

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of IDS Long Distance, Inc.)
N/K/A IDS Telecom, LLC, Against)
BellSouth Telecommunications, Inc., and)
Request for Emergency Relief.)
_____)

DOCKET NO. 010740-TP

FILED: JULY 23, 2001

• DIRECT TESTIMONY

OF

ANGEL LEIRO

ON BEHALF OF

IDS TELCOM, L.L.C.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 010740-TP

DIRECT TESTIMONY OF ANGEL LEIRO

1 Q: Please state your name and business address.

2 A: My name is Angel Leiro. My business address is 1525 NW 167th Street,
3 Miami, Florida 33169.

4 Q: For whom are you employed and in what position?

5 A: I am employed by IDS Telcom, LLC ("IDS"). My position with IDS is Director
6 of Regulatory Affairs.

7 Q: Please describe your duties at IDS.

8 A: As Director of Regulatory Affairs, I am responsible for all matters regarding
9 IDS involving regulatory authorities such as the Florida Public Service
10 Commission ("FPSC") and the Federal Communications Commission
11 ("FCC"). I am responsible for overseeing the investigation and resolution of
12 customer complaints and filing the necessary reports on such complaints to
13 the FPSC and other regulatory authorities. I am the contact for IDS with the
14 FPSC for all regulatory matters.

15 QUALIFICATIONS AND EXPERIENCE

16 Q: Please describe your education and work experience.

17 A: My resume is attached to this testimony and identified as Exhibit (AL-1).

18 Q: What work experience have you had in the telecommunications field?

1 A: I have worked for IDS as Director of Regulatory Affairs since November 2000.
2 Prior to this position, I have worked for two other CLECs, one primarily
3 focused on data services (The Basico Group, Inc.) and one that was involved
4 with resale of local services and working towards becoming facilities-based
5 (Supra Telecommunications and Information Systems, Inc.). I worked with
6 Basico Group, Inc. for approximately six months. I worked for Supra
7 Telecommunications and Information Systems, Inc. for approximately one
8 and one-half years in a variety of capacities. For Supra, I spent a significant
9 portion of my time dealing with customer complaints and regulatory matters
10 with the FPSC. Prior to these CLEC positions, I have worked as a paralegal
11 with a number of different law firms in Miami, Florida.

12 Q: What are your credentials in regard to the specific subject matter of your
13 testimony?

14 A: I personally spoke with and dealt with the customers who have complained to
15 IDS regarding their loss of services upon conversion to IDS, their loss of their
16 voice mail, the misrepresentations they received from BellSouth
17 representatives, etc. I personally obtained affidavits from a number of these
18 customers and I personally resolved and reported on many customer
19 complaints. I have attached to my testimony an exhibit containing customer
20 affidavits regarding each of which I have personal knowledge as I discussed
21 the subject matter of these affidavits with these customers.

22 Q: Have you testified before any regulatory bodies before?

23 A: No.

1 PURPOSE AND SUMMARY OF TESTIMONY

2 Q: What is the purpose of your testimony?

3 A: I will address Issue One (“Has BellSouth breached its Interconnection
4 Agreement with IDS by failing to provide IDS OSS at parity?”), Issue Two
5 (“Has BellSouth breached its Interconnection Agreement with IDS by failing to
6 provide IDS UNEs and UNE-Ps at parity?”), and Issue Three (“Has BellSouth
7 engaged in anticompetitive activities against IDS in violation of Chapter 364,
8 Florida Statutes, and the Telecommunications Act of 1996?”), as identified by
9 the parties and established by the Prehearing Officer in this proceeding.

10 Q: Please summarize your testimony.

11 A: My testimony will address Issues One through Three in this proceeding as set
12 forth above. I am sponsoring an exhibit identified as Exhibit AL-2 that
13 includes a sample of customer affidavits that are examples of the thousands
14 of customer complaints IDS Telcom, LLC, has received as a result of the
15 failure of BellSouth to provide IDS OSS and UNEs at parity throughout the
16 past two years.

17 **ISSUE ONE: Has BellSouth breached its Interconnection Agreement**
18 **with IDS by failing to provide IDS OSS at parity?**

19 **ISSUE TWO: Has BellSouth breached its Interconnection Agreement**
20 **with IDS by failing to provide IDS UNEs and UNE-Ps at parity?**

21 **ISSUE THREE: Has BellSouth engaged in anticompetitive activities**
22 **against IDS in violation of Chapter 364, Florida Statutes, and the**
23 **Telecommunications Act of 1996?**

1 Q: Regarding Issues One through Three in this proceeding, what is your
2 understanding as a lay person of the term “parity” in relation to BellSouth’s
3 obligation to provide IDS OSS at parity?

4 A: My definition of “parity” as a lay person in this context is that BellSouth is
5 required to provide IDS Operational Support Systems that process IDS’
6 orders for new customers or changes or additions to the services of existing
7 IDS customers that are equivalent in all respects to those systems BellSouth
8 utilizes for its own retail customers. To me, this means that if BellSouth can
9 provide installation of a certain type of telecommunications service to one of
10 its retail customers in a certain time frame and at a certain level of quality, it
11 must provide installation of that same type of telecommunications service to
12 IDS’ customer in an equivalent time frame and at the same level of quality.

13 Q: Has it been your experience that BellSouth has provided IDS OSS at parity?

14 A: No, it has been my experience as the primary individual at IDS that has
15 processed and investigated and attempted to resolve customer complaints
16 that BellSouth has continually and consistently provided IDS OSS and UNEs
17 that are far below parity.

18 Q: On what basis do you conclude BellSouth provides IDS OSS that is not at
19 parity?

20 A: My experience has proven to me that BellSouth does not provide IDS OSS
21 and UNEs at parity because I have witnessed thousands of customers losing
22 their telephone services when they choose to convert their services to IDS,

1 losing their voice mail and other services, having to wait extensive periods of
2 time to have their services installed with IDS, etc.

3 Q: Are you sponsoring any exhibits?

4 A: Yes, I am sponsoring the following exhibits:

5 1. Exhibit AL-1: Resume of Angel Leiro

6 2. Exhibit AL-2: Customer Affidavits

7 Q: As the attached customer affidavits indicate, BellSouth has consistently
8 disconnected or disrupted IDS' customers' telecommunications services upon
9 their conversion to IDS' service. Many of IDS' customers have received
10 communications from BellSouth telemarketers to the effect that "IDS is going
11 bankrupt," or "IDS is going out of business," or "IDS is an unreliable provider
12 of telecommunications services." These customer affidavits are merely
13 examples of literally thousands of instances in which IDS' customers have
14 suffered from BellSouth's failure to provide IDS OSS, UNEs and UNE-Ps at
15 parity with those provided to BellSouth's own retail customers.

16 Q: Does this conclude your testimony?

17 A: Yes.

Angel M. Leiro
13810 S.W. 104th Street
Miami, Florida 33186
Business: (305) 413-9000

Present Employment: Director of Regulatory Affairs for IDS

Experience: 10/2000 – IDS Telcom, LLC

I report to the Senior Vice President and my primary responsibilities are for maintaining the company's compliance with all regulatory and business matters as they relate to the provisioning local and long distance telecommunications services in the nine (9) BellSouth states including but not limited to the certification and compliance reporting to all regulatory and governmental agencies.

I am also responsible for directing the Regulatory Affairs Department's responses to all Informal Customer Complaints filed with Regulatory Commissions in various states.

I am directly involved with each department in order to maintain the standards IDS applies to its provisioning of services to its customers and, as a Consumer Advocate, I am personally involved with the resolution of customers' concerns regarding the services IDS provides.

3/00 – 10/2000 - The Basico Group, Inc. – Coral Gables, Florida

V-P Operations

Prior to committing 100% of time to Basico, I consulted with the Company since its inception in October 1998 in all areas of Business Plan Development, modification and implementation.

Develop and implement all areas of standard operating procedures for start-up Telecommunications Service Provider concentrating on the provision of High-Speed Internet Access to commercial properties as well as Hosting, Design and E-Commerce products and services.

Develop and maintain investor relations on behalf of parent Company and Subsidiary. Participate in vendor finance negotiations and planned marketing of new products (i.e. Lucent, Paradyne etc.)

Oversee regulatory certification in Florida and progress of eight (8) other states in BellSouth region.

Participate in the development of Latin American business objectives regarding expansion of xDSL and long distance services.

6/98 – 3/00 Supra Telecom, Inc. - Miami, Florida

Director of Legal and Regulatory Affairs

Developed and implemented corporate legal department Alternative Local Exchange Company; participated in the litigation against BellSouth in various Dockets including matters related to collocation in BellSouth central offices; assist and advise upper management on various aspects of regulatory affairs before the Commission in the nine (9) BellSouth states; Incorporate and maintained the company's good standing in 48 States and obtained certificates of convenience and necessity in over 28 States for the provision of local exchange telephone services, long distance and advanced telecom services.

Docket No. 010740-TP
Exhibit _____ (AL-1)
Page 1 of 3

Responsible for the daily investigative proceedings before the FCC and State regulatory commissions (Y2K issues, pricing and billing, tariff reform, collocation, interconnection and other issues affecting the telecom industry).

Assisted in the preparation of legislation before the House of regarding local telecommunications competition.

8/95 – 3/98 Mobile Medical, Inc. - Miami, Florida

Co-Owner and Operator

Responsible for the daily operation of Orthopedic and Prosthetics facility.

Medicare, Medicaid, Private Insurance and open account billing and collections, A/R, A/P, P&L.

4/92 – 4/95 Zarco & Associates, P.A.- Miami, Florida

Legal Administrator/Senior Litigation Paralegal

Administered a commercial and franchise litigation law firm through various levels of expansion and build-out. Supervised approximately 15 employees and managed 4 attorney tenants with staff.

Responsible for the Administration of the office including; managing personnel library of legal and factual resources; billing system; Manage work flow; Implement advertising and media relations activities; Established and maintained accounting, billing and payroll processes; Coordinate events, activities, and services related to firm matters

Actively participated and administered the development of client legal matters in State and Federal courts including; factual and legal research and writing; client conflict checks; supervise the development, organization and maintenance of client files and calendars; coordinate entire case dockets and preparations for trial.

1/90-3/92 Weil Lucio Mandler Croland & Steele, P.A. Miami, Florida

Litigation/Corporate Paralegal

Performed many of the above activities including; Assist International Law Partner in preparation and certification of legal documents through various foreign consulates; Assist Tax Department partner in preparation of documents for appraisal reduction hearings; Assist Corporate Department partners in the preparation of SEC documentation and filings; State and Federal Court jury trials, jury selection, witness preparation for examination direct and cross etc.

1/87-12/89 Hornbsy & Whisenand, P.A. – Miami, Florida

Administrative Assistant/Junior Paralegal

Maintained and updated all litigation pleadings, production of documents and attorney work product.

Fact gathering through clients and witnesses.

Implemented and performed all courthouse filing procedures for State and Federal Courts and assisted Administrator in the daily operations of law firm.

Assisted Librarian with the purchasing and updating of law library reference materials.

1/84-12/86 Fine Jacobson Schwartz Nash Block & England, P.A. Miami, Florida

Administrative Assistant/File Clerk/Courthouse Runner

Implement and perform Courthouse filing procedures (State and Federal).
Maintained and administered the closing and archiving of case files for two merging firms.
Assisted in administrative duties necessary during merger.

Education:

1985-1989	AA Degree – Miami Dade Community College Miami, Florida
1990-1992	Attended Florida International University completing majority of required courses toward an undergraduate degree in Marketing and Finance with an emphasis in financial and managerial accounting.

Computer Experience: Proficient in Internet Research, Windows 95/98/NT Environment, Word, Wordperfect (5.0 and above), Excel, Outlook, Peachtree Accounting/Timeslips, Paradox, Discovery. Skilled in Project, Powerpoint, New Visio Professional, and a variety of other software applications.

Languages: Fluent in English and Spanish

References available upon request.

AFFIDAVIT OF LEONORA SUGLIO

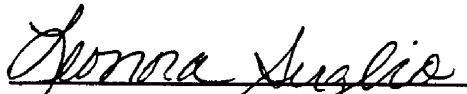
STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared Leonora Suglio, who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the Administrative Assistant of Community of Hope Church. My name is Leonora Suglio and I am over 18 years of age. I am the Administrative Assistance of Community of Hope Church. Our physical address is 11388-B Okeechobee Blvd., Royal Palm Beach, Florida 33411. Our telephone number is (561) 793-8484.
3. On Monday February 26, 2001 I arrived at Community of Hope at approximately 8:00 AM. I attempted to shut off the Voice Mail service and I found that it did not go through its usual procedure to shut off.
4. That morning I received a call from a Church member who had left a message that I was unaware of and unable to retrieve. Subsequently I received a call from another Church member who also left a message that I was unable to retrieve. When I was leaving for lunch, I attempted to turn on the voice mail service, and it would not connect, indicating to me that something was wrong with the voice mail.
5. Because the Church had recently subscribed to IDS Telcom for its local telephone services and I knew the conversion would be proceeding in the very near future, I contacted our telephone service agent Mr. Jeff McDonald to find out if the cause of the Voice Mail disruption was due to the conversion. Mr. McDonald verified through IDS that our pending conversion was scheduled for February 27, 2001 the very next day and indicated that there should be no disruption of services during the conversion.
6. So, because I was technically still a BellSouth customer, I contacted BellSouth. They verified that the conversion to IDS Telcom was in fact scheduled for February 27, 2001. The BellSouth representative indicated that it was because of something IDS Telcom did in the conversion order that caused our Voice Mail to become inoperable and that I should contact IDS because BellSouth could do nothing for me even though the Church was still a BellSouth customer as of that time. I felt that because the Church was still a BellSouth customer, BellSouth should fix the Voice Mail issue immediately. The BellSouth representative stated she could do nothing more for me due to the pending conversion order, and ended the call.
7. In the morning of February 28, 2001, I called BellSouth again because the Voice Mail issue had yet to be resolved. The person I spoke with was extremely rude and offered no information to assist me. She indicated that something was wrong with the IDS order however she refused to tell me where the problem was, stated she could not read the IDS conversion orders to see if there was an error in them that would have caused the Voice Mail to be canceled, but insisted that there had to be an error on IDS' orders and stated that because I was now an IDS customer, she could not speak with me about my services and I should call IDS.

8. On March 1, 2001, the Voice Mail was still inoperable so I contacted IDS' Agent Support Representative, Amanda Ladue. Ms. LaDue placed a call to the BellSouth repair center and spoke with (Martha) while I held on the line for approximately one half hour. When Ms. LaDue came back on the line, she was noticeably upset and she stated that she had been spoken to very rudely by the BellSouth representative as well as having been misinformed regarding the problem and how to proceed to correct it. She explained that BellSouth (Martha) as well as others in the repair center refused to correct the mailbox until an order to add Call Forwarding was placed by IDS. This was unacceptable and made no sense because we would have Call Forwarding answering a mailbox that was not in service.
9. I again contacted BellSouth myself, spoke with Mr. Seimens in the business department and explained that Community of Hope Church receives various life and death calls from people in need of our assistance and counseling and that not having the messaging features was causing great concern which could have serious consequences as a result. This problem started when I was a BellSouth customer and got worse after I switched to IDS. I demanded an explanation from BellSouth as to why our Voice Mail went down while the Church was a BellSouth Customer and why did they not correct the problem then. I consider this a BellSouth error yet they refused to correct the problem.
10. I placed the BellSouth representative on the hold for just a moment and he hung up before I could get back to him.
11. Today, Voice Mail has been restored and I have yet to receive an explanation from BellSouth about this matter.

FURTHER AFFIANT SAYETH NOT:


 Leonora Suglio, Affiant

Sworn to and subscribed before me this 16th day of March, 2001 by Leonora Suglio who is personally known to me or who produced _____ as identification.


 (Signature of Notary Public - State of Florida)



Pamela L. Beach
 MY COMMISSION # CC926847 EXPIRES
 May 7, 2004
 BONDED THRU TROY FAIR INSURANCE, INC.

 (Print, Type or Stamp Commissioned Name of Notary)

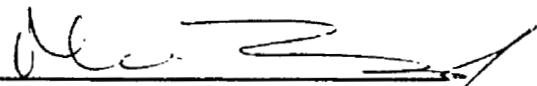
AFFIDAVIT OF MASON TOLMAN

STATE OF FLORIDA
COUNTY OF MONROE

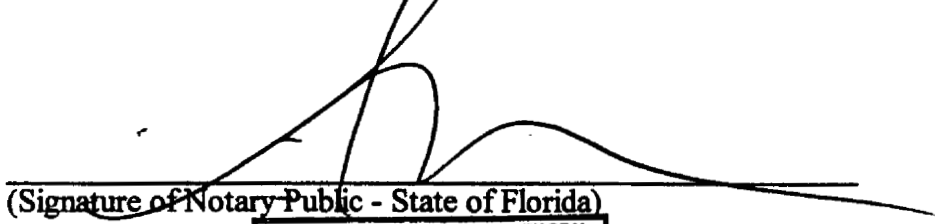
BEFORE ME, the undersigned authority, personally appeared Mason Tolman who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the Executive Director of the Key West Innkeepers Association. Our physical address is 922 Caroline Street, Key West, Florida 33040. My business telephone number is (305) 295-1334.
3. On June 6, 2000-I authorized IDS Telcom to convert the above businesses' local telephone service from BellSouth to IDS Telcom. On June 20, 2000 BellSouth converted the service to IDS.
4. I understood that there would be no disruption of service during the conversion of my telephone service from BellSouth to IDS Telcom. On the day the conversion took place, I found that I could not retrieve or receive any voice mail messages whatsoever at any of the above locations.
5. I contacted IDS Telcom and they provided a temporary pass code for access to the voice mail however, all the messages I had archived had been erased and were un-retrievable.
6. On or about February 26, 2001, I received a telephone call from a BellSouth representative offering local telephone services at a 25% discount if I signed a term contract. I informed the caller that I already enjoyed a 20% discount off of the current BellSouth rates through IDS and they do not require a contract. On or about March 5, 2001, I received an oversized postcard advertisement offering the same 25% discount.
7. I own and operate a very that busy association that is responsible for all the promotions for various Inns and Bed & Breakfasts. My staff and me rely on the telephone service and features for obtaining and servicing potential and existing customers, proprietors and guests. During the conversion and for 3 full days afterward, I lost an incalculable amount of business revenue due to the inoperability of the voice mail feature.

FURTHER AFFIANT SAYETH NOT:


Mason Tolmac, Affiant
mt

Sworn to and subscribed before me this 21ST day of March 2001 by Mason Tolmac who has produced T485-540-60-011-0 ^{exp. 01/01/02} as identification.



(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary)

AFFIDAVIT OF ALVARO LOZANO

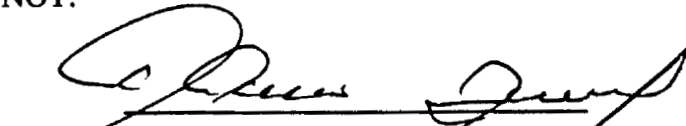
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, personally appeared Alvaro Lozano who after being duly sworn, did depose and say:


1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the President of Interstate Beverage Corporation. Our physical address is 1915 West 8th Avenue, Hialeah, Florida 33010. My business telephone number is (305) 883-6004.
3. I have been an IDS Telcom customer since August 2000 and IDS currently provides local and long distance services for my business.
4. On or about April 3, 2001 I received the first of approximately seven (7) calls to date from Ivan Cameron who represented himself as working for a company by the name of Telechoice. His number is (561) 616-9000. He further indicated that Telechoice was working on behalf of BellSouth's Win Back Department.
5. Mr. Cameron began insisting that I switch my local telephone services to BellSouth because IDS Telcom was "going out of business". Furthermore, BellSouth could now offer my business savings that match or beat what IDS was currently offering.
6. I questioned Mr. Cameron as to why BellSouth had not previously offered these savings to me before I switched my services to IDS. Mr. Cameron explained that due to recent government approvals, BellSouth could now offer savings similar to or better than IDS Telcom.
7. Mr. Cameron continued to be very insistent that I switch my services back to BellSouth and reiterated that IDS was going out of business. I told him that I would have to investigate his claim about IDS and that I was not prepared to make a decision at that time.
8. On April 6, 2001, Mr. Cameron called me again reiterating that IDS was going out of business and that I should seriously consider switching my services back to BellSouth in order to avoid any disruption of my services. I did not entertain a conversation at that time and ended the call.
9. Mr. Cameron has called every day beginning again on April 9, 2001 through today April 12, 2001 and I suspect he will continue to call.

10. I contacted IDS Telcom and they have assured me that the representation made by Mr. Cameron is false and that they will bring this issue up with the appropriate authorities.
11. I am upset that BellSouth has made such representations concerning IDS Telcom because I do not want to feel as though my carrier has financial problems that would affect my telephone services in any way. I rely on my telephone services for my business and any disruption would be very costly. I have lost valuable time speaking with Mr. Cameron and having to investigate a matter, which now appears to be false. I want BellSouth to stop calling my business and making misrepresentations as stated above.

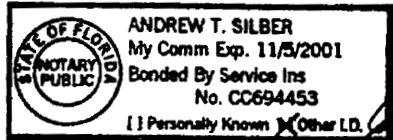
FURTHER AFFIANT SAYETH NOT:


 Alvaro Lozano, Affiant

Sworn to and subscribed before me this 16th day of April 2001 by Alvaro Lozano who produced FL. DRIVER LICENSE as identification.
 L250-000-48-006.



 (Signature of Notary Public - State of Florida)


 ANDREW T. SILBER
 My Comm Exp. 11/5/2001
 Bonded By Service Ins
 No. CC694453
 Personality Known Other I.D.

 (Print, Type or Stamp Commissioned Name of Notary)

AFFIDAVIT OF LAURA TIRSE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, personally appeared Laura Tirse who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the General Manager of M & L Interiors. Our physical address is 680 West 84th Street, Hialeah, Florida 33014. My business telephone number is (305) 819-7506.
3. M & L Interiors has been an IDS Telcom customer for local services since January 2001.
4. On April 5, 2001 I personally received a telephone call from an individual who stated her name was Jaime Lee. Jamie Lee stated that she was calling on behalf of BellSouth and that her records indicated that our local services are being provided by IDS Telcom. I asked her if she was with BellSouth and she stated that her company is part of BellSouth.
5. Jamie Lee then stated that "IDS Telcom is going into bankruptcy and we (M & L Interiors) needed to choose a new carrier in order to avoid any disruption of telephone service".
6. I indicated to Jamie Lee that I was not aware of IDS having any trouble and that I would need to confirm that information before making any decisions regarding or telephone services. Jamie Lee then gave me the number (561) 616-9000 and asked that I contact her if we decided to make the switch back to BellSouth.
7. I immediately contacted IDS Telcom and spoke with the receptionist who transferred me to Connie Mason. Ms. Mason assured me that IDS was not going into bankruptcy nor did it have any issues in that regard.
8. I then attempted to contact Jamie Lee at the above number and I was told by the receptionist that there was no one by the name of Jamie Lee at that number.
9. Additionally, my office has been called at least two other times in the last couple of weeks representing the same kind of issue about IDS Telcom. Unfortunately, my employees received the calls and only reported them to me. So, I instructed my employees to pass any further calls related to our telephone services to me. When BellSouth called again on April 5, 2001 the call was forwarded to me whereby I had the aforementioned discussion with Jamie Lee.

FURTHER AFFIANT SAYETH NOT:

[Handwritten Signature]

Laura Tirse, Affiant

Sworn to and subscribed before me this 10th day of April 2001 by Laura Tirse who is personally known to me or who produced Fla. Driver Lic. # T620-539-70-67AS identification.

EXP. 4/21/01

[Handwritten Signature]

(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Name of Notary)

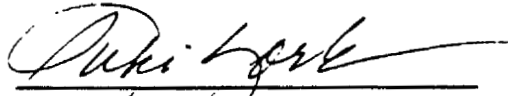
AFFIDAVIT OF SUKI YORK

STATE OF FLORIDA
COUNTY OF MONROE

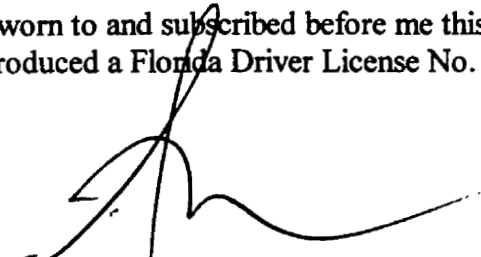
BEFORE ME, the undersigned authority, personally appeared Suki York who after being duly sworn, did depose and say:

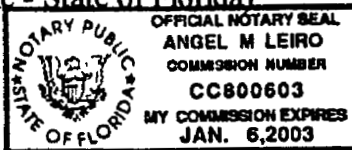
1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the Marketing Director of Southpoint Divers. Our physical address is 714 Duval Street, Key West, Florida 33040. Our business telephone number is (305) 292-9778.
3. On May 18, 2000 I authorized IDS Telcom to convert my local telephone services from BellSouth to them. On June 6, 2000 BellSouth converted the local telephone service to IDS Telcom.
4. I understood that there would be no disruption of service during the conversion of my telephone service from BellSouth to IDS Telcom. On the day the conversion took place, I realized that I could not retrieve or receive any voice mail messages whatsoever for the business.
5. I did not immediately notice that the Voicemail feature was disabled. When I did realize it, I contacted IDS Telcom and they provided a temporary pass code for access to the voice mail however, all the messages I had archived had been erased and were un-retrievable.
6. Over the past month beginning late February, I have received at least six (6) calls from BellSouth attempting to persuade me to switch back to them for local telephone services.
7. Each time, the BellSouth representative had offered a 20% discount as long as I agreed to sign a 36-month agreement. I informed the caller that I already enjoyed a 20% discount off of the current BellSouth rates through IDS. The caller responded by stating that with IDS, I don't get real operator services. The callers also stated that as a BellSouth customer I would receive real and direct service from BellSouth.
8. I own and operate a dive center that relies heavily on its telephone service and features for obtaining and servicing potential and existing customers. During the conversion and for eight (8) days afterward, I lost an untold amount of business due to the inoperability of the voice mail feature.

FURTHER AFFIANT SAYETH NOT:


Suki York, Affiant

Sworn to and subscribed before me this 21st day of March 2001 by Suki York who has produced a Florida Driver License No. 9620-757-54-9610 as identification.
exp. 12/21/02


(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary)

AFFIDAVIT OF VANESSA McCaffrey

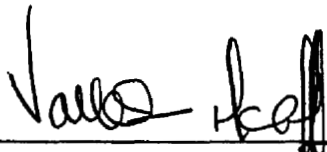
STATE OF FLORIDA
COUNTY OF MONROE

BEFORE ME, the undersigned authority, personally appeared Vanessa McCaffrey who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the Vice President of Vacation Key West. Our physical address is 513 Fleming Street, Suite 3, Key West, Florida 33040. My business telephone number is (305) 295-9500.
3. I had been a satisfied customer of IDS Telcom for over one year when I decided to move my business location. On November 16, 2000 I was scheduled to move my telephone service from our old location to the above address. We worked extremely hard to make sure there would be no disruption during this move and I was assured by both BellSouth and IDS Telcom that there would be no disruption of my service during the move.
4. Ben Ulrich, an employee of mine advised me on November 16, 2000 that there was no dial tone and that a message was being played when customers called the office stating that (305) 295-9500 had been "disconnected".
5. I contacted IDS Telcom and informed them that I had lost dial tone. By this time it had been for most of the business day. My agent suggested that we forward our calls to my cellular phone temporarily until services could be restored. This was a good solution for what I had hoped would be a temporary problem. I have three voice lines and 2 computer/fax lines that were affected. I worked with my agent and IDS Telecom from my home until approximately 10:00 PM November 16, 2000 trying to get assurances that this problem would be resolved by the next day.
6. The next morning, Friday November 17, 2000 a BellSouth technician came to my new location to work on installing a new line that I had requested. I explained that we had lost dial tone the day before and he proceeded to try and resolve the matter. The technician worked for over 4 hours to correct the dial tone issue and when he finished for the day, he indicated that services had been restored.

7. On Saturday, November 18, 2000, I again had no dial tone and because it was Saturday, I was unable to have any service performed at all. Therefore I was without dial tone for the entire weekend and completely unable to conduct any business whatsoever. This included credit card transactions, reservation confirmations, new reservations and inquiries.
8. On Monday November 20, 2000 my service was finally restored.
9. I cannot begin to express the anguish that was caused by this disaster. Because my business is well known and in a small city (Key West, Florida) within hours, rumors were circulating that I had gone out of business. I lost several confirmed bookings and left nervous customers with no way to contact me for what were expected arrivals at various guest houses in the area.
10. I have calculated that during the preceding weeks I had been booking approximately \$1,000 per day. A conservative estimate of my initial monetary losses was approximately \$5,000. The damages to my business however are incalculable in ways I cannot express.

FURTHER AFFIANT SAYETH NOT:



 Vanessa McCaffrey, Affiant

Sworn to and subscribed before me this 28th day of March 2001 by Vanessa McCaffrey who has produced a Florida Driver License No. _____ as identification. PERSONALLY KNOWN TO ME



(Signature of Notary Public - State of Florida)



 (Print, Type or Stamp Commissioned Name of Notary)

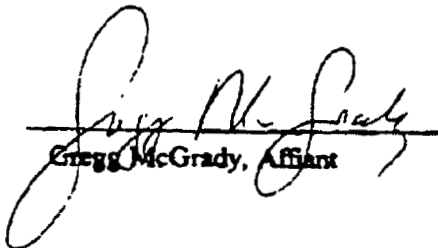
AFFIDAVIT OF GREGG MCGRADY

STATE OF FLORIDA
COUNTY OF MONROE


BEFORE ME, the undersigned authority, personally appeared Gregg McGrady who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the owner of Key West Information Center. Our physical address is 1601 N. Roosevelt Blvd, Key West, Florida 33040. My business telephone number is (305) 292-5000.
3. On may 12, 2000 I authorized IDS Telecom to convert the above businesses' local telephone service from BellSouth to IDS Telecom. On June 6, 2000 BellSouth converted the service to IDS.
4. I understood that there would be no disruption of service during the conversion of my telephone service from BellSouth to IDS Telecom. On the day the conversion took place, I found that I could not retrieve or receive any voice mail messages whatsoever. The telephone number affected was (305) 292-5000.
5. When I realized that there was a problem with the Voicemail, I contacted IDS Telecom and they provided a temporary pass code for access to the voice mail however, all the messages I had archived had been erased and were un-retrievable.
6. On about my out February 28, 2001 I received a call from BellSouth soliciting my business to switch our local services back to them. During the call, BellSouth offered to reduce my rates by 20% off of their current lines charges.
7. In addition, BellSouth stated asked "what would it take to persuade me to switch my services back to them. They also offered one (1) month of free service for all my lines. (I currently have approximately 26 business lines excluding my DSL lines.)
8. I own and operate a very busy tourist information business that relies heavily on its telephone service and features for obtaining and servicing clients. I estimate that I had no Voicemail for at least 2 days after my conversion to IDS Telecom. This disruption caused an un-calculable loss of business revenue due to the inoperability of the voice mail feature.

FURTHER AFFIANT SAYETH NOT:


Gregg McGrady, Affiant

Sworn to and subscribed before me this 28 day of March 2001 by Gregg McGrady
who produced Florida, Drivers License as identification.



(Signature of Notary Public - State of Florida)

 Daniel J. McMahon
Commission # CC 749034
Expires June 7, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

(Print, Type or Stamp Commissioned Name of Notary)

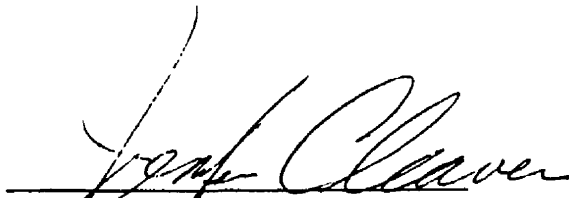
AFFIDAVIT OF JENNIFER CLEAVER

STATE OF FLORIDA
COUNTY OF MONROE

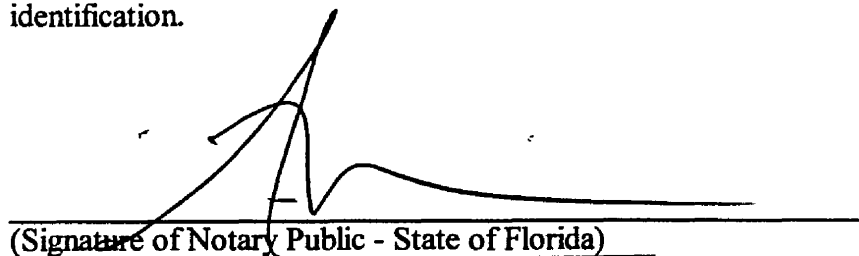
BEFORE ME, the undersigned authority, personally appeared Jennifer Cleaver after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the General Manager of The Welcome Center of the Florida Keys, Inc. Our physical ad located at 3840 Roosevelt Blvd., Key West Florida 33040. The business telephone number is (305) 296-4444. I also manage The Key West Cuban Club, Inc. The physical address is 422 Amelia Street, Key West, Florida 33040. The business telephone number-is (305) 296-0465.
3. On November 5, 2000 I authorized IDS Telcom to convert the business telephone services from BellSouth. On November 17, 2000, BellSouth converted the local telephone service to IDS Telcom.
4. I understood that there would be no disruption of service during the conversion of my telephone service from BellSouth to IDS Telcom. On the day the conversion took place, I found that I could not retrieve or receive any voice mail messages whatsoever. The affected telephone line number was (305) 296-4444.
5. Upon realizing that my voice mail feature was inoperable, I contacted IDS Telcom and they provided a temporary pass code for access to the voice mail however, all the messages I had archived had been erased and were un-retrievable.
6. Within two or three days after I converted services to IDS Telcom, BellSouth called inquiring why I had switched my services and asking what they could do to get me to switch back to them. They requested information concerning what I had been offered by IDS to switch to them and offering "the same program if not a better discount than IDS could give me" if I switched back to BellSouth.
6. Within the past two weeks, I received two further calls BellSouth representatives offering local telephone services at a 20% discount. I informed the caller that I already enjoyed a 20% discount off of the current BellSouth rates through IDS.
7. I own and operate two extremely busy tourist businesses that rely heavily on their telephone service and features for obtaining and servicing potential and existing customers. Due to the disruption, I lost an untold amount of business revenue due to the inoperability of the voice mail feature.

FURTHER AFFIANT SAYETH NOT:


Jennifer Cleaver, Affiant

Sworn to and subscribed before me this 22nd day of March 2001 by Jennifer Cleaver who has produced a Florida Driver License No. C416-433-67-678-0 as exp. 05-18-05 identification.



(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary)

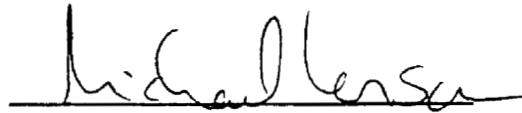
AFFIDAVIT OF MICHAEL LARSON

STATE OF FLORIDA
COUNTY OF MONROE

BEFORE ME, the undersigned authority, personally appeared Michael Larson who after being duly sworn, did depose and say:

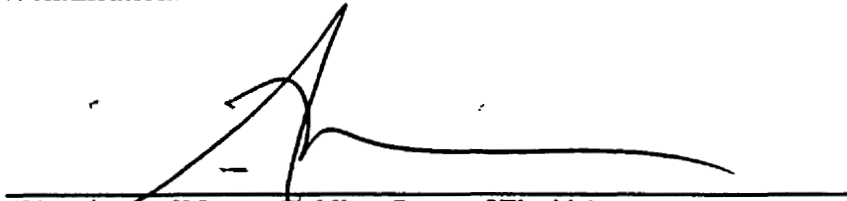
1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the owner of Century 21 All Keys Inc. Our physical address is 1720 N. Roosevelt Blvd., Key West, Florida 33040. Our business telephone number is (305) 294-4200.
3. I also have three other business accounts with locations and numbers as follows: 5300 U.S. 1, Key West, Florida 33040, (305) 292-2480 and 3605 College Road, Unit 101-A, Key West, Florida 33040 (305) 294-2020. P.O. Box 4013, Key West, Florida 33041 (305) 745-1278
4. On July 21, 2000 I authorized IDS Telcom to convert our business telephone service from BellSouth to them. On August 30, 2000 BellSouth converted all of the above businesses' local telephone services to IDS.
5. I understood that there would be no disruption of service during the conversion of my telephone service from BellSouth to IDS Telcom. On the day the conversion took place, I found that I could not retrieve or receive any voice mail messages whatsoever at either of the following telephone numbers (305) 295-0007 and (305) 294-4200.
6. When I realized that there was a problem with the voice mail, I contacted IDS Telcom and they provided a temporary pass code for access to the voice mail however, all the messages I had archived had been erased and were un-retrievable.
7. I own and operate a very busy real estate business that relies heavily on its telephone service and features for obtaining and servicing clients. This disruption caused an enormous loss of business revenue due to the inoperability of the voice mail feature. Pending and potential clients were unable to communicate pertinent information concerning ongoing transactions and negotiations.

FURTHER AFFIANT SAYETH NOT:



Michael Larson, Affiant

Sworn to and subscribed before me this 21ST day of March 2001 by Michael Larson who has produced Florida Driver License No. L625 541-50290-0 as Exp. 08/10/01 identification.



(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary)

AFFIDAVIT OF ENNETTE AUTER

STATE OF FLORIDA
COUNTY OF VOLUSIA

BEFORE ME, the undersigned authority, personally appeared Ennette Auter who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the Bookkeeper for Eagle Steel, Inc. Our physical address is 507 A Herbert Street, Port Orange, Florida 32119. My business telephone number is (386) 761-0824.
3. Eagle Service, Inc. has been a long distance customer of IDS Telcom ("IDS") since November 1998 and a local services customer since June 2000 and we are satisfied with IDS' services.
4. On April 6, 2001 I received a telephone call from a BellSouth representative who did not provide her name. This individual indicated that she was calling about our local telephone services. She further stated that BellSouth's records indicated that IDS is our local telephone services provider.
5. I acknowledged that our services are with IDS. The caller then stated "that is good news for us (BellSouth) and bad news for you (Eagle Steel) because IDS is going into bankruptcy and you (Eagle Steel) need to choose a new telephone carrier. BellSouth is offering \$23.64 per line." She then asked if I would like to switch carriers at that time and I told her that I needed to verify the information concerning IDS. She told me she would call me back.
6. I did not ask for a name and none was given. The caller then stated that she would call me back later in the day or the following week and left no number where I could contact her.
7. I immediately contacted my agent Mina Kelly and informed her about my conversation with BellSouth and Ms. Kelly assured me that this was false and that IDS was not going into bankruptcy nor did they have any such problem.
8. On April 10, 2001 I received a call from a gentleman who said his name was Steve Leventhal and he was calling on behalf of BellSouth. I could not speak with Mr. Leventhal at the time as I was attending to customers and he left a number where I could reach him (800) 436-7262.
9. The representation made by the BellSouth representative was very disturbing to me because Eagle Steele has a good business relationship with IDS and has no intention of

switching carriers. This type of misrepresentation should not be allowed to continue as it causes unnecessary alarm to customers who are trying to operate their businesses and have enough issues to deal with on a daily basis.

FURTHER AFFIANT SAYETH NOT:

Ennette Auter

Ennette Auter, Affiant

Sworn to and subscribed before me this 10th day of April 2001 by E. Auter who is personally known to me or who produced _____ --as identification.

[Handwritten Signature]

(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary)



Donald E. Mathart, Jr.
MY COMMISSION # CC766708 EXPIRES
May 1, 2002
BONDED THROUGH TROY FAIR INSURANCE, INC.

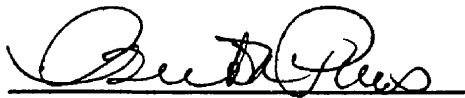
AFFIDAVIT OF BECKY PLEUS

STATE OF FLORIDA
COUNTY OF MONROE

BEFORE ME, the undersigned authority, personally appeared Becky Pleus who after being duly sworn, did depose and say:

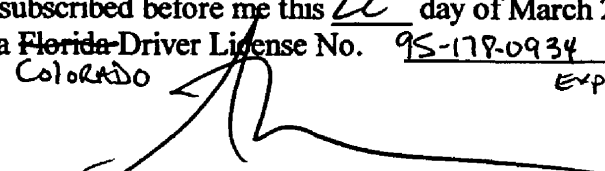
1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the manager of The Angelina Guest House. Our physical address is 302 Angela Street, Key West, Florida 33040. My business telephone number is (305) 294-4480.
3. On October 2, 2000, I authorized IDS Telcom to convert the above businesses' local telephone service from BellSouth to them. On October 12, 2000 BellSouth converted the services to IDS Telcom.
4. I understood that there would be no disruption of service during the conversion of my telephone service from BellSouth to IDS Telcom. On the day the conversion took place, I found that I could not retrieve or receive any voice mail messages whatsoever. The affected number was (305) 294-4480.
5. I contacted IDS Telcom and they provided a temporary pass code for access to the voice mail however, all the messages I had archived had been erased and were un-retrievable.
6. I own and operate a small business that relies on its telephone service and features for obtaining and servicing potential and existing customers. During the conversion and for one day afterward, I lost an untold amount of business revenue due to the inoperability of the voice mail feature as well as the frustration and lost time trying to resolve the problems brought on by this disruption.

FURTHER AFFIANT SAYETH NOT: .



Becky Plues, Affiant

Sworn to and subscribed before me this 22nd day of March 2001 by Becky Plues who has produced a ~~Florida~~ Driver License No. 95-178-0934 as identification.
Colorado *Exp 10/5/01*



(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary)

AFFIDAVIT OF JOSEPH A. NEVES

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, personally appeared Joseph A. Neves who after being duly sworn, did depose and say:

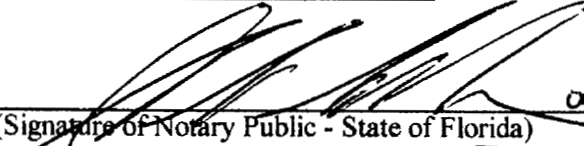
1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the owner of Seven Services, Inc. Our physical address is 15566 NW 5th Street, Pembroke Pines, 33028. My business telephone number is (954) 436-4673.
3. I have been an IDS Telcom Long Distance customer since March 2000 and a local services customer since October 2000.
4. On April 4, 2001, I received a telephone call from a BellSouth representative who stated her name was Carol. She gave no last name. Carol's telephone number is (800) 966-2355 Extension 4030.
5. Carol solicited me to switch my local services back to BellSouth from IDS. I informed her that I was satisfied with my services from IDS and that I did not wish to switch my services back to BellSouth. Carol then stated, "did you know that IDS is going out of Business". I said I did not know that and I ended the call at that time.
6. This call was very disturbing to me because I have a good relationship with IDS and I am happy with their services and I was very surprised that they would be going out of business. I then contacted my agent Ronald McClusky and he assured me that IDS was not going out of business.

FURTHER AFFIANT SAYETH NOT:



 Joseph A. Neves, Affiant

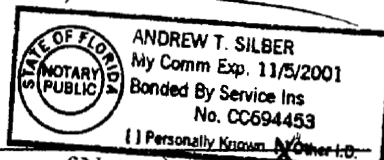
Sworn to and subscribed before me this 6th day of April 2001 by who produced FLORIDA DRIVERS LICENSE as identification.



 (Signature of Notary Public - State of Florida) 04-06-2001

ANDREW SILBER

 (Print, Type or Stamp Commissioned Name of Notary)



AFFIDAVIT OF ROBERT J. EURY

STATE OF FLORIDA
COUNTY OF MONROE

BEFORE ME, the undersigned authority, personally appeared Robert J. Eury who after being duly sworn, did depose and say:

1. All statements made herein are made of my own personal knowledge and are true and correct to the best of my knowledge and belief.
2. I am the owner of Curry House. Our physical address is 806 Fleming Street, Key West, Florida 33040. My business telephone number is (305) 294-6777.
3. On June 16, 2000 BellSouth converted the local telephone service to IDS Telcom pursuant to my authorization.
4. On or about March 2, 2001, I received a telephone call from a BellSouth representative soliciting my local telephone service.
5. The representative stated that because I had my local service with IDS Telcom, I might experience problems or delays getting service. He also indicated that because BellSouth owned the lines, I would not have to wait for services to be provided, as I would have to with IDS.
6. I explained that I have not had to wait for services while an IDS customer any more than I would have had too if I was a BellSouth customer when service was needed and IDS Telcom has always responded timely to my needs. I also save approximately \$300 to \$350 per month on my basic services in addition to my long distance saving as an IDS Telcom customer.
7. The BellSouth representative was very persistent during our conversation and at all times I was clear that I did not wish to switch back to BellSouth and I would not. Finally, when the caller realized I would not switch, he ended the call.

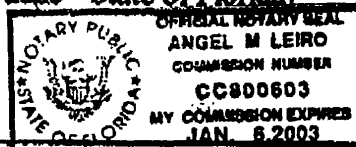
FURTHER AFFIANT SAYETH NOT:

Robert J. Eury
Robert J. Eury, Affiant

Sworn to and subscribed before me this 30 day of March 2001 by Robert J. Eury who has produced a Florida Driver License No. E608-716-SI-227-G as identification.

[Signature]

(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary)