

REQUEST TO ESTABLISH DOCKET  
(PLEASE TYPE)

Date 5/17/96

Docket No. \_\_\_\_\_

- 1. Division Name/Staff Name CMU/K. LEWIS
- 2. OPREG/ Scott Edmonds
- 3. OCRCMU/K. LEWIS, CAF

4. Suggested Docket Title INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST HEARTLINE COMMUNICATIONS, INC. FOR VIOLATION OF RULE 25-4.118, FLORIDA ADMINISTRATIVE CODE, INTEREXCHANGE CARRIER SELECTION.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

HEARTLINE COMMUNICATIONS, INC. (T1188)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

OFFICE OF PUBLIC COUNSEL

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:

- Documentation is attached.
- Documentation will be provided with the recommendation.

DOCUMENT SEARCH DATE  
**05584 MAY 20 88**  
PSC-REGULATORY REPORTING

FLORIDA PUBLIC SERVICE COMMISSION  
DIVISION OF CONSUMER AFFAIRS

SPECIAL REQUEST REPORT  
REPORT # 7 PRINTED ON 05/06/96

UTILITY	COMPLAINANT	TYPE	RECD	SB	T	CLOSE	STAFF	COUNTY	COMPLAINT NO.	SAVINGS	CODE	PHONE
HEARTLINE COMMUNICATIONS, I	MANIKUM, CHANDRA	LS-13	01/03/96	5	T	03/20/96	KMT	DADE	1039721	24.24	T1188	(305)-861-9024
HEARTLINE COMMUNICATIONS, I	TELLER, DANIEL	LS-13	01/10/96	5	T	03/14/96	SMH	PLB	1048261	2.98	T1188	(407)-969-7731
HEARTLINE COMMUNICATIONS, I	LUCIEN, MADIA	LS-13	01/17/96	5	L	03/15/96	KMT	LEON	1057581	236.87	T1188	(904)-671-2850
HEARTLINE COMMUNICATIONS, I	TYNDALL, M.	LS-13	01/18/96	5	T	01/31/96	DBM	MARI	1059471	26.78	T1188	(904)-732-2107
HEARTLINE COMMUNICATIONS, I	CONROY, KRISTIN	LS-13	01/20/96	5	T	01/31/96	KMT	LEON	1067631	23.97	T1188	(904)-671-1812
HEARTLINE COMMUNICATIONS, I	HORRATH, STEPHEN	LS-13	01/22/96	5	T	03/18/96	JRD	PLB	1067781	6.23	T1188	(407)-364-5763
HEARTLINE COMMUNICATIONS, I	BRISCOE, SIMON	LS-13	01/22/96	5	T	03/18/96	SAS	PLB	1067861	77.80	T1188	(407)-798-3564
HEARTLINE COMMUNICATIONS, I	BAKER, EGGER	LS-13	01/22/96	5	T	02/29/96	RHM	LEE	1068061	9.66	T1188	(941)-543-4525
HEARTLINE COMMUNICATIONS, I	GAVIN, TOM	LS-13	01/22/96	5	L	04/18/96	SAS	LEE	1068661	42.11	T1188	(941)-437-1978
HEARTLINE COMMUNICATIONS, I	MARSHALL, FRED	LS-13	01/24/96	5	T	03/15/96	SAS	BHO	1073991	8.94	T1188	(305)-829-1024
HEARTLINE COMMUNICATIONS, I	MARSHALL, JOHN	LS-13	01/24/96	5	L	02/29/96	KEE	LEON	1074531	55.02	T1188	(904)-893-4928
HEARTLINE COMMUNICATIONS, I	TOWNSEND, ELIZABETH	LS-13	01/25/96	5	T	03/15/96	KMT	PLB	1076311	23.72	T1188	(813)-321-8238
HEARTLINE COMMUNICATIONS, I	JACOB, EDUARD & DELORES	LS-13	01/25/96	5	T	03/18/96	RHM	LEE	1076491	26.70	T1188	(941)-731-5927
HEARTLINE COMMUNICATIONS, I	CORTOLAN, JAQUELINE	LS-13	01/25/96	5	T	02/10/96	DBM	DADE	1077331	0.00	T1188	(305)-681-0774
HEARTLINE COMMUNICATIONS, I	ETIENS, MARIE	LS-13	01/26/96	5	T	03/15/96	JRD	STL	1079021	7.61	T1188	(407)-336-0521
HEARTLINE COMMUNICATIONS, I	WISHART, DAVE	LS-13	01/26/96	5	T	03/30/96	JRD	LEON	1079061	17.64	T1188	(904)-574-0713
HEARTLINE COMMUNICATIONS, I	STILLI, BRUNO J.	LS-13	01/26/96	5	T	03/14/96	KMT	PLB	1079431	1.49	T1188	(407)-683-7051
HEARTLINE COMMUNICATIONS, I	DALEY, MARISUE	LS-13	01/30/96	5	L	02/29/96	DBM	LEON	1088811	97.38	T1188	(904)-386-7197
HEARTLINE COMMUNICATIONS, I	THOMPSON, JOSEPH	LS-13	01/31/96	5	L	02/29/96	KMT	ESC	1091071	11.75	T1188	(904)-327-4354
HEARTLINE COMMUNICATIONS, I	PAUL MOORE INSURANCE SERVICES	LS-13	01/31/96	5	L	04/18/96	JRD	LEON	1091091	13.06	T1188	(904)-668-1333
HEARTLINE COMMUNICATIONS, I	HERZBERGER, RONALD	LS-13	01/31/96	5	T	02/29/96	JRD	MAN	1091111	9.68	T1188	(941)-758-3954
HEARTLINE COMMUNICATIONS, I	CALDERON, INES	LS-13	01/31/96	5	L	03/20/96	RHM	DADE	1091271	12.53	T1188	(305)-661-1420
HEARTLINE COMMUNICATIONS, I	JACOBS, FALCON	LS-13	02/01/96	5	L	04/16/96	JRD	PLB	1092491	0.00	T1188	(407)-689-8767
HEARTLINE COMMUNICATIONS, I	LASTER, SUZANNE	LS-13	02/01/96	5	L	02/29/96	KMT	MR	1094211	4.35	T1188	(407)-659-5043
HEARTLINE COMMUNICATIONS, I	DOYLE, BARRY	LS-13	02/02/96	5	L	02/29/96	SMH	BHO	1095291	30.17	T1188	(954)-761-9731
HEARTLINE COMMUNICATIONS, I	CAMACHO, JUAN	LS-13	02/06/96	5	L	04/25/96	RHM	ORN	1100461	25.45	T1188	(407)-781-7184
HEARTLINE COMMUNICATIONS, I	KNIGHT, SHIRLEY	LS-13	02/06/96	5	T	02/29/96	SMH	GAD	1100911	10.00	T1188	(904)-575-3420
HEARTLINE COMMUNICATIONS, I	GERACE, FRAN	LS-13	02/07/96	5	L	03/12/96	SAS	DADE	1101451	19.86	T1188	(305)-883-7128
HEARTLINE COMMUNICATIONS, I	CROSS, JOYCE	LS-13	02/07/96	5	L	03/14/96	SAS	LEE	1101981	26.20	T1188	(941)-481-8269
HEARTLINE COMMUNICATIONS, I	WAGNER, HORACE THOMAS	LS-13	02/09/96	5	T	03/12/96	SAS	PLB	1105601	37.34	T1188	(407)-795-0775
HEARTLINE COMMUNICATIONS, I	FANN, WILLIAM F. (JR)	LS-13	02/12/96	5	T	04/30/96	RHM	DADE	1108931	8.94	T1188	(305)-751-6013
HEARTLINE COMMUNICATIONS, I	STECHER, DONNA	LS-13	02/13/96	5	T	03/15/96	DBM	PLB	1109801	87.25	T1188	(813)-345-1264
HEARTLINE COMMUNICATIONS, I	POLLARD, LINDA	LS-13	02/13/96	5	T	03/15/96	KMT	PLB	1111371	20.75	T1188	(407)-732-7355
HEARTLINE COMMUNICATIONS, I	THOMPSON, JOHN (MRS.)	LS-13	02/19/96	5	T	04/24/96	JRD	LEE	1122241	11.43	T1188	(941)-995-4398
HEARTLINE COMMUNICATIONS, I	NARDONE, TONY	LS-13	02/20/96	5	T	02/29/96	SMH	LEE	1124701	79.43	T1188	(941)-772-9287
HEARTLINE COMMUNICATIONS, I	CUNNINGHAM, CAROL	LS-13	02/22/96	5	T	03/15/96	DBM	LEON	1129081	26.93	T1188	(904)-877-3300

SPECIAL REQUEST REPORT  
REPORT # 7 PRINTED ON: 05/06/96

UTILITY	COMPLAINANT	TYPE	RECVD	SB T	CLOSE	STAFF	COUNTY	COMPLAINT NO	SAVINGS	CODE	PHONE	
HEARTLINE COMMUNICATIONS, I	NARANJO, MARIA	LS-13	02/22/96	S	T	03/15/96	SCA	DADE	1130151	42.22	TI188	(305)-387-1431
HEARTLINE COMMUNICATIONS, I	DERIVERA, JOSEPH	LS-13	02/23/96	S	T	03/14/96	KES	PLB	1130711	10.54	TI188	(407)-734-7450
HEARTLINE COMMUNICATIONS, I	WARSHOFSKY, ISAAC	LS-13	02/23/96	S	T	03/14/96	SAS	PLB	1131141	8.24	TI188	(407)-471-3359
HEARTLINE COMMUNICATIONS, I	ROSATI, PETER	LS-13	02/23/96	S	T	03/12/96	SAS	LEE	1131341	38.20	TI188	(941)-542-4488
HEARTLINE COMMUNICATIONS, I	BUNTING, GRETA	LS-13	02/23/96	S	L	03/26/96	KES	PIN	1131401	6.59	TI188	(813)-867-3476
HEARTLINE COMMUNICATIONS, I	JOHNS, LUCY	LS-13	02/23/96	S	L	04/18/96	KES	DADE	1131631	28.73	TI188	(305)-758-9819
HEARTLINE COMMUNICATIONS, I	RAMSEY, GLORIA	LS-13	02/26/96	S	T	03/14/96	JRD	PLB	1132011	17.53	TI188	(407)-498-4172
HEARTLINE COMMUNICATIONS, I	EATON, TINA	LS-13	02/26/96	S	T	03/15/96	KES	ORN	1132711	8.95	TI188	(407)-273-5033
HEARTLINE COMMUNICATIONS, I	SZOKO, JEAN	LS-13	02/26/96	S	T	03/20/96	JRD	DADE	1133461	8.97	TI188	(305)-477-2707
HEARTLINE COMMUNICATIONS, I	TESKE, CAROL	LS-13	03/01/96	S	L	03/28/96	SCA	POLK	1147101	30.86	TI188	(941)-635-2106
HEARTLINE COMMUNICATIONS, I	MAXWELL, STANLEY	LS-13	03/04/96	S	T	03/16/96	SCA	LEE	1150491	18.16	TI188	(941)-466-7916
HEARTLINE COMMUNICATIONS, I	FLANDERS, GRADY	LS-13	03/05/96	S	T	03/30/96	KMT	BRO	1154051	9.34	TI188	(954)-730-3515
HEARTLINE COMMUNICATIONS, I	GIURTO, GERALD	LS-13	03/06/96	S	T	04/18/96	KMT	DUV	1155841	7.60	TI188	(904)-389-6608
HEARTLINE COMMUNICATIONS, I	GUY, JAMES (MRS)	LS-13	03/07/96	S	T	04/18/96	JRD	DUV	1157331	32.11	TI188	(904)-768-5418
HEARTLINE COMMUNICATIONS, I	MATTHEWS, LISA	LS-13	03/08/96	S	T	03/28/96	SAS	SNR	1159491	18.67	TI188	(904)-626-7650
HEARTLINE COMMUNICATIONS, I	SHERRY, HAROLD	LS-13	03/09/96	S	T	04/18/96	JRD	BRO	1161571	6.27	TI188	(954)-433-2231
HEARTLINE COMMUNICATIONS, I	DRISCOLL, THOMAS	LS-13	03/11/96	S	T	04/18/96	SAS	LEON	1161991	40.98	TI188	(904)-562-4318
HEARTLINE COMMUNICATIONS, I	HEWITT, VIRGINIA	LS-13	03/11/96	S	T	04/18/96	SCA	PLB	1164421	26.36	TI188	(407)-547-0567
HEARTLINE COMMUNICATIONS, I	ROBERTS, E. A. (MS.)	LS-13	03/12/96	S	T	03/30/96	SMM	LEON	1166551	18.94	TI188	(904)-576-5608
HEARTLINE COMMUNICATIONS, I	PESSOA, FRANCO	LS-13	03/15/96	S	T	04/18/96	SAS	BRO	1172721	124.63	TI188	(954)-564-8622
HEARTLINE COMMUNICATIONS, I	FULLERTON, CHRISTINE	LS-13	03/15/96	S	T	04/18/96	SCA	BRO	1174071	9.98	TI188	(954)-748-7886
HEARTLINE COMMUNICATIONS, I	WHITE, ANNIE	LS-13	03/16/96	S	T	03/16/96	NEP	LEON	1174411	10.00	TI188	(904)-878-5850
HEARTLINE COMMUNICATIONS, I	CHAU, ANTHONY	LS-13	03/18/96	S	T	04/18/96	SAS	ORN	1175121	49.40	TI188	(407)-657-5638
HEARTLINE COMMUNICATIONS, I	VANN, ROBIN	LS-13	03/18/96	S	T	04/16/96	SMM	PLB	1175741	4.09	TI188	(407)-278-5803
HEARTLINE COMMUNICATIONS, I	ADKINS, CHUCK	LS-13	03/18/96	S	T	04/18/96	KES	LEON	1176001	13.63	TI188	(940)-656-2908
HEARTLINE COMMUNICATIONS, I	DAVIS, J. STANLEY	LS-13	03/18/96	S	T	04/18/96	SAS	STJ	1176181	16.69	TI188	(904)-285-2253
HEARTLINE COMMUNICATIONS, I	ORLANDO, K. SANDRA	LS-13	03/21/96	S	T	04/18/96	KMT	SAR	1181091	28.76	TI188	(941)-954-5838
HEARTLINE COMMUNICATIONS, I	ROJAS, VERGINIA	LS-13	03/21/96	S	T	04/18/96	KMT	FLA	1181231	3.38	TI188	(904)-437-3260
HEARTLINE COMMUNICATIONS, I	DICKSON, JOYCE	LS-13	03/21/96	S	T	04/25/96	KMT	DADE	1182731	9.98	TI188	(305)-688-8572
HEARTLINE COMMUNICATIONS, I	BAZAN, LUIS (MRS)	LS-13	03/22/96	S	T	03/22/96	NEP	COLL	1183651	149.85	TI188	(941)-775-0325
HEARTLINE COMMUNICATIONS, I	VANARNAM, JOHN	LS-13	03/25/96	S	T	04/18/96	SAS	PLB	1185531	34.80	TI188	(407)-433-4419
HEARTLINE COMMUNICATIONS, I	DOUGHERTY, FRANCIS	LS-13	03/25/96	S	T	04/25/96	KMT	MAN	1186801	25.51	TI188	(941)-755-7541
HEARTLINE COMMUNICATIONS, I	CORINO, WILLIAM	LS-13	03/26/96	S	T	04/18/96	SAS	HILL	1187981	12.45	TI188	(813)-840-0481
HEARTLINE COMMUNICATIONS, I	KAZAR, KIM	LS-13	03/26/96	S	T	04/16/96	KES	PIN	1188351	10.53	TI188	(813)-392-2171
HEARTLINE COMMUNICATIONS, I	CLEMMONS, SARAH	LS-13	03/27/96	S	T	04/18/96	JRD	LEON	1189501	11.37	TI188	(904)-576-9771
HEARTLINE COMMUNICATIONS, I	GONYEA, GAYLON	LS-13	03/27/96	S	T	04/18/96	RWM	LEE	1189841	15.49	TI188	(941)-433-5863

UTILITY COMPLAINT TYPE RECD SB T CLOSE STAFF COUNTY COMPLAINT NO. SAVINGS CODE PHONE

HEARLINE COMMUNICATIONS, I	BIRSA, MARIAN	L5-13	03/27/96	5	1	04/16/96	SMM	COLL	119291	1188	41.68	(941)-353-0721
HEARLINE COMMUNICATIONS, I	RIXHAM, PAUL	L5-13	03/29/96	5	1	04/25/96	KMT	PLB	1196721	1188	8.94	(407)-969-3723
HEARLINE COMMUNICATIONS, I	GORDO, MAGGALY	L5-13	03/29/96	5	1	04/25/96	KES	DADE	1197601	1188	158.06	(305)-823-5766
HEARLINE COMMUNICATIONS, I	BOSSRAD, BARBARA	L5-13	04/01/96	5	1	04/01/96	NEP	ESC	1199201	1188	36.71	(904)-457-2849
HEARLINE COMMUNICATIONS, I	GALLARDO, ANITA	L5-13	04/02/96	5	1	04/26/96	SCA	PLB	1200461	1188	161.59	(904)-924-9569
HEARLINE COMMUNICATIONS, I	THOMAS, OPAL	L5-13	04/02/96	5	1	04/26/96	KMT	PLB	1200921	1188	86.76	(407)-964-6408
HEARLINE COMMUNICATIONS, I	HEISER, WILLIAM (MRS)	L5-13	04/03/96	5	1	04/25/96	JRD	JCK	1202791	1188	68.63	(904)-263-0374
HEARLINE COMMUNICATIONS, I	BYRD, BILLY	L5-13	04/03/96	5	1	04/25/96	SAS	HOL	1203841	1188	55.31	(904)-836-4891
HEARLINE COMMUNICATIONS, I	DUYAL, JOHN	L5-13	04/04/96	5	1	04/26/96	DBM	DUV	1205661	1188	44.93	(904)-730-8923
HEARLINE COMMUNICATIONS, I	GOUDA, FEBI	L5-13	04/04/96	5	1	04/24/96	SCA	COLL	1205681	1188	140.07	(941)-643-0831
HEARLINE COMMUNICATIONS, I	SIMS, KIM	L5-13	04/05/96	5	1	04/30/96	DBM	MAN	1207721	1188	15.33	(941)-756-7514
HEARLINE COMMUNICATIONS, I	WALLACE, CARMEN D AND BRUCE W	L5-13	04/08/96	5	1	04/25/96	SAS	PLB	1208291	1188	23.21	(407)-734-8609
HEARLINE COMMUNICATIONS, I	BAYER, C. REEVES	L5-13	04/10/96	5	1	04/30/96	DBM	LEON	1211881	1188	18.82	(904)-422-1293
HEARLINE COMMUNICATIONS, I	SANTAGO, PEDRO	L5-13	04/12/96	5	1	04/30/96	SCA	DADE	1216891	1188	3.79	(305)-822-5134
HEARLINE COMMUNICATIONS, I	COLEMAN, JULIA L	L5-13	04/15/96	5	1	04/25/96	RWM	PLB	1219541	1188	21.81	(813)-579-2547
HEARLINE COMMUNICATIONS, I	HOCK, TOMMY L	L5-13	04/15/96	5	1	04/18/96	RWM	GAD	1219551	1188	2.98	(904)-539-9729
HEARLINE COMMUNICATIONS, I	DALTON, GRACIE	L5-13	04/15/96	5	1	04/18/96	RWM	GIL	1219571	1188	0.75	(352)-472-4163

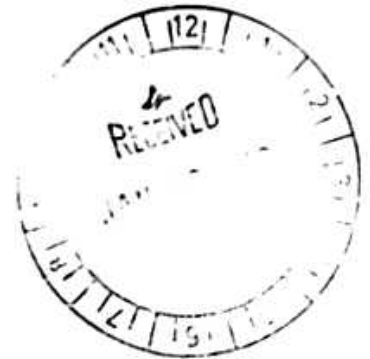
TOTAL SAVINGS 2929.43

89 records printed



**HEARTLINE COMMUNICATIONS, INC.**

P.O. BOX 671008 / HOUSTON / TEXAS 77267-1008  
(713) 308-1012 / (800) 569-2200 / FAX (713) 308-1059



**VIA FACSIMILE: 904-413-6583**

January 9, 1996

Mr Rick Moses  
Eng Supervisor  
Bureau of Service of Evaluation  
State of Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Dear Mr. Moses

I understand that Tropic Tel through their counsel, letter dated 5 January 1996 from The Lustigman Firm, has reached an agreeable solution with the Florida Public Service Commission regarding the Heartline/Tropic Tel sweepstakes promotion

We will attempt to assist Tropic Tel in working out this solution and continue to fully work with the Commission as deemed necessary

Please feel free to call upon me at 1-800-569-7119

Sincerely,  
**HEARTLINE COMMUNICATIONS, INC.**

Ron Darnell  
Executive Vice President

yjc

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

## Public Service Commission

January 16, 1996

Mr. Andrew B. Lustigman  
Empire State Building  
60th Floor  
New York, NY 10118-6098

Dear Mr. Lustigman:

I agree that the disclaimer included with your letter dated January 16, 1996 stating "Submission of Official Form Can Result In Change In Long Distance Svc." should adequately inform the consumer of the intent of the display and will be in compliance with Commission Rule 25-4.118 F.A.C.

You mention in your letter that Tropic Tel will include this disclaimer on its displays; however, you do not mention when the new displays will be used and what will be done to remove the existing displays. Please provide this information in writing by January 31, 1996.

I appreciate your cooperation in resolving this matter. If you have questions, please contact me at 904/413-6582.

Sincerely,

A handwritten signature in cursive script that reads "Rick Moses".

Rick Moses  
Eng. Supv.  
Bureau of Service Evaluation

Record 1187

**THE LUSTIGMAN FIRM**  
**ATTORNEYS**  
 60TH FLOOR  
 EMPIRE STATE BUILDING  
 NEW YORK, NY 10118-6098  
 TEL: (212) 268-0797 • FAX: (212) 268-1989

SHELDON S. LUSTIGMAN  
 (ADMITTED NY & NJ)

ANDREW B. LUSTIGMAN  
 (ADMITTED DC & MD ONLY)

**FAX TRANSMITTAL SHEET**

DATE: 1-15-96

TO: Mr. Rick Moses

FAX #: (904) 413 -- 6983

TEL. # \_\_\_\_\_

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 3

THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE NAMED RECIPIENT. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE PERSON RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY ADVISED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY SENDER IMMEDIATELY AND DESTROY ALL MATERIALS RECEIVED.

NOTES:

**THE LUSTIGMAN FIRM  
ATTORNEYS**

**60TH FLOOR  
EMPIRE STATE BUILDING  
NEW YORK, NY 10118-6098  
TEL: (212) 268-0797 • FAX: (212) 268-1989**

SHELDON S. LUSTIGMAN  
(ADMITTED NY & NJ)

ANDREW B. LUSTIGMAN  
(ADMITTED NJ, DC & MD ONLY)

**VIA FAX AND REGULAR MAIL**

**Mr. Rick Moses  
Eng. Supervisor  
Bureau of Service Of Evaluation  
State of Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850**

January 16, 1996

Re: Heartline Communications, Inc./Tropic Tel

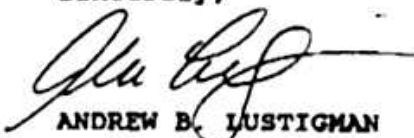
Dear Mr. Moses:

As we had previously discussed, Tropic Tel is revising its box promotion to meet the State of Florida's concerns. A copy of the disclaimer, as it would appear on the box, is enclosed.

I would appreciate it if you would review the disclaimer and let me know if it is satisfactory. As we agreed, the disclaimer would appear in the place of the existing "See Rules" statement.

I look forward to hearing from you shortly.

Sincerely,



ANDREW B. LUSTIGMAN

cc: Tropic Tel  
Heartline Communications, Inc.



**See Rules On Side For Entry Information**  
**Submission Of Official Form Can Result In Change In Long Distance Svc.**



**HEARTLINE COMMUNICATIONS, INC.**

P.O. BOX 671008 / HOUSTON / TEXAS 77267-1008  
(713) 308-1012 / (800) 569-2200 / FAX (713) 308-1059

**VIA FACSIMILE: 904-413-6583**

January 9, 1996

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Eng Supervisor  
Bureau of Service of Evaluation  
State of Florida Public Service Commission  
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I understand that Tropic Tel through their counsel, letter dated 5 January 1996 from The Lustigman Firm, has reached an agreeable solution with the Florida Public Service Commission regarding the Heartline/Tropic Tel sweepstakes promotion.

We will attempt to assist Tropic Tel in working out this solution and continue to fully work with the Commission as deemed necessary.

Please feel free to call upon me at 1-800-569-7119.

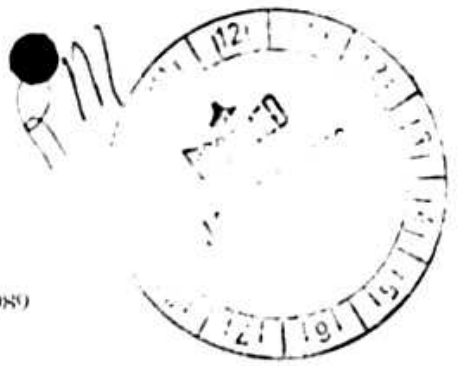
Sincerely,  
HEARTLINE COMMUNICATIONS, INC.

Ron Darnell  
Executive Vice President

ljc

THE LUSTIGMAN FIRM  
ATTORNEYS

60TH FLOOR  
EMPIRE STATE BUILDING  
NEW YORK, NY 10118-6098  
TEL: (212) 268-0797 • FAX: (212) 268-1989



SHELDON S. LUSTIGMAN  
ADMITTED NY & NJ

ANDREW B. LUSTIGMAN  
ADMITTED NJ, DC & MD ONLY

**VIA FAX: (904) 413-6583  
AND REGULAR MAIL**

January 5, 1996

Mr. Rick Moses  
Eng. Supervisor  
Bureau of Service Of Evaluation  
State of Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Heartline Communications, Inc./Tropic Tel

Dear Mr. Moses:

This is to confirm our conversation of today resolving the State of Florida Public Service Commission's concerns regarding the Heartline Communications, Inc./Tropic Tel Sweepstakes promotion. As I previously advised you, we are counsel to Tropic Tel, a marketer of Heartline Communication's long-distance services.

You agreed that the following would resolve the State of Florida's concerns with this promotion. Tropic Tel agrees to revise its box promotion to include the statement "Submission of official entry form can result in change in long distance service". This statement will be in a type size and font similar to the existing statement "See rules on side for entry information" and will be placed in proximity to the drop-in slot. Tropic Tel will promptly begin working to change the boxes that are distributed in Florida to include the disclaimer. This change will appear on all new boxes shipped to Florida and the company will use its best efforts to change all existing boxes in Florida within 90 days.

I appreciate your cooperation on this matter. Please let me know if you have any questions.

Sincerely,

  
ANDREW B. LUSTIGMAN

cc: Tropic Tel  
Heartline Communications, Inc.

Commissioners:

SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

## Public Service Commission

December 13, 1995

Mr. Joseph R. Harrott  
Heartline Communications, Inc.  
P.O. Box 671008  
Houston, TX 77267-1008

Dear Mr. Harrott:

Thank you for your response to my previous letter dated November 14, 1995. Mr. Darnell articulated that Heartline Communications, Inc. (HCI) has discontinued processing letters of authorization for several independent marketing agents when problems occurred. However, it appears that HCI simply eliminates its contractual agreements with its agents after harm has occurred to the Florida end users and does not have a policy in place to prevent these types of complaints from reoccurring with new agents.

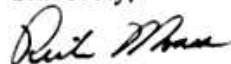
In regard to the displays used by Tropic Tel, it is still the Commission staff's position that the use of a sweepstakes billboard or display with LOAs attached is overall deceptive in nature and should not be used for the intent of switching a person's long distance service. Even if additional language is added to the display, unless the added language is at least as large as other text on the display, staff believes it is not in compliance with Rule 25-4.118, F.A.C. Because the LOAs are an integral part of the display we do not believe it should be considered a separate document for compliance with the rule. Your company is the certificated company providing the service and is responsible for the content of the display being used by Tropic Tel. Therefore, continuing to use the existing displays and waiting until the next printing of the displays for corrective action is not appropriate. This matter needs immediate attention.

Accordingly, please respond in writing by December 27, 1995 with an outlined procedural policy that HCI intends to implement that will correct the cause of the complaints of unauthorized switching of long distance service.

Mr. Joseph Harrott  
Page 2

Furthermore, please provide an explanation of corrective action taken to ensure that the displays used by Tropic Tel are in compliance with the Commission's rules. If you have questions, please contact me at 904/413-6582.

Sincerely,



Rick Moses  
Eng. Supv.  
Bureau of Service Evaluation

c: N. Pruitt, CAF  
Record #1187a



RECEIVED  
**HEARTLINE COMMUNICATIONS, INC.**

P.O. BOX 671008 / HOUSTON / TEXAS 77267-1008  
(713) 308-1012 / (800) 569-2200 / FAX (713) 308-1059  
1995 DEC 12 AM 11:45

R/M

MAIL ROOM

December 6, 1995

Mr. Rick Moses  
Eng. Supervisor, Bureau of Service Evaluation  
State of Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

VIA FACSIMILE  
ORIGINAL TO FOLLOW



Dear Mr. Moses:

This letter is in response to your letter of November 14, 1995 to Heartline Communications, Inc.

Heartline currently acts as a certified underlying carrier in the State of Florida providing long distance services to independent agents who in turn sell and market to end users.

Please let me explain the current relationship between Heartline and the independent companies associated with the Florida Public Service Commission complaints:

Tropic Tel is the only independent company for which Heartline provides a certified carrier service that offers long distance through a sweepstakes in the State of Florida. Most of these prior complaints were associated with the efforts of Heartline and other independent companies for whom Heartline acted as a certified carrier.

1. Heartline - Prior to January 1, 1995, Heartline acted in a sales and marketing capacity offering long distance service in conjunction with an optional sweepstakes offering. Heartline totally ceased all direct sales and marketing practices as of January 1, 1995.
2. Millennium Telecom - Prior to January 1, 1995, Millennium acted as an independent agent for Heartline. Heartline ceased accepting letters of authorization (LOA) from Millennium after January 1995.
3. Straight Talk - Prior to September 11, 1995, Straight Talk acted as an independent agent for Heartline. Heartline ceased accepting LOA's from Straight Talk as of September 1995.
4. Binning Enterprises - Prior to October 31, 1995, Binning acted as an independent agent for Heartline. Heartline ceased accepting electronically submitted telephone numbers for long distance conversion as of October 31, 1995.
5. Tropic Tel - Tropic Tel became an independent agent of Heartline in June 1995. LOA's are provided to Heartline for review and data entry submission to the local exchange carrier for conversion of long distance service. As of September 11, 1995 Heartline ceased accepting LOA's that were not in compliance with the FCC's order CC Docket No. 94-129. The LOA that Tropic Tel uses was designed in conjunction with Heartline to ensure compliance with the FCC requirements.

Rick Moses  
Florida Public Service Commission  
December 6, 1995  
Page 2

Heartline did not design the marketing display for Tropic Tel; but we believe that the Florida Commission's Rule 25-4.118 (2)(b), F.A.C. regarding text would have to be as large as the very biggest wording on the box. Clearly the headlines must be considered separately, and the LOA must be considered a separate document. The statement that the LOA will result in the person's long distance service being switched must be of at least as large as any other text on the page is being complied with in that the Tropic Tel LOA is utilized for solely to request a PIC change. Our interpretation of the print size required for the portion of the LOA that states "I am at least 18 years of age..." etc., is in compliance because the heading "Official Form" and instruction portion "Please Print - Fill Out Completely" are not part of the "text" that the regulation speaks to. Again, this is our interpretation. If this LOA is not in compliance, we want to work with the Commission to bring it into compliance. We believe that the display clearly states that the consumer has the opportunity to enter a contest as well as changing his/her long distance service. The LOA document is a separate and severable document from this display. Although we believe the display is totally clear, we will ask Tropic Tel on their next printing of the display to add additional language that would remove any doubt concerning the purpose of the display.

Enclosed for your review is a breakdown of all complaints received in our office from January 1, 1995 to date, listing the associated independent companies. All responses have been completed except as indicated. It is Heartline's policy that if we are notified that a telephone number has been changed improperly or by mistake we will rectify it immediately, credit the PIC charges and rerate all calls to the preferred carrier, if applicable.

We want to assure the Commission that we will continue that policy even if the complainant does not contact the Commission. Our company simply needs to be notified and we will make a change. We want to be good corporate citizens in Florida. We have over 12,000 current satisfied customers. The number of complaints is relatively small and arise when an individual improperly signs up for another or the LOA is simply not read.

We sincerely hope that the Commission will not find it necessary to take additional action regarding this matter. Please feel free to call upon me at 1-800-569-7119 for any questions that you may have.

Sincerely,  
HEARTLINE COMMUNICATIONS, INC.



Ron Darnell  
Executive Vice President

/kr

enclosure

FL PSC COMPLAINTS  
RECEIVED  
01/01/95 TO 11/29/95

DATE RECEIVED	AGENT	COMPLAINANT'S NAME	CASE #
1/19/95	Heartline Communications, Inc.	HURNS, BERNARD	048857P
1/28/95	Heartline Communications, Inc.	MOORE, KATIE MAY	050368P
2/06/95	Heartline Communications, Inc.	SIEWERT, BOGDANO	052080P
2/06/95	Heartline Communications, Inc.	ST. GEORGE COPTIC CHURCH	052105P
2/09/95	Heartline Communications, Inc.	DYKES, GARY	052897P
2/22/95	Heartline Communications, Inc.	EISENBERGER, SHARON	060450P
2/24/95	Heartline Communications, Inc.	PICKETT, PATRICIA	055126P
2/27/95	Heartline Communications, Inc.	SUAREZ, EDDIE	055313P
3/07/95	Heartline Communications, Inc.	YOUNG, GARY	056620P
3/16/95	Heartline Communications, Inc.	ALLEN, WENDELL M	058223P
3/16/95	Heartline Communications, Inc.	BYRER, WILLIAM	059220P
3/16/95	Heartline Communications, Inc.	LACOMBE, LORI	059214P
3/16/95	Heartline Communications, Inc.	LOVETT, JEFFREY	058222P
3/16/95	Heartline Communications, Inc.	VANGAASBECK, ROSEMARY	059223P
3/20/95	Heartline Communications, Inc.	TORRES, SILVIA	046736P
3/23/95	Heartline Communications, Inc.	SAWYER, CHARLES	059516P
3/24/95	Heartline Communications, Inc.	DUNAWAY, CATHERINE	059618P
3/28/95	Heartline Communications, Inc.	SCHREIBSTEIN, ROBERT	060488P
4/05/95	Heartline Communications, Inc.	SOURIGI, CARMEN	061730P
4/06/95	Heartline Communications, Inc.	ODELL, NANCY	061723P
4/26/95	Heartline Communications, Inc.	FOURNIER, ROBERT	063670P
4/28/95	Heartline Communications, Inc.	LARZABL, JOSE G. MRS	064460P
5/15/95	Heartline Communications, Inc.	BROWN, JOHN	067292P
6/29/95	Heartline Communications, Inc.	MCNEAL, GERTRUDE	073765P
7/06/95	Heartline Communications, Inc.	SULLIVAN, DANIEL MRS	074788P
7/06/95	Heartline Communications, Inc.	WEISS, MITCHELL	074695P
7/13/95	Heartline Communications, Inc.	SINGH, HARDEEP	074548P
7/27/95	Heartline Communications, Inc.	RODRIGUEZ, CONCEPCION	078975P
9/13/95	Heartline Communications, Inc.	SLUDER, THOMAS	087360P
9/15/95	Heartline Communications, Inc.	ESPANA, EVELYN	072296P
10/11/95	Heartline Communications, Inc.	LYLEN, IAN	091932P
1/20/95	Millennium Telecom	LODISE, ROCCO	050115P
1/23/95	Millennium Telecom	DEITER, DENNIS	049777P
1/23/95	Millennium Telecom	HOLLAND, STEPHEN	049919P
1/25/95	Millennium Telecom	RAVELLI, JOSEPH	050288P
1/27/95	Millennium Telecom	HOLLEY, VALORIE	050477P
3/10/95	Millennium Telecom	TAFFINDER, CHARLES	057124P
3/28/95	Millennium Telecom	MILLER, MILDRED	060289P
3/30/95	Millennium Telecom	BROWN, CLARENCE	060404P
4/28/95	Millennium Telecom	BUSHMAN, CRAIG	064649P
5/01/95	Millennium Telecom	PETERS, DAVID	065421P
5/22/95	Millennium Telecom	CHARLOTTE COUNTY SCHOOLS	068838P
6/09/95	Millennium Telecom	PHILLIPS, PRESTON	070861P
6/19/95	Millennium Telecom	ROWE, MYLET	071913P
6/20/95	Millennium Telecom	ESTES, CATHELINE	072319P
6/22/95	Millennium Telecom	SUAREZ, ALFONSO	072471P
7/05/95	Millennium Telecom	WILSON, SAMUEL AND BARBARA	078621P
7/17/95	Millennium Telecom	EPSTEIN, DAVID	076618P



FL PSC COMPLAINTS  
RECEIVED  
01/01/95 TO 11/29/95

DATE RECEIVED	AGENT	COMPLAINANT'S NAME	CASE #
8/17/95	Millennium Telecom	DUNCAN, SIMONE	081697P
8/23/95	Millennium Telecom	LYERLY, DAVID	083986P
8/29/95	Millennium Telecom	FOSTER, MICHAEL	083693P
10/02/95	Millennium Telecom	VIOLA, MICHAEL	090965P
10/17/95	Millennium Telecom	NEAL, ROBYN	092347P
*	Millennium Telecom	CHEW, WALTER	056063P
*	Millennium Telecom	DESUE, CLARENCE	087801P
6/26/95	Number is not in our system	BROWN, DOUGLAS	073137P
9/05/95	Number is not in our system	WALLA, KENNETH	084573P
9/25/95	Number is not in our system	ISHAM, ELLEN	089767P
5/30/95	Straight Talk	DELOACH, DANIEL	069340P
6/15/95	Straight Talk	LAPLACE, MARY	071620P
9/26/95	Straight Talk	BYLES, LUCEAIN	090216P
7/24/95	Binning Enterprises, Inc.	SIMMS, WILLIAM	078118P
7/28/95	Binning Enterprises, Inc.	TABLER, GWEN	079573P
8/04/95	Binning Enterprises, Inc.	SPEECE, ROBERT F.	081285P
8/05/95	Binning Enterprises, Inc.	SANTANA, TERESA	081156P
9/07/95	Binning Enterprises, Inc.	FRANCIS, KENNETH	056129P
*	Binning Enterprises, Inc.	SHEERER, GARY MRS	064115P
9/08/95	Tropic Tel	DINI, GREG	086535P
9/14/95	Tropic Tel	ALEXANDER, LAWRENCE	087569P
9/21/95	Tropic Tel	M McNABB, STEVEN	088374P
11/27/95	Tropic Tel	LOPEZ, JOSE	096739P

\*Cases closed, however, complaints not received prior to this inquiry. Currently in the process of research and response.

State of Florida

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

## Public Service Commission

November 14, 1995

Mr. Joseph R. Harrott  
Heartline Communications, Inc.  
P.O. Box 671008  
Houston, TX 77267-1008

**CERTIFIED**

Dear Mr. Harrott:

Florida consumers have filed 79 complaints to date with this Commission in regard to unauthorized switching of their long distance service to Heartline Communications. This action raises considerable concern. Most of the complaints appear to stem from the use of sweepstakes posters with letter of authorization (LOA) forms attached to enter various types of sweepstakes such as a Hawaiian vacation or to win a Mustang car.

Enclosed is a copy of such an LOA that was found in a restaurant in Tallahassee. We have also observed several other locations using the same display and LOAs. As a certificated long distance company in Florida, you are required to comply with the Commission's rules. These rules were included in your certification package at the time of initial certification and your company signed an acknowledgment card that the rules were understood and all future rules would be followed. Please refer to Rule 25-4.118(2)(b), F.A.C. which requires that the text containing the statement that the LOA will result in the person's long distance service being switched be of at least as large as any other text on the page. Please explain how the enclosed LOA that we removed from one of your displays complies with this rule.

Furthermore, please review the same rule, next sentence, that requires that if the document is not to be used for the sole purpose of requesting a PIC change that the document, as a whole, must not be misleading or deceptive. By attaching your LOAs to a display that solely advertises a Hawaiian vacation or winning a Mustang, the whole document becomes misleading and deceptive. The consumer is easily misled into believing that he is entering a drawing to win something which is not the sole purpose of the LOA. Therefore, I request that you immediately discontinue or modify this practice to comply with the rules.

Please provide a response in writing explaining corrective action taken to comply with

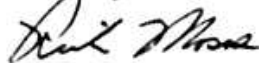
November 14, 1995

Page 2

the Commission's rules, the date of when you have discontinued or modified using the sweepstakes method of obtaining LOAs in compliance with the rules, and a copy of your revised LOA that you will be using in the future by November 29, 1995.

If you have questions, please contact me at 904/413-6582.

Sincerely,



Rick Moses

Eng. Supv.

Bureau of Service Evaluation

c: N. Pruitt, CAF

c: T. Williams, CMU

Record # 1187

# OFFICIAL FORM

LONG DISTANCE APPLICATION

TWT

**PLEASE PRINT - FILL OUT COMPLETELY**

**AGE (REQUIRED)**

Under 18 \_\_\_\_\_

18 to 35 \_\_\_\_\_

36 & over \_\_\_\_\_

DATE: \_\_\_\_\_

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

HOME PHONE (REQUIRED) ( \_\_\_\_\_ ) - \_\_\_\_\_  
AREA CODE

SIGNATURE (REQUIRED) *x* \_\_\_\_\_

I am at least 18 years of age. I further understand that I may cancel at any time. I authorize Heartline Communications, Inc. (HCI), to act as my agent, and to convert the long distance service on my phone listed above from my current carrier to HCI. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by HCI. I understand that my local phone company may assess a charge for my conversion to HCI. If this occurs, HCI will pay me back if I send a copy of my bill to: HCI, P.O. 671008 Houston, TX 77267.

# FAX NOTE

April 17, 1996

FYI

Stormy Maddux  
sdw@cpuc.ca.gov

*Copy to:  
Rick Moses  
Nancy Pruitt*



To: Alan Taylor
With: Florida Public Service Commission
From : Stormy Maddux
Pages: 4
At: (415) 703-2854
For Information Call: Stormy Maddux
Fax Number : (415) 703-5473

APP-16-1996 08:31

CPUC SAFETY & ENFORCEMENT

415 703 5882 P.01/03

CCC	PPPPP	U	CCC	N	N	EEEE	W	W	W	SSS					
C	C	P	P	U	U	C	C	NN	N	E	W	W	W	S	S
C		P	P	U	U	C		NN	N	E	W	W	W	S	
C		PPPPP		U	U	C		NN	N	EEE	W	W	W	W	SSS
C		P		U	U	C		N	N	N	E	W	W	W	S
C	C	P		U	U	C	C	N	NN	E	W		W	S	S
COC	P			UUUU		CCC		N	N	EEEE	W		W	SSS	

California Public Utilities Commission

505 Van Ness Avenue, Room 5301 San Francisco, CA 94102

CONTACT: Armando Rendón April 15, 1996 CPUC-036  
415-703-1366 (I96-04-024)

CPUC WILL INVESTIGATE HEARTLINE/TNT ON SLAMMING CHARGES

The California Public Utilities Commission (CPUC) today served notice on Heartline Communications, Inc., (Heartline) and Total National Telecommunications, Inc., (TNT) that they are under investigation for illegal business practices in the state, including operating without CPUC authority, using a scheme to avoid CPUC regulation while providing long distance toll service, and "slamming," the unauthorized switching of a phone service provider.

The CPUC believes these companies are now one entity under single control but, even if not, they must respond to the investigation individually or jointly.

A hearing is scheduled for Tuesday, April 23, at 9 a.m. at the State Office Building, 505 Van Ness Avenue, in San Francisco, to allow the companies to show why their being prohibited by the Commission from switching consumers' long distance service providers to Heartline/TNT is not warranted.

Heartline has refused to respond to CPUC staff requests for information about its operations and its ties with TNT. As a long distance provider, Heartline cannot offer intrastate service of any kind without CPUC approval. However, it seems to have done just that through arrangements with other long distance carriers.

Heartline, a Houston-based corporation, filed for a permit in September 1994 to resell long distance service in California, but withdrew its application this January. TNT, also a Houston-based firm, provides service under the name Total World Telecom. It applied for a permit to provide intrastate toll service in June 1995, and was granted this authority last September.

When preliminary review of Heartline's application began,

-more-

APR-16-1996 08:31

CPUC SAFETY &amp; ENFORCEMENT

415 783 5882 P.02/03

CPUC WILL INVESTIGATE HEARTLINE/TNT -2-2-2

CPUC staff discovered numerous slamming complaints against Heartline. Further, although the company did not have appropriate authority, it was apparently offering intrastate toll service without CPUC approval.

Since mid-November, Pacific Bell (Pacific) has reported receiving 10,561 slamming complaints against TNT. In February alone, according to Pacific, 39 percent of the consumers switched to TNT informed Pacific that they had not authorized the switch. TNT is also apparently targeting Spanish language consumers: 57 percent of the 10,561 complaints were Spanish language consumers.

Because Heartline/TNT resells other long distance carriers' service, consumers often first thought they had been slammed by another carrier. When consumers finally determined Heartline was the company that switched them, Heartline would say it had a written and signed letter authorizing the switch.

The authorization document Heartline has provided turns out to be a copy of a raffle ticket or sweepstakes entry form that the consumer might have filled out at a laundromat, oil change shop, or restaurant, typically offering a free trip to Hawaii or a free car.

///

## Texas Company Accused in Phone Scam

PUC says clients duped  
into switching carriers

By Erik Ingram  
Chronicle Staff Writer

An out-of-state phone company apparently has conned thousands of California long-distance phone customers by using misleading raffles and sweepstakes to illegally switch them to its more expensive service, state investigators said yesterday.

Investigators for California's Public Utilities Commission made the allegations in legal papers the agency issued to impose a "freeze" that prohibits Texas-based Heartline Communications and its affiliates from submitting further customer change orders with Pacific Bell and GTE, the two phone companies that send out billings for long-distance firms.

Heartline has used the raffle and sweepstake contests to get customers to switch without knowing they have done so, according to investigators. The increasingly common practice is known as "slamming" and is illegal under state and federal law.

At stake may be hundreds of thousands of dollars in higher long-distance charges for at least 40,000 customers who signed up with the company. In addition, PUC experts say, the growing number of slamming cases is undermining the benefits of telephone industry deregulation.

The freeze is just the beginning of what may become a lengthy investigation of possible civil, criminal and regulatory misconduct.

The PUC filing also prohibits Heartline and its affiliates from selling their California customers' accounts to other long-distance carriers pending the outcome of a hearing set for next Tuesday. The hearing will give Heartline a chance to respond to the allegations and request that the freeze be lifted while the case is under investigation.

A spokesman for the company, which is based in Houston, could not be reached for comment.

Mark Clairmont, the state PUC investigator assigned to the case, said records show that more than 40,000 customers in California had their long-distance service switched to Heartline or its purported affiliate, Total National Telecommunications (TNT), since last year. And so far, about 11,000 customers have lodged complaints about alleged slamming by Heartline and TNT, the PUC papers say.

"My guess is that many of those who didn't complain don't realize their service has been changed," Clairmont said, adding that it appears Heartline and TNT primarily used raffle and sweepstakes contests to find their customers.

### Hispanic Consumers

The PUC's initial investigation indicates that Heartline "appears to target consumers who are less fluent in the English language, specifically targeting Hispanic consumers," Clairmont said. More than half of Heartline's and TNT's 40,000 or so customers in California had indicated to their local phone companies that their language preference is Spanish, he said.

According to state records, customers told PUC investigators they had no idea they were changing long-distance companies when they signed up for the contests.

Typically, Clairmont said, the unsuspecting customers were approached in restaurants, automotive repair shops and coin-operated laundries and asked to fill out contest coupons. The prizes ranged from new cars to trips to Hawaii to free telephone service.

Clairmont and other investigators said that some of the coupons contained small print authorizing the change in long-distance phone service but that other coupons apparently did not. The completed contest coupons were then used to transfer long-distance service to Heartline or affiliates, PUC investigators said.

Customers, including many from the Bay Area, said they were never specifically informed of the changes as required by law. In some cases, customers said their signatures were forged.

Takumi Matsuba of San Francisco, for example, said he never authorized anyone to change his AT&T long-distance service. But it happened last year and when he challenged the switch, Heartline sent him a copy of a form called "Official Form Long Distance Application" with what appeared to be his signature, he said in legal papers.

"I did not sign this form," he told state investigators. "I had never seen this form before."

Matsuba said his daughter recalled, however, that a man in a booth at Japantown had urged her to enter a contest to win free long-distance calls. She recalled that the man had instructed her to fill out a form and list her parent's name, address and phone number.

Another angry customer, Randall L. Rathbun of San Diego, turned out to be a telecommunications expert — he has been a telecommunications administrator for a major electronics firm.

### Detailed Diary

Rathbun kept a detailed diary of his efforts to avoid a \$133 bill he received after his long-distance service was switched to Heartline without his knowledge. He said his former long-distance company, ExpressTel, told him it would have only charged \$71 for his calls.

After two months of contesting the bill, he paid Heartline \$71 instead of \$133 and closed his account with Heartline. The coupon he had filled out that initiated the switch had promised him a chance to win a free Hawaiian vacation.

"I am shocked, angry and saddened that one company can steal the long-distance charges from a customer's preferred carrier, and that the current federal regulations stipulate that the offender (the slamming company) be reimbursed for all calls carried," Rathbun said.