialing-announcing device and/or contracting with a third party to transmit messages beginning on October 20, 2020 which have not been approved by the Commission in advance of their transmission, provided Respondents comply with all applicable statutes and regulations. Respondents are directed to ensure that all transmitted messages include information regarding the identity of the person on whose behalf the message is being transmitted, and the telephone number or address of the person operating the device, pursuant to Neb. Rev. Stats. § 86-236 - 86-257 and 291 Neb. Admin. Code, Chapter 11.

The Commission further finds that a hearing in this matter will be set for **Tuesday, October 20, at 11:00 a.m. Central Time**, in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, NE. Teleconference access to the hearing will also be available at <http://tiny.cc/PSCWebex>.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Remington Research Group and the Nebraska Republican Party shall immediately cease and desist transmitting any messages through their automatic dialing-announcing device(s), or through any other third party, which have not been previously approved by the Commission, until October 20, 2020.

IT IS FURTHER ORDERED that a hearing on this matter shall be held on October 20, 2020, at 11:00 a.m. Central Time, in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, NE and through videoconference.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 6th day of October, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rob Johnson*  
*Crystal Swader*  
*Tim Schram*  
*Dee Watson*

*Mary Keddin*

Chair

ATTEST:

*Michael S. Hyl*

Executive Director