

Rec'd. by SD  
11/4/13

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**IN RE:** )  
 )  
**SHOW CAUSE PROCEEDING AGAINST** ) **DOCKET NO. 13-00095**  
**OPEN BUSINESS DIRECTORY, LTD. FOR** )  
**ALLEGED VIOLATIONS OF TENN. CODE** )  
**ANN. § 65-4-501 *et seq.*** )

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**PETITION**

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Comes now the Tennessee Regulatory Authority (“TRA” or “Authority”) Consumer Services Division (“CSD”) by and through counsel and requests that the Hearing Officer appointed by the Directors on July 15, 2013, issue an Order requiring that Open Business Directory, Ltd. (“Open Business”) appear and show cause before the Authority why it should not be found liable for violations of the Tennessee Do-Not-Fax law. The CSD further requests that at the hearing before the Authority that the Directors impose the maximum civil penalty allowed by law and order that Open Business cease and desist sending unsolicited facsimile advertisements to Tennessee consumers.

**ALLEGATIONS OF FACT**

1. Open Business sends unsolicited facsimile advertisements to Tennessee consumers.
2. Between February 7, 2011 and May 7, 2013, the CSD received complaints indicating that Open Business sent or caused to be sent at least twelve (12) unsolicited facsimile advertisements to at least five (5) Tennesseans soliciting them to purchase goods and/or services.
3. CSD’s investigation determined that these Tennesseans had no pre-existing business relationship with Open Business.
4. As evidence of the above allegations the CSD submits the Affidavit of Slayde Warren as

well as accompanying evidence (Exhibit 1). The CSD requests that Exhibit 1 be entered into the record in this cause.

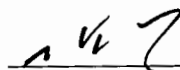
**CAUSES OF ACTION**

5. The facts alleged in paragraphs 1 - 4 constitute a violation of Tenn. Code Ann. §65-4-502.

**PRAYER FOR RELIEF**

6. The CSD requests that the Hearing Officer place this matter on the docket for hearing at the January 13, 2013, Authority Conference.
7. That at that hearing the Authority issue a cease and desist order barring Open Business from sending or causing another to send unsolicited facsimile advertisements to Tennessee consumers.
8. Pursuant to Tenn. Code Ann. §65-4-504 the Authority may impose a civil penalty of up to two thousand dollars (\$2,000) per violation of law.

Respectfully submitted,



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