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the survey was sent to them, they were duped, if you will. They unwittingly made some kind of a response, it was used then as a slam. And I'm going to guess that in the other three prongs it's going to be on the basis of the Public Service Commission's figuring out the reasonable intent of what the parties were doing. And what you described, if there's an obvious...if it's...if it's snuck in, in minor print, and you're led to believe one thing, but it has the impact of another, that, to me, will violate the slamming law in another section. And this section will not save the company, 'cause this isn't what we're talking about.

SENATOR BROWN: So you're...

SENATOR LANDIS: That wasn't an initiated procedure.

SENATOR BROWN: So this...so yours is an affirmative action and this is not. Thank you very much.

PRESIDENT MAURSTAD: Thank you, Senator Brown. Discussion on the Landis amendment. Senator Chris Peterson.

SENATOR C. PETERSON: Yes, again I rise in support. As we have been saying, the slamming provisions that have gone into LB 150, (LB) 261, as well as the committee amendments and now Senator Landis' amendments, these are ongoing rules and orders that the FCC has been working on. And parts of the bill are to be in compliance with their regulations and rules. That has to do with the verification process, similar to somewhat what Senator Brown was talking about. In order to do a switch there has to be the three parts of the verification. Those are set by the FCC, they require the written change authorization, the toll-free electronic authorization, the oral authorization. But I think one of the important parts of Senator Landis's bill updates the subscriber liability, which says, in essence, that if you have been slammed, you will not be responsible for those charges, the unauthorized carrier is going to have to be responsible for them. So, obviously, it's going to be in the unauthorized carriers' best interest to make sure they go through the verification process. So it kind of shores it up on both sides. If the unauthorized carrier has been notified, then what they must do is they must refund the charges to the