



Michael W. Tye  
Law & Government Affairs Vice President-Florida

Suite 700  
101 N. Monroe St.  
Tallahassee, FL 32301  
904 425-6360  
FAX: 904 425-6361

May 28, 1996

ORIGINAL  
FILE COPY

Mrs. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 960554-TP

Dear Mrs. Bayo:

Enclosed for filing in the above referenced docket are an original and fifteen (15) copies of the Answer of AT&T Communications of the Southern States, Inc.

Copies of the foregoing are being served on all parties of record in accordance with the attached Certificate of Service.

Yours truly,

*Michael W. Tye*  
Michael W. Tye

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF 1
- CMU 1
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN 5
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Attachments

cc: J. P. Spooner, Jr.  
Parties of Record

RECEIVED & FILED  
MAY 28 1996  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
05856 MAY 28 96  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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FILE COPY

In re: Complaint against )  
AT&T COMMUNICATIONS OF THE SOUTHERN )  
STATES, INC. and UNITED TELEPHONE )  
COMPANY OF FLORIDA by HEALTH )  
MANAGEMENT SYSTEMS, INC. regarding )  
interLATA PIC slamming )

DOCKET NO. 960554-TP

FILED: May 28, 1996

ANSWER OF AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.

COMES NOW AT&T Communications of the Southern States, Inc. (hereinafter "AT&T") and, pursuant to Rule 25-22.037, Florida Administrative Code, files this Answer to the Complaint filed by Health Management Systems, Inc. (hereinafter "HMS") in the above-referenced docket on May 2, 1996. AT&T respectfully requests that the Commission deny the relief requested in HMS's Complaint and close the above-referenced docket for the reasons stated herein. In support of its request, AT&T respectfully shows as follows:

1. AT&T's full name and principal place of business are as follows:

AT&T Communications of the Southern  
States, Inc.  
1200 Peachtree St., NE  
Atlanta, Georgia 30309

2. AT&T's authorized representatives to whom all pleadings, notices, orders, and other correspondence relating to this docket should be addressed are:

DOCUMENT NUMBER-DATE  
05856 MAY 28 1996  
FPSC-RECORDS/REPORTING

Michael W. Tye, Esq.  
AT&T  
101 N. Monroe St.  
Suite 700  
Tallahassee, Florida 32301  
(904) 425-6360

Robin D. Dunson, Esq.  
AT&T  
1200 Peachtree St., N.E.  
Promenade I, Room 4038  
Atlanta, Georgia 30309  
(404) 810-8689

3. AT&T is an interexchange carrier (hereinafter "IXC") duly certificated by the Commission to provide intrastate interexchange telecommunications service in Florida. AT&T provides intrastate interexchange telecommunications services in Florida pursuant to terms and conditions set forth in its intrastate tariffs which are filed with and approved by the Commission and pursuant to the Rules and Regulations promulgated by the Commission and other orders lawfully issued by the Commission. AT&T provides interstate interexchange telecommunications services pursuant to tariffs filed with and approved by the Federal Communications Commission (hereinafter the "FCC") and pursuant to Rules and Regulations promulgated by the FCC and other orders lawfully issued by the FCC.

4. HMS's Complaint, which is directed to AT&T and United Telephone Company of Florida (hereinafter "United") alleges "slamming" and wrongful termination of service. Since AT&T is not the local exchange carrier for HMS, AT&T

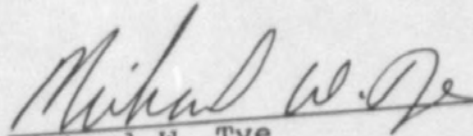
is not, in any way, responsible for the alleged wrongful termination of service referenced in the Complaint.

5. With respect to the "slamming" charge, AT&T submits that it has not willfully violated any of the Commission's Rules and Regulations. However, AT&T would have the Commission note that AT&T did respond to an informal complaint from HMS through the Commission's Division of Consumer Affairs. In response to that informal complaint, and without any admission of wrongdoing, AT&T arranged for HMS to be returned to its prior interexchange carrier, and further issued credits to HMS resulting in a 50% discount off AT&T's regular tariffed rates. AT&T submits that such discounts should be more than adequate to compensate HMS for the difference in long distance usage charges between AT&T and its prior presubscribed carrier.

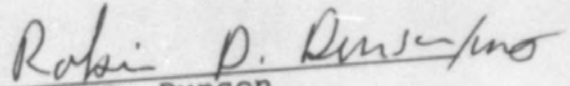
6. Consequently, without admitting any wrongdoing, AT&T has already voluntarily applied the remedies set forth in Rule 25-4.118(5), Florida Administrative Code, for unauthorized PIC changes. In fact, on information and belief, AT&T submits that the discounts which it has voluntarily given to HMS result in usage charges that are substantially lower than those that HMS would have incurred had it remained with its prior interexchange carrier. Accordingly, HMS has failed to demonstrate any substantial harm resulting from the alleged actions of AT&T.

WHEREFORE, AT&T Communications of the Southern States, Inc. respectfully requests that the Complaint of HMS be denied with respect to AT&T and that AT&T be dismissed from the above-referenced docket.

Respectfully submitted this 28th day of May, 1996.



Michael W. Tye  
AT&T  
101 N. Monroe St.  
Suite 700  
Tallahassee, FL 32301  
(904) 425-6360



Robin D. Dunson  
AT&T  
1200 Peachtree St., NE  
Promenade I, Room 4038  
Atlanta, GA 30309  
(404) 810-8689

ATTORNEYS FOR AT&T  
COMMUNICATIONS OF THE  
SOUTHERN STATES, INC.

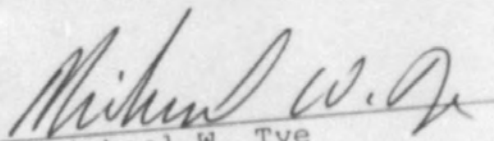
CERTIFICATE OF SERVICE  
DOCKET NO. 960554-TP

I HEREBY CERTIFY that a true copy of the foregoing has been  
furnished by U. S. Mail or hand-delivery to the following parties  
of record this 28<sup>th</sup> day of May, 1996.

William B. Ellinger, Esq.  
Mitchell and Ellinger P.A.  
1110-D Elden St., Suite 302  
Herndon, VA 33070

Ben Poag  
United Telephone Company  
P. O. Box 2214  
Tallahassee, FL 32316-2214

Michael Billmeier, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

  
Michael W. Tye