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April 9, 2002

## VIA OVERNIGHT MAIL

Blanco Bayó Division of Commission Clerk & Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

## Re: WebNet Communications, Inc. Docket No. 001109-T1

Dear Ms. Bayó:

Pursuant to the Commission's December 13, 2001 Notice of Proposed Agency Action Order Accepting Settlement Proposal and January 10, 2002 Consummating Order in the above referenced Docket, WebNet Communications, Inc. ("WebNet"), through undersigned counsel, hereby files this report detailing its compliance with the final terms and conditions of Settlement. In support thereof, WebNet states the following:

1) WebNet surrendered its Interexchange Company Telecommunications certificate (#7220) and the certificate was cancelled on February 8, 2002. On March 27, 2002, Staff contacted the undersigned to raise a concern that, based on information Staff obtained from Qwest, WebNet's underlying carrier in Florida, WebNet was continuing to provide service to customers in Florida. WebNet, through undersigned counsel, responded to the Staff on April 3<sup>rd</sup>, advising Staff that, consistent with WebNet's settlement agreement with Staff and the Commission's Order, WebNet sent all its customers disconnection notices and sent Qwest a complete file requesting discontinuation of service to all Florida customers on February 8, 2002. However, for unknown reasons, Qwest rejected part of the file, hence, service to certain customers was not discontinued in accordance with WebNet's instructions. Consequently, any failure to comply with the February 8, 2002 disconnection deadline was a result of circumstances beyond



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AUS \_\_\_\_\_ CAF \_\_\_\_\_ COM \_\_\_\_\_ CTR \_\_\_\_\_ GCL \_\_\_\_ GCL \_\_\_\_ OPC \_\_\_\_ SEC \_\_\_\_ OTH \_\_\_\_ WebNet's control. Since Qwest never informed WebNet of its need to reject part of the file sent it, or if it attempted to do so, WebNet nevertheless never received it, WebNet was totally unaware of the problem until it investigated the matter after it was informed of the Staff's March 27<sup>th</sup> inquiry. Proof of WebNet's lack of knowledge is confirmed by the fact that WebNet did not bill any of these customers, proceeding on its understanding that service had been discontinued for all Florida customers per its instructions to Qwest. Subsequent to learning of this problem, WebNet resubmitted the disconnect request to Qwest for those customers whom Qwest had not initially disconnected and, in order to ensure that no further service is provided to these remaining customers, placed a block on those customers' numbers.

2) On January 18, 2002, WebNet sent a letter to each of its customers in the State of Florida notifying them that the company would be exiting the market on February 8, 2002 and that they must choose another local toll and/or long distance provider prior to that date in order to avoid discontinuation of their service.

3) On November 15, 2001, WebNet provided Commission staff with a list of its existing Florida customer base. This list consisted of information on the name, address, telephone number and date of service of 1804 existing customers.

4) WebNet provided Commission staff with the certificated name and contact information of its underlying carrier in Florida.

5) WebNet resolved by February 8, 2002 all outstanding complaints of which it was aware. WebNet initially sought the list of outstanding complaints from the Commission, and Staff agreed to provide this list, because WebNet did not have a record of any outstanding complaints. This was due primarily to the fact that the company was going through significant transitions in its customer service department. Consequently, many of the complaints were either not received or could not be processed. Because of these circumstances, WebNet requested the Commission's list of outstanding complaints in a good faith effort to ensure that all consumer complaints were responded to and that the company was in full compliance with the Commission's order.

In furtherance of this understanding, Staff provided WebNet with a list of approximately 110 outstanding complaints. WebNet responded directly to the customers, indicating the credits authorized to each customer where appropriate, by the February 8<sup>th</sup> deadline. The Commission was copied on all of these letters.

On March 27, 2002, Staff contacted the undersigned to raise a concern that approximately 55 consumer complaints remained unresolved. Staff indicated it would inquire of the Consumer Affairs Division whether or not those complaints were on the original list provided to WebNet and that it would obtain a list of these complaints to provide to WebNet. In further email correspondence dated March 29<sup>th</sup>, Staff advised that Consumer Affairs was still reconciling the list, but indicated that WebNet should have nonetheless been aware of these outstanding complaints and suggested that WebNet was in violation of the Commission's Order. WebNet, through undersigned counsel, responded to Staff via email on April 1<sup>st</sup>, reminding Staff of the circumstances leading up to the initial list of outstanding complaints and WebNet's efforts to ensure that all consumer complaints had been timely resolved. WebNet also reiterated its position that, once it received the second list of outstanding complaints from Staff, it would immediately

investigate whether or not these complaints have, in fact, been received and answered and, if there were complaints that were not on the original list, WebNet would respond to them immediately and provide the necessary credits without further investigation. As of the date of this filing, WebNet has not received the second list of outstanding complaints from Staff.

An extra copy of this filing is enclosed. Please date stamp this copy and return to the undersigned in the enclosed postage-prepaid envelope.

Respectfully submitted oubna W. Haddad

Regulatory Counsel to WNC

cc: Wayne Knight Melinda Watts