

State of Florida



Public Service Commission
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC
3 DEC -4 AM 11:50
COMMISSION CLERK
DB
WMS

DATE: DECEMBER 4, 2003

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (BUYS) OFFICE OF THE GENERAL COUNSEL (ROJAS)

RE: DOCKET NO. 030696-TI - COMPLIANCE INVESTIGATION OF 9278 COMMUNICATIONS, INC. FOR APPARENT VIOLATION OF SECTIONS 364.02 AND 364.04, FLORIDA STATUTES.

AGENDA: 12/16/03 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\030696REV.RCM

CASE BACKGROUND

- March 3, 2003 - Staff received a consumer complaint regarding a prepaid phone card labeled La Rendidora Pa' Colombia. The back of the phone card lists Universal Phones, Inc. as the service provider and 9278 Communications, Inc. (9278 Communications) as the distributor. Universal Phones, Inc. informed staff via email that it does not provide service for the La Rendidora Pa' Colombia prepaid phone card.
April 10, 2003 - Staff received a consumer complaint regarding a prepaid phone card labeled Welcome Florida Phonocard. The back of the phone card lists NTSE Communications as the service provider. Staff is unable to locate any information on a company using the name NTSE Communications, Inc. According to the 10-K report filed with the Securities and

DOCUMENT NUMBER-DATE

12375 DEC-4 8

FPSC-COMMISSION CLERK

Exchange Commission for 9278 Communications fiscal year ended December 31, 2002, NTSE Holding Corp., wholly owned by Sajid Kapadia, merged with 9278 Communications on January 31, 2003. As a result, 9278 Communications became a privately held corporation owned by Sajid Kapadia. Staff believes that 9278 Communications is the service provider and is responsible for the prepaid phone cards branded as *La Rendiodora Pa' Colombia* and *Welcome Florida Phonecard*.

- April 21, 2003 - Staff mailed 9278 Communications a certified letter (Attachment A) via United States Postal Service (USPS) requesting that the company investigate the consumer complaints and notifying the company that a certificate of public convenience and necessity (certificate) is required. The green card certified receipt (Attachment B) indicates that the company received staff's letter. A response was due on May 9, 2003.
- May 14, 2003 - Staff received a consumer complaint regarding a prepaid phone card labeled *Arroz Con Pollo Florida Phone Card*. The back of the phone card lists 9278 Communications as the service provider. (A copy of the phone card is provided in Attachment C).
- May 22, 2003 - Staff mailed 9278 Communications a second certified letter (Attachment D) via USPS requesting that the company investigate the consumer complaint regarding the *Arroz Con Pollo Florida Phone Card*. Again, staff requested that the company submit an application for an interexchange company certificate. At that time, Commission rules required that intrastate interexchange telecommunications companies (IXCs) providing prepaid calling services (PPCS) within the state obtain a certificate. The certified mail return receipt (Attachment E) indicates that the company received the letter on or about May 27, 2003. A response was due on June 16, 2003.
- June 3, 2003 - Staff received a second consumer complaint regarding the *Arroz Con Pollo Florida Phone Card*. (A copy of the phone card is provided in Attachment F.)
- June 25, 2003 - Staff received a third consumer complaint regarding the *Arroz Con Pollo Florida Phone Card* (A copy of the phone card is provided in Attachment G.) In all three

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complaints, the consumers claim that the *Arroz Con Pollo Florida Phone Card* did not provide the full amount of minutes as advertised.

- July 25, 2003 - Staff opened this docket to address the company's apparent violation of Sections 364.02(13) and 364.04, Florida Statutes.
- August 7, 2003 - Staff filed its recommendation in this docket.
- August 15, 2003 - 9278 Communications requested deferral of this item from the August 19, 2003, Agenda Conference.
- August 19, 2003 - 9278 Communications submitted its original letter requesting deferral (Attachment H).
- August 20, 2003, through September 23, 2003 - Staff and General Counsel for 9278 Communications were negotiating a resolution to this docket.
- September 4, 2003 - Staff received a fourth consumer complaint regarding two of 9278 Communication's prepaid phone cards. One is branded as *Arroz Con Pollo Florida Phone Card* and the other is branded as *X Phone Card MIAMI*.
- September 24, 2003 - 9278 Communications sent staff an email (Attachment I) stating that it is not providing service in Florida and the company believes that it is not required to register and file a tariff with the Commission. The company indicated that IBGH Communications, Inc. (IBGH) is the carrier that should be listed as the service provider on the phone cards, not 9278 Communications.
- September 29, 2003 - Staff mailed 9278 Communications a letter (Attachment J) via USPS and facsimile requesting documents and information related to the company's explanation in its email sent on September 24, 2003.
- October 3, 2003 - 9278 Communications sent an email (Attachment K) to staff stating that it would respond to staff's letter dated September 29, 2003, and provide staff with the requested documentation and information by October 10, 2003.

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- November 4, 2003 - In Docket No. 031032-TI, IBGH registered as an intrastate interexchange telecommunications company in Florida.
- November 6, 2003 - Staff sent 9278 Communications a certified letter (Attachment L) via USPS informing the company that staff has not yet received its response to staff's letter dated September 29, 2003, and that the docket cannot be resolved until the company provides staff with the requested documentation and resolves the outstanding consumer complaint. A response was due on November 21, 2003.
- November 19, 2003 - Staff received the USPS certified mail receipt (Attachment M) indicating that on November 11, 2003, 9278 Communications received staff's letter dated November 6, 2003.
- December 2, 2003 - In Docket No. 030876-TI, the Commission approved the settlement proffered by IBGH for providing intrastate interexchange telecommunications service in Florida without providing the Commission with current company contact information and filing a tariff, a violation of Sections 364.02, and 364.04, Florida Statutes.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.02(13), 364.04, and 364.285 Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission impose a \$25,000 penalty on 9278 Communications, Inc. for its apparent violation of Sections 364.02 and 364.04, Florida Statutes?

**RECOMMENDATION:** Yes, the Commission should impose a \$25,000 penalty upon 9278 Communications, Inc. for its apparent violation of Sections 364.02(13) and 364.04, Florida Statutes. If 9278 Communications, Inc. fails to timely file a protest and request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted, the right to a hearing waived, and the penalty should be deemed assessed. Further, if the company fails to timely file a protest and fails to do any of the following:

1. file a tariff;
2. provide the Commission with current contact information; or
3. pay the penalty,

the company should be required to immediately cease and desist providing intrastate interexchange telecommunications services in Florida upon issuance of the Consummating Order until the company pays the penalty, files a tariff and provides the Commission with current contact information. **(Buys, Rojas)**

**STAFF ANALYSIS:**

**Apparent Deficiency**

As outlined in the case background, the Commission received six consumer complaints regarding the prepaid phone card services apparently provided by 9278 Communications during the period from March 3, 2003, through September 4, 2003. The phone cards branded as *Arroz Con Pollo Florida Phone Card* and *X Phone Card MIAMI* list 9278 Communications as the service provider. Hence, it appears that 9278 Communications is providing intrastate interexchange telecommunications services to the public within Florida, and thus, is required to provide the Commission with current contact information and file a tariff and as required by Sections 364.02(13) and 364.04, Florida Statutes.

After staff filed a recommendation in this docket on August 7, 2003, 9278 Communications requested a deferral of the item from the August 19, 2003, Agenda Conference. Subsequently, staff and 9278

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Communications entered into negotiations to settle this matter. During negotiations, 9278 Communications indicated to staff that it is not providing service in Florida and does not believe that it is required to file a tariff and provide the Commission with current contact information. In addition, the company indicated to staff that 9278 Communications was inadvertently listed as the service provider on some of its phone cards whereas IBGH is the carrier and should have been listed on the phone cards. Although IBGH recently filed a tariff and registered with the Commission, staff is not satisfied with 9278 Communications' explanation of its relationship with IBGH. In 9278 Communications' email sent on September 24, 2003, the company provides the following explanation:

IBGH Communications LLC, one of the carriers, is owned in part by the stockholder of 9278 Communications. There is no parent-subsidary relationship between the companies, nor is their financial information consolidated or reported together in any way. The companies operate separately, although due to the overlap in ownership, management of 9278 takes an active role in consulting with IBGH management as to strategic decisions at IBGH and 9278 provides personnel support from time to time. To help establish IBGH's facilities, 9278 provided certain loans to IBGH in exchange for preferential use of IBGH's telecommunications platform.

Further, both 9278 Communications and IBGH list 1942 Williamsbridge Road, Bronx, New York, 10461 as their address.

Staff then requested that 9278 Communications provide additional information and documentation to clarify the company's relationship with IBGH. However, the company is no longer communicating with staff. As of December 4, 2003, 9278 Communications has not responded to staff's inquiries, nor taken the necessary actions to settle this matter, nor has the company provided the Commission with current contact information and filed a tariff in apparent violation of Sections 364.02(13) and 364.04, Florida Statutes.

#### Applicable Florida Statutes

On May 23, 2003, the Governor signed the Tele-Competition Act which no longer requires an IXC providing services within the state to obtain a certificate. However, Section 364.02(13), Florida

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Statutes, requires each IXC to provide the Commission with information to contact and communicate with the company. Section 364.02(13), Florida Statutes, states in pertinent part:

Each intrastate interexchange telecommunications company shall continue to be subject to ss. 364.04, 364.10(3)(a), and (d), 364.285, 364.163, 364.501, 364.603, and 364.604, shall provide the commission with such current information as the commission deems necessary to contact and communicate with the company . . . .

Further, the Tele-Competition Act did not amend Section 364.04, Florida Statutes. IXCs providing service within the state are still required to file a tariff with the Commission in accordance with Section 364.04(1), Florida Statutes, which states:

Upon order of the commission, every telecommunications company shall file with the commission, and shall print and keep open to public inspection, schedules showing the rates, tolls, rentals, contracts, and charges that a company for service to be performed within the state.

#### Proposed Penalty

Staff believes that 9278 Communications' failure to provide the Commission with current contact information and file a tariff is a "willful violation" of Sections 364.02(13) and 364.04, Florida Statutes, in the sense intended by Section 364.285, Florida Statutes.

Pursuant to Section 364.285(1), Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each day a violation continues, if such entity is found to have *refused to comply with or to have willfully violated* any lawful rule or order of the Commission, or any provision of Chapter 364, Florida Statutes.

Section 364.285(1), Florida Statutes, however, does not define what it is to "willfully violate" a rule or order. Nevertheless, it appears plain that the intent of the statutory language is to penalize those who affirmatively act in opposition to a Commission order or rule. See, Florida State Racing Commission v. Ponce de Leon Trotting Association, 151 So.2d 633, 634 & n.4 (Fla. 1963); c.f.,

McKenzie Tank Lines, Inc. v. McCauley, 418 So.2d 1177, 1181 (Fla. 1<sup>st</sup> DCA 1982) (there must be an intentional commission of an act violative of a statute with knowledge that such an act is likely to result in serious injury) [citing Smit v. Geyer Detective Agency, Inc., 130 So.2d 882, 884 (Fla. 1961)]. Thus, a "willful violation of law" at least covers an act of purposefulness.

However, "willful violation" need not be limited to acts of commission. The phrase "willful violation" can mean either an intentional act of commission or one of omission, that is *failing to act*. See, Nuger v. State Insurance Commissioner, 238 Md. 55, 67, 207 A.2d 619, 625 (1965) [emphasis added]. As the First District Court of Appeal stated, "willfully" can be defined as:

An act or omission is 'willfully' done, if done voluntarily and intentionally and with the specific intent to do something the law forbids, or *with the specific intent to fail to do something the law requires to be done*; that is to say, with bad purpose either to disobey or to disregard the law.

Metropolitan Dade County v. State Department of Environmental Protection, 714 So.2d 512, 517 (Fla. 1<sup>st</sup> DCA 1998) [emphasis added]. In other words, a willful violation of a statute, rule or order is also one done with an intentional disregard of, or a plain indifference to, the applicable statute or regulation. See, L. R. Willson & Sons, Inc. v. Donovan, 685 F.2d 664, 667 n.1 (D.C. Cir. 1982).

Thus, the failure of 9278 Communications to file a tariff and provide the Commission with current contact information meets the standard for a "refusal to comply" and "willful violations" as contemplated by the Legislature when enacting section 364.285, Florida Statutes.

Nor could 9278 Communications claim that it did not know that it had the duty to file a tariff and provide the Commission with current contact information. "It is a common maxim, familiar to all minds, that 'ignorance of the law' will not excuse any person, either civilly or criminally." Barlow v. United States, 32 U.S. 404, 411 (1833); see, Perez v. Marti, 770 So.2d 284, 289 (Fla. 3<sup>rd</sup> DCA 2000) (ignorance of the law is never a defense). Moreover, in the context of this docket, all intrastate interexchange telecommunication companies, like 9278 Communications, are subject to the rules published in the Florida Administrative Code. See,



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Commercial Ventures, Inc. v. Beard, 595 So.2d 47, 48 (Fla. 1992).

Further, the amount of the proposed penalty is consistent with penalties previously imposed by the Commission upon IXCs that were providing intrastate interexchange services within the state and failed to file a tariff and to provide the Commission with the company's current contact information. Thus, staff recommends that the Commission find that 9278 Communications, Inc. has, by its actions and inactions, willfully violated Sections 364.02(13) and 364.04, Florida Statutes, and impose a \$25,000 penalty on the company to be paid to the Florida Public Service Commission.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. If the Commission's Order is not protested and the payment of the penalty is not received within fourteen calendar days after the issuance of the Consummating Order, the collection of the penalty should be referred to the Department of Financial Services. This docket should be closed administratively upon receipt of the company's tariff, the company's current contact information, and the payment of the penalty, or upon referral of the penalty to the Department of Financial Services.  
(Rojas)

**STAFF ANALYSIS:** Whether staff's recommendation on Issue 1 is approved or denied, the result will be a Proposed Agency Action Order. If no timely protest to the Proposed Agency Action is filed within 21 days of the date of issuance of the Order, this docket should be closed administratively upon receipt of the company's tariff, the company's current contact information, and the payment of the penalty, or upon referral of the penalty to the Department of Financial Services.

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

STATE OF FLORIDA



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 21, 2003

**Via Certified Mail and Facsimile:**  
**(718) 792-5130**

Mr. Sajid Kapadia  
Chairman, CEO  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461

**Re: FL PSC Consumer Complaints - Case Nos. 527036T and 521388T.**

Dear Mr. Kapadia:

The Florida Public Service Commission received the enclosed complaints regarding prepaid phone cards. A preliminary investigation indicates that your company may be involved in providing service for the phone cards cited in the complaints.

In Case No. 527036T, the phone card branded as the *Welcome Florida Phonecard* lists NTSE Communications, Inc. as the service provider. According to public records, 9278 Communications, Inc. and NTSE Holding Corp. have entered into a merger agreement. Therefore, it appears that your company may be providing services for the *Welcome Florida Phonecard* under the name NTSE Communications, Inc. The complainant claims that he received only 5 minutes of call time on each card.

In Case No. 521388T, the phone card branded as *La Rendidora* lists Universal Phone, Inc. as the service provider. Our records list Universal Phone Corporation as a certificated company, but the company has stated that they do not provide service for the *La Rendidora* phone card. 9278 Communications, Inc. is listed as the distributor for this phone card. The complainant claims that the maintenance fee of \$0.45 per 20 minutes of call time was not listed on the card.

Mr. Kapadia, please investigate this matter and the issues in the consumer complaints and provide me with a written reply no later than **May 9, 2003**. For the complaint regarding the *La Rendidora* phone card (Case No. 521388T), please provide me with documentation that shows the applicable surcharges are disclosed at the point of sale. Also, if your company is not the service provider for the *La Rendidora* phone card, please provide me with the full company name, mailing address, physical address, and name of a contact person, including a number where they can be

Mr. Sajid Kapadia  
Page 2  
April 21, 2003

reached, for Universal Phones, Inc. If your company is the service provider for the *Welcome Florida Phonecard*, please provide me with the call detail records, the applicable rate deck, including all surcharges, and any promotional material used to market the *Welcome Florida Phonecard*. If your company is not providing service for the *Welcome Florida Phonecard*, please indicate as such in your reply.

Additionally, if your company is providing prepaid calling services in Florida, it is required to obtain a certificate of public convenience and necessity pursuant to Rule 25-24.910, Florida Administrative Code, Certificate of Public Convenience and Necessity Required, which states:

A company shall not provide PPCS without first obtaining a certificate of public convenience and necessity as a local exchange company, alternative local exchange company, or interexchange company. The name used as the provider of PPCS printed on the prepaid calling card shall appear identical to the name in which the certificate is issued. A "doing business as" name may be used in lieu of the certificated name if it is registered as a fictitious name with the Florida Division of Corporations and reflected on the certificate before the name is used on the card.

If applicable, please file an application with the Florida Public Service Commission to obtain an interexchange company certificate no later than **May 19, 2003**. You can find the necessary information, an application form, and a copy of the Commission's rules on our website, [www.floridapsc.com](http://www.floridapsc.com).

Should you have any questions regarding this request, please do not hesitate to contact me to clarify this matter.

Sincerely,



Dale R. Buys  
Regulatory Analyst  
Bureau of Service Quality

Voice: (850) 413-6536  
Fax: (850) 413-6537  
Email: [d Buys@psc.state.fl.us](mailto:d Buys@psc.state.fl.us)

DRB  
Enclosures (2)

Request No. 527036T

Name DELGADO , CONARADO

Business Name

**Consumer Information**

Name: CONARADO DELGADO

Business Name:

Home Address: 955 S.W. 2ND AVE.  
 1501

County: Dade Phone: (305)-285-8972

City/Zip: Miami / 33130-

Account Number:

Card's Name: CONARADO DELGADO

Home Address: 955 S.W. 2ND AVE.  
 1501

Zip: MIAMI , FL 33130-

Card Reached:

Tracking Number:

**Florida Public Service  
 Commission - Consumer Request  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399  
 850-413-6100**

**Utility Information**

Company Code: NA

Company:

Attn.

Response Needed From Company? N

Date Due: 05/09/2003

Fax: R

Interim Report Received: / /

Reply Received: / /

Reply Received Timely/Late:

Informal Conf.: N

**PSC Information**

Assigned To: DALE BUYS

Entered By: PW

Date: 04/10/2003

Time: 09:03

Via: PHONE

Prelim Type: OTHER

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by:

Date: / /

Closeout Type:

Apparent Rule Violation: N

Close type - Prepaid Calling Card

Request customer send in a copy of the front and back of the card. Done

When did you purchase the card? 2 cards at \$10.00 each.

Where did you purchase the card? gas station

What was the cost of the card? \$10.00

How many minutes were on the card? 5 min

Other Comments: Customer states that he can't find a calling card that promises what they say in terms of min

Request No. 527036T

Name DELGADO , CONARADO

Business Name

per dollars. Customer states that on the card involved in this case he got 3 min for \$10.00.

Please investigate this matter, contact the customer, and provide a detailed written report to the Florida Public Service Commission by the due date.

Case taken by P. Walker  
Send Response to  
Fax number 850-413-7168  
E-mail : PSCREPLY@PSC.STATE.FL.US

04/14/2003 NTSE Communications, Inc. is not found in the Master Commission Directory. Forwarding to technical for review. ACalhoun

4/17/2003 Case reassigned to the Division of Competitive Markets & Enforcement. P.Lowery

04/18/03: Letter drafted to send to 9278 Communications, Inc. The company has recently merged with NTSE Holding Corp. A reply to staff's inquiry is due on May 9, 2003. A letter was drafted to send to customer informing him of the change in staff handling his complaint. drbuys.

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Request No. 527036T                      Name DELGADO , CONARADO                      Business Name

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DATE: December 4, 2003

o do / 2003

Felipe:  
Estas son la parte trasera de las tarjetas telefonica. Te marqué el supuesto nombre



**DIAL 1-877-709-4129**

Pin # **4530 7335 1244** \$5

To place a call dial Access number, follow the voice prompts. Then call operators in the world 24 hours a day and save.

- For domestic calls 1 + Area Code + number  
- For International Calls 011 + Country Code + City Code + number

Payments surcharge will apply. Prices and rates are subject to change without notice. The card will be non refundable on every call. Please read the instructions on the back of the card.

Service provided by NISE Communications, Inc.  
For Customer Service dial 1-877-709-4131

**439285475** 5/1

**DIAL 1-877-709-4129**

Pin # **4482 6552 5816** \$5

To place a call dial Access number, follow the voice prompts. Then call operators in the world 24 hours a day and save.

- For domestic calls 1 + Area Code + number  
- For International Calls 011 + Country Code + City Code + number

Payments surcharge will apply. Prices and rates are subject to change without notice. The card will be non refundable on every call. Please read the instructions on the back of the card.

Service provided by NISE Communications, Inc.  
For Customer Service dial 1-877-709-4131

**439285478**

Gracias  
Roviacb

Case number 526-585C

ORIGINAL

Request No. 521388T

Name TELLEZ ,JUAN MR.

Business Name

DOCKET NO. 030696-T1  
DATE: December 4, 2003

**Consumer Information**

Name: JUAN C TELLEZ

Business Name:

Service Address: 9631 FONTAINEBLEAU BLVD. APT. 202

County: Dade Phone: (305)-551-8335

City/Zip: Miami / 33172-

Account Number:

Customer's Name: JUAN C TELLEZ

Service Address: 9631 FONTAINEBLEAU BLVD. APT. 202

Zip: MIAMI ,FL 33172-

Date Reached:

Tracking Number:

**Florida Public Service  
Commission - Consumer Request  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
850-413-6100**

**Utility Information**

Company Code: TJ742

Company: UNIVERSAL PHONE CORPORATION

Attn. Ana I. Upegui521388T

Response Needed From Company? Y

Date Due: 03/31/2003

Fax: 61,305-620-1998

R

Interim Report Received: / /

Reply Received: 03/27/2003

Reply Received Timely/Late:

Informal Conf.: N

**PSC Information**

Assigned To: DALE BUYS

Entered By: LLL

Date: 03/10/2003

Time: 10:46

Via: E-MAIL

Prelim Type: PREPAID CAL

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by:

Date: / /

Closeout Type:

Apparent Rule Violation: N

Please review the "incorporated" Internet correspondence, located between the quotation marks on this form, in which the customer reports the following:

"Good Morning:

I need your help because I want to send a complaint regarding 9278 Communications Inc, calling card with name 'La Rendidora'.

The situation is that this company charges a maintenance service charge of \$0.45 for each 20 minutes.

And the situation is that they don't inform the customer (in any side of the card) that this charge will be applied. Only has the instructions to use the card, the PIN number and the customer service phone but there is no information of this charges in any side of the card.

Attachment A

Request No. 521388T

Name TELLEZ ,JUAN MR.

Business Name

PAGE NO: 1



I understand that any calling card has to inform on the card if there will be a maintenance charge.

I call to the customer service 2 times and the representatives said me that the fee is correct but I said that there is no notice of the fee on the card.

Could you help me\_\_.

Sincerely,

C Tellez"

Thanks a lot for your time.

me: Juan Carlos Tellez

Address: 9631 Fontainebleau Blvd  
Apt # 202  
Miami, FL 33172

My phone number: 305-551-8335  
786-877-0285

Attached I'm sending the copy of the card (both Sides)

The Supervisor name that talk with me is: Juliana Molina and they assign a case number: 632306.

If you need more information, please let me know.

---

Request No. 521388T                      Name TELLEZ ,JUAN MR.                      Business Name

---

AGE NO: 2

Sincerely,

Juan C Tellez"

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues in the correspondence, and confirms the customer has been contacted either by letter or phone.

\*\*Inquiry taken by Loyda Lopez\*\*

CONTACT NUMBERS

CAF FAX: 850/413-7168

CAF Email: pscreply@psc.state.fl.us

1/27/03 Spoke to Fabio with Universal. States he has attempted to contact the customer, but has not been able to reach him. Also states they are not the company being referred to in his complaint. Company will follow up with an e-mail to the PSC. P>Lowery

1/30/03 Report received via email. JARIOLA

1/30/03 REVIEWED COMPANY'S RESPONSE. Response indicates Universal Phones does not provide services to a Phone. Shonna McCray

Will refer this complaint to supervisor for further review. Shonna McCray

1/4/09/03: Forwarding to L. Rasberry for transfer to CMP. RRoland

1/17/2003 Case reassigned to the Division of Competitive Markets & Enforcement. P.Lowery

1/4/18/03: Called the Miami office for 9278 Communications, Inc. (305-406-2888) and left a message in the operations department voice mail to return a call. I requested the name of the company that is providing services for the phone card in the complaint. drbuys. Drafted a letter to send to complainant explaining that the service charges are not required to be printed on the card and that the case has been forwarded to me. drbuys.

Request No. 521388T

Name TELLEZ, JUAN MR.

Business Name

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\$3

**Indicativos Ciudades**

Armenia	6
Cartagena	6
Medellin	6
Bucaramanga	7
Valle	2
Caldas	6
Cocina	7
Ibague	8
Manizales	6
Medellin	6
Montana	4
Municipios Antioquia	4
Municipios C/marca	1
Municipios Valle	2
Nerya	6
Pasto	2
Palena	6
Pedaya	2
Ripacia	6
San Andres	6
Santa Maria	6
Tanja y Boyaca	6
Valladolid	6
Villavicencia	6

**La Rendidera Pa' Colombia**

- Prices, rates and fees are subject to change without notice.
- If used from a public payphone, additional charges may apply.
- This card has no cash value and is non-refundable.
- Card expires 3 months from first use.
- Calls using 1-800-462-8614 will have an additional charge per minute.
- Calls made from Colombia will be to USA only.
- Los precios y tarifas pueden ser modificados sin previo aviso.
- Si se usa desde un telefono publico podran haber cargos adicionales.
- Esta tarjeta no tiene valor monetario y no es reembolsable.
- La tarjeta vence 3 meses desde el primer uso.
- Llamadas utilizando 1-800-462-8614 tendran un cargo adicional por minuto.
- Las llamadas desde Colombia solo podran hacerse a los Estados Unidos.

Distribution: 0278 Communications Inc  
Tel: 1-800-606-0278

Instructions for calling from the USA

Instructions for calling from Colombia

1. Dial 01 80 05 140 400

1. Dial 01 80 05 140 400

2. Dial the number of the office

2. Dial your card number

3. Dial the number preceded by 1+  
1+ Area Code + Telephone number + #

3. Dial destination number as follows:  
1+ Area Code + Telephone number + #

Service al Cliente 150

Customer Service 150

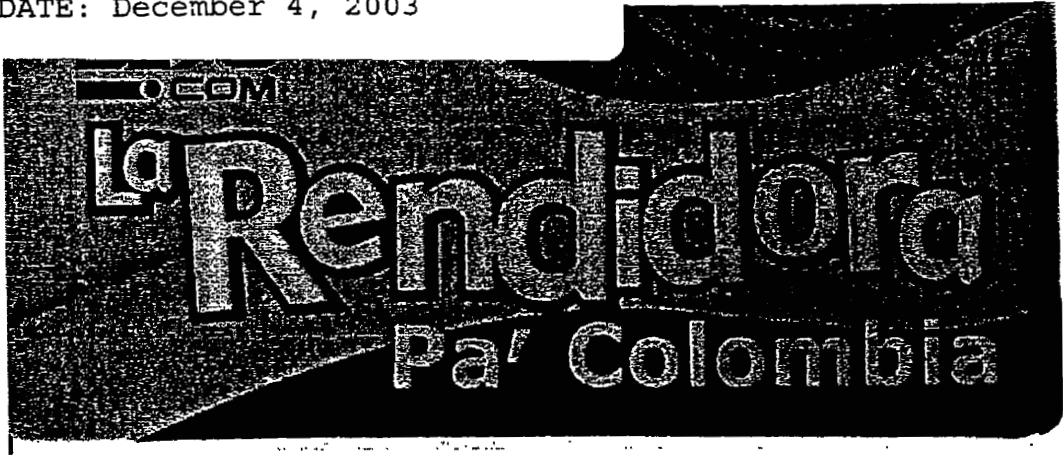
Distribution: 0278 Communications Inc  
Tel: 1-800-606-0278

Instructions for calling from the USA

Dial From:	Code	786	Area Code	Number
	Broward		(954)	727-8800
	Boca Raton		(561)	208-8800
	West Palm Beach		(561)	202-8800
	Orlando		(407)	398-8800
	Tampa		(813)	594-8815
	Sanford		(321)	273-8800
	St. Petersburg		(727)	360-7800
	Winter Park		(321)	274-8800
	Clearwater		(727)	262-7800
	Kissimmee		(888)	487-8800
	Key Largo		(305)	735-8800

ORIGINAL

DOCKET NO. 030696-TI  
DATE: December 4, 2003



ORIGINAL

DOCKET NO. 030696-TI

DATE: December 4, 2003


1800-482-5614

9 Marque el número deseado. A  
 ara local: 011-57- Código ciudad- Número  
 telefónico- Tecla #  
 ara llamadas 1- Código de área- Número  
 omnésitas: telefónico+ Tecla #  
 ara llamadas 011- Código de País+ Código  
 Internacionales: ciudad- Número telefónico+ Tecla #  
 Customer Service/Servicio al Cliente marque 1800-482-5614  
 Service provided by Universal Phone Inc.  
 Service in Colombia provided by: UNIPTEL S.A. ESP- Colombia


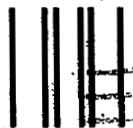


126-0

ORIGINAL

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits,</li> </ul>	<p>A. Received by (Please Print Clearly) <u>59010 S14131A</u> B. Date of Delivery <u>APR 25 2004</u></p> <p>C. Signature <u>X [Signature]</u> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                      If YES, enter delivery address below:</p>
<p>Mr. Sajid Kapadia, Chairman, CEO                      9278 Communications, Inc.                      1942 Williamsbridge Road                      Bronx, New York 10461</p> 	<p>3. Service Type  <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7002 0860 0001 1754 4986</p>	
<p>PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424</p>	


UNITED STATES POSTAL SERVICE

First-Class Mail  
 Postage & Fees Paid  
 USPS  
 Permit No. G-10


• Sender: Please print your name, address, and ZIP+4 in this box •

**Mr. Dale Buys**  
**Florida Public Service Commission**  
**2540 Shumard Oak Blvd,**  
**Tallahassee, FL 32399-0850**



DIVISION OF REGULATORY SERVICES

APR 29 AM 10:36



To: Florida Public Service  
Commission.

AT: MR. N. FORSMAN.

Ref # 532723-C

FROM: MR. TOMAS MARTINEZ

8738 NW 110 LN.

Hialeah Gardens FL 33018

Ph: 305-556-0298

ARROZ CON  
POLLO  
FLORIDA

\$5 ORIGINAL

Ningún cargo de servicio mensual se aplicará. Esta tarjeta tiene 3 minutos de redondeo. Esta tarjeta no tiene ningún valor en efectivo y no es reembolsable. No valide su tarjeta si la cobertura está abierta o el Pin está visible. Para fecha de vencimiento: presione 1

www.9278.com



MAY 13 2003

Spanish # Marq: 1-866-892-1411 English # Dial: 1-866-892-1400

Pin #

8219 0483 5224 27

\$5

2. Marque su código secreto y presione 1.

CÓDIGO SECRETO

3. Para llamar en USA, Canadá, o en Caribe mar- que el código de área + número de teléfono.

4. Para llamar a cualquier otro país marque

011 + código del país + número de la ciudad + número de teléfono.

2. Enter your PIN number and press 1

3. For domestic calls in the USA, Canada and the Caribbean dial 1 + area code + telephone number.

4. If calling to any other country, dial:

011 + country code + city code + phone number

To make another call, press 1.

El número de acceso gratuito está limitado solamente para Florida.

Service in Spanish / Cobertura servicios telefónicos Service provided by 9278 Communications

po307/AIS-D03

95-417383



STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

May 23, 2003

**CERTIFIED**

9278 Communications  
1942 Williamsburg Road  
Bronx, NY 10461

Dear Sir or Madam:

The Florida Public Service Commission (Commission) received a complaint (No. 533102T, enclosed) against 9278 Communications on May 14, 2003, from Mr. Tomas Martinez regarding a prepaid calling card issued by 9278 Communications. Mr. Martinez stated that when he dialed the access number, a recording informed him that he had 126 minutes on the card. When he had used 53 minutes during his call, he was interrupted by a recording informing him that he had one minute left on the card. He stated that he only got 54 minutes of call time for the card. He believes that the company's charging practices are fraudulent and that it should issue a \$5.00 refund to him.

Please provide a written response addressing the manner in which 9278 Communications will resolve Mr. Martinez's complaint by June 16, 2003. Mr. Martinez' contact information is listed on the enclosed complaint form.

Further, please provide the following information for each phone call using the Arroz con Pollo Florida pre-paid phone card with PIN number 8213 0483 5224:

1. Date and time of call
2. Point of origin of call (city, state, phone number, pay phone (yes/no))
3. Destination of call (city, state, phone number)
4. Duration of call
5. Additional charges pertaining to the call

In short, provide a complete breakdown of how the account for that PIN went from \$5.00 to \$0.00. Please include a copy of the point-of-sale information supplied with your pre-paid phone cards in Florida, as well as the name of the network company from whom you purchase time. This information should be included in your June 16, 2003, response.

The analyst from the Commission's Division of Consumer Affairs (CAF) forwarded the complaint to the Compliance section of the Division of Competitive Markets & Enforcement. The reason it was forwarded is that, upon investigation of the complaint, CAF discovered that 9278 Communications does not have an interexchange (IXC) certificate to provide telecommunications



9278 Communications  
Page 2  
May 23, 2003

services in Florida. Rule 25-24.910, Florida Administrative Code (F.A.C.), states that a company shall not provide prepaid calling services (PPCS) without first obtaining a certificate of public convenience and necessity as a local exchange company, alternative local exchange company, or interexchange company (IXC). The name used as the provider of PPCS printed on the prepaid calling card shall appear identical to the name in which the certificate is issued. A "doing business as" name may be used in lieu of the certificated name if it is registered as a fictitious name with the Florida Division of Corporations, and reflected on the certificate before the name is used on the card.

As the provider of PPCS in Florida, 9278 Communications must obtain an IXC certificate from the Commission prior to offering such services to the public. The IXC certificate application package with instructions can be downloaded from the following website:

[www.psc.state.fl.us/industry/telecomm/ixc/ixcapp.cfm](http://www.psc.state.fl.us/industry/telecomm/ixc/ixcapp.cfm)

Please complete the IXC application package and submit the completed package in accordance with the instructions contained therein by June 16, 2003. Please send a courtesy copy of the application cover letter to me for my records.

Section 364.285, Florida Statutes, provides that the Commission has the power to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense if it is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission. Each day that such refusal or violation continues constitutes a separate offense.

To summarize, 9278 Communications should provide the following by the dates given:

- Response to the customer complaint - June 16, 2003
- IXC certification application - June 16, 2003

I strongly urge you to provide complete and accurate responses to all requests made in this letter by June 16, 2003. If you have any questions, please contact me at (850) 413-6952.

Sincerely,



Melinda Watts  
Bureau of Service Quality

Enclosure

cc: Department of Revenue  
Division of Competitive Markets & Enforcement (Gilchrist)

Ref: TMS 153  
CATS 533102T

Request No. 533102T

Name MARTINEZ ,TOMAS

Business Name

**Consumer Information**

Name: TOMAS MARTINEZ

Business Name:

Business Address: 8738 NW 110TH LANE

County: Dade Phone: (305)-556-0298

City/Zip: Hialeah / 33018-

Account Number:

Caller's Name: TOMAS MARTINEZ

Business Address: 8738 NW 110TH LANE

City/Zip: HIALEAH ,FL 33018-

Phone Reached: (305)-556-0298

Accounting Number:

**Florida Public Service  
Commission - Consumer Request  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
850-413-6100**

**Utility Information**

Company Code: NA

Company: 9278 COMMUNICATIONS

Attn.

Response Needed From Company? Y

Date Due: 06/05/2003

Fax:

R

Interim Report Received: / /

Reply Received: / /

Reply Received Timely/Late:

Informal Conf.: N

**PSC Information**

Assigned To: MELINDA WATT

Entered By: NEF

Date: 05/14/2003

Time: 12:28

Via: FAX

Prelim Type: PREPAID CALLI

PO:

Disputed Amt: 5.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by:

Date: / /

Closeout Type:

Apparent Rule Violation: N

Please review the attached correspondence in which the customer reports the following:

Account type - Prepaid Calling Card

When did you purchase the card? 5/12/03

Where did you purchase the card? Variety Store in Hialeah Gardens Area

What was the cost of the card? \$5.00

How many minutes were on the card? 126 min. when calling access number

Other Comments: The customer states that he purchased the calling card for \$5.00. The card states that the

Request No. 533102T

Name MARTINEZ ,TOMAS

Business Name

cess number is free. When the customer called the access number, a recording identified that the card has 6 minutes calling time. At 53 minutes, a warning stated the caller had 1 minute remaining. The call terminated after 54 minutes. The customer called customer services and was told that the company has to pay for connection charges that are charged against the card. The card states that access is free. The customer believes this is fraudulent and wants a refund for \$5.00 and wants the company held responsible and accountable for their actions.

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues in the correspondence, and confirms the customer has been contacted either by letter or phone.

EASE NOTE\*\* The information on this form is only a summary of the customer's concerns. Additional information, important to this matter, may be contained in the correspondence.

Inquiry taken by Neal Forsman\*\*

NT. MEMBERS  
F 350/413-7168  
F pscreply@psc.state.fl.us

27  
/1 } Unable to locate company 9278 Communications in the Master Commission Directory as a certificated  
me } a DBA. Forwarding to CMP for review. ACalhoun

20 Case reassigned to the Division of Competitive Markets and Enforcement. P.Lowery

Request No. 533102T Name MARTINEZ ,TOMAS Business Name \_\_\_\_\_

GE NO: 2



DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment F

Elisa Betancourt  
350 E. 53rd St  
Chicago, IL 60630  
305-557-7379

Cash Purchased at  
Chicago Gas Station.  
5455 Palm Ave  
Chicago, IL 60630

ORIGINAL

JUN - 2 2003



Spanish # Marque: 1-866-692-1411 English # Dial: 1-866-692-1409

Pin # **7026 7454 7478** \$5

2 Marque su código secreto y espere / 2 Enter your PIN number and press #

1. ORDEN SECRETO / 1 For domestic calls in the USA, Canada and the Caribbean dial 1 + area code + telephone number

3 Para llamar a cualquier otro país marque / 3 For international calls dial 011 + country code + city code + phone number de destino / to make another call press #

El número de acceso gratuito está limitado solamente para Florida.

Servicio al cliente / Customer service: 1-800-455-5555 Servicio provided by AT&T Communications

PO307/AIS-C03 95-263622

This Card promised one hour 42 minutes and I was only able to use 48 minutes, I called the # for customer service and I was told that the rest of the minutes were used for card maintenance and no credit was going to be provided

Thanks,  
Eggs - Spencer

ORIGINAL

Attention: Diana  
Ref. # 539268C

ARROZ CON  
POLLO  
FLORIDA

\$5

Ningún cargo de servicio mensual se aplicará. Esta tarjeta tiene 3 minutos de redondeo. Esta tarjeta no tiene ningún valor en efectivo y no es reembolsable. No valide su tarjeta si la cobertura está abierta o el Pin está visible. Para fecha de vencimiento: presione \*1

www.9278.com



Spanish # Marque: 1-866-692-1411 English # Dial: 1-866-692-1409

Pin # **95674302 345574** \$5

- 2. Marque su código secreto y oprima #
- 3. Para llamar en USA, Canada o el Caribe marque: código de área - número de teléfono
- 4. Para llamar a cualquier otro país marque: 011 - código del país - código de la ciudad - número de teléfono.
- 2. Enter your PIN number and press #
- 3. For domestic calls in the USA, Canada and the Caribbean dial: area code - telephone number.
- 4. If calling to any other country dial: 011 - country code - city code - phone number. To make another call, press #

El número de acceso gratuito esta disponible solamente para Florida.  
Servicio al cliente / Customer Service: 1-800-638-6666 Servicio provided by NTE Communications

po307/AIS-E03 95-664553





ORIGINAL

RECEIVED FPSC

03 AUG 19 AM 10:47

COMMISSION  
CLERK

August 14, 2003

**By Fax and FedEx**  
Ms. Blanca S. Bayo  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: 9278 Communications, Inc. Docket No. 030696-TI  
August 19 Conference, Agenda Item 9

Dear Ms. Bayo:

This letter is in furtherance of a telephone conversation I had today with Dale R. Buys regarding the above-referenced matter. I received notification of the proposed action by the Public Service Commission yesterday afternoon from a third party who came across the Memorandum identifying the pending docket item in connection with an unrelated matter. I had a brief conversation with Mr. Buys this afternoon during which I attempted to clarify some of the factual items set forth in the Memorandum, but I did not have an opportunity to review all of the issues addressed, nor to investigate the factual background in order to have a complete and thorough substantive conversation with Mr. Buys, although I believe I clarified some items for him and I hope I conveyed my willingness and intention to promptly and fully address each issue raised in the Memorandum.

I recently joined 9278 Communications as General Counsel to expand the management team to address all corporate and regulatory issues. Unfortunately, perhaps as a result of the lack of a predecessor, some communications, such as those identified in the Memorandum, may have been misplaced or misdirected. I am undertaking to compile a complete file. In addition, 9278 Communications and its affiliates have outside telecommunications counsel which I understand has filed, on a nationwide basis, filings necessary for compliance with state and federal requirements. I have undertaken to obtain a report of these filings vis-à-vis Florida with respect to those filed and those in progress.

On behalf of 9278 Communications and its affiliates, I respectfully request a deferral of Agenda Item 9 on the August 19, 2003 Conference Agenda (Docket 030696-TI) in order to permit me to fully investigate the facts and circumstances and to prepare a complete and accurate report and response to the Commission. 9278 Communications intends to cooperate with the Commission to ensure that all items set forth in the

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

original to  
Hong -

DOCUMENT NUMBER - DATE  
07649 AUG 19 03  
FPSC-COMMISSION CLERK

DOCKET NO. 030696-TI

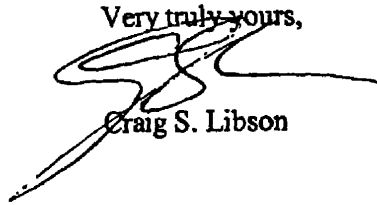
DATE: December 4, 2003

Attachment H

Memorandum are adequately addressed to the Commission's satisfaction and that operations going forward are similarly in compliance.

Please feel free to call me with any questions you may have with respect to foregoing.

Very truly yours,

A handwritten signature in black ink, appearing to be 'C. Libson', written over the typed name.

Craig S. Libson



**Dale Buys**

---

**From:** Craig [craig@9278.com]  
**Sent:** Wednesday, September 24, 2003 11:30 AM  
**To:** 'Dale Buys'; 'Jason Rojas'  
**Subject:** 9278 Communications

Gentlemen:

As I discussed with Jason, it is my belief that 9278 Communications is not a "provider of prepaid calling services" as contemplated by Part XVI of the Florida PSC Rules and is not required to register or file tariffs under such rules. As I indicated in our conversation, such services are provided by third party telecommunications carriers and the cards are distributed by 9278 Communications. Apparently, a small percentage of cards distributed by 9278 Communications erroneously indicated that 9278 Communications was the service provider, rather than identifying the carrier. We have undertaken steps to correct those errors and to ensure that accurate disclosure of the carrier is made on all future cards distributed by 9278 Communications.

With respect to cards distributed in Florida, 9278 Communications currently distributes 38 varieties of cards. Of these, six had the erroneous disclosure of 9278 as the service provider. These 38 cards utilize telecommunications services provided by five separate carriers, namely MCI, Sakon, Primus Telecommunications, Orbitel Telecommunications Group, and IBGH Communications.

9278 Communications Inc. is a Delaware corporation with subsidiary corporations in a variety of states which distribute cards within their state of incorporation. In Florida, 9278 Distributors Florida, Inc., a Florida corporation, distributes all cards bearing the 9278 Communications logo (including 9278.com). Because certain brand names sold in Florida are also used in other states (e.g., Go Florida is marketed in Florida, whereas Go New York is marketed in New York through another subsidiary), the card indicates the name 9278 Communications as the distributor for consistency sake, rather than the specific local subsidiary.

IBGH Communications LLC, one of the carriers, is owned in part by the stockholder of 9278 Communications. There is no parent-subsidiary relationship between the companies, nor is their financial information consolidated or reported together in any way. The companies operate separately, although due to the overlap in ownership, management of 9278 takes an active role in consulting with IBGH management as to strategic decisions at IBGH and 9278 provides personnel support from time to time. To help establish IBGH's facilities, 9278 provided certain loans to IBGH in exchange for preferential use of IBGH's telecommunications platform. It is my understanding that IBGH is in the process of filing its registration materials with the State of Florida (which should be completed with the next 7-10 days), and that the Florida PSC has sent IBGH notice of a proposed action. IBGH will be responding separately to that.

In light of the foregoing, it is my understanding and belief that registration is not required of 9278 Communications. I am responding, as agreed, to the other issues we discussed in our formal settlement proposal, and would like to include an appropriate response to the registration issue in line with this conclusion. Please call me at your convenience to discuss your opinion on this.

Thanks

Craig S. Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461  
tel: (718) 887-9278 x103  
fax: (718) 887-2035

DOCKET NO. 030696-TI

DATE: December 4, 2003

STATE OF FLORIDA

Attachment J

COMMISSIONERS:

LILA A. JABER, CHAIRMAN

J. TERRY DEASON

BRAULIO L. BAEZ

RUDOLPH "RUDY" BRADLEY

CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT

BETH W. SALAK

DIRECTOR

(850) 413-6600

## Public Service Commission

September 29, 2003

**Via U.S. Mail and Facsimile:**

**(718) 887-2035**

Mr. Craig Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461

**Re: Docket No. 030696-TI**

Dear Mr. Libson:

Upon review of the letter you sent via email on September 24, 2003 (copy enclosed), staff has additional questions regarding the telecommunications services utilized by 9278 Communications, Inc. (9278) for its prepaid calling cards. To help staff better understand the issues cited in your letter, please provide the following:

1. The mailing address, physical address, telephone number, and name of the contact person for IBGH Communications, LLC (IBGH).
2. A copy of the promissory note executed between 9278 and IBGH in which 9278 provided funds to IBGH in return for use of IBGH's network facilities.
3. A copy of any contract, agreement, or other similar documentation that delineates, lists, or addresses the carrier services or PIN accounts 9278 purchases from IBGH.
4. A detailed explanation of the extent of 9278's participation in the creation and establishment of the prepaid calling card platform used by IBGH to provide carrier services to 9278. Explain which company, 9278 or IBGH, sets the rates, surcharges, and other fees for the Arroz Con Pollo prepaid phone card.
5. Which company pays the Federal Excise Tax on the services provided for the Arroz Con Pollo prepaid phone card; 9278 or IBGH?

Please provide staff with the requested information by **October 6, 2003**. Please note that you may request confidential treatment for any information provided.

- 34 -

DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment J

Mr. Craig Libson  
Page 2  
September 29, 2003

Should you have any questions regarding this request please call me.

Sincerely,

A handwritten signature in black ink that reads "Dale R Buys". The signature is written in a cursive style with a large, prominent "D" at the beginning.

Dale R. Buys  
Regulatory Analyst  
Bureau of Service Quality

Voice: (850) 413-6536  
Fax: (850) 413-6537  
Email: [dbuys@psc.state.fl.us](mailto:dbuys@psc.state.fl.us)

Enclosure (1)

## Dale Buys

---

**From:** Craig [craig@9278.com]  
**Sent:** Wednesday, September 24, 2003 11:30 AM  
**To:** 'Dale Buys'; 'Jason Rojas'  
**Subject:** 9278 Communications

gentlemen:

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Thanks

Craig S. Libson  
9278 Communications, Inc.  
142 Williamsbridge Road  
Bronx, NY 10461  
Tel: (718) 887-9278 x103  
Fax: (718) 887-2035

DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment K

**Dale Buys**

---

**From:** Craig [Craig@9278.com]  
**Sent:** Friday, October 03, 2003 3:14 PM  
**To:** Craig; Dale Buys; Jason Rojas  
**Cc:** vish@ibgh.net  
**Subject:** RE: 9278 Communications

Dale-

I was out of town since Tuesday and received your fax when I arrived back in the office this morning. I will be able to compile and send you the documents and information you requested. However, Vish Trichur, President of IBGH Communications, is not available. I also understand IBGH has retained counsel to ensure its compliance with state and federal regulations and I would want to coordinate with that counsel as well. As such, I will be unable to provide you the information and documentation on the timeframe you requested. I hope that if I am able to get he requested documents and information to you by next Friday it will be acceptable. Please confirm that for me.

Thanks

Craig

Craig S. Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461  
tel: (718) 887-9278 x103  
fax: (718) 887-2035

-----Original Message-----

**From:** Craig [mailto:craig@9278.com]  
**Sent:** Wednesday, September 24, 2003 11:30 AM  
**To:** 'Dale Buys'; 'Jason Rojas'  
**Subject:** 9278 Communications

Gentlemen:

As I discussed with Jason, it is my belief that 9278 Communications is not a "provider of prepaid calling services" as contemplated by Part XVI of the Florida PSC Rules and is not required to register or file tariffs under such rules. As I indicated in our conversation, such services are provided by third party telecommunications carriers and the cards are distributed by 9278 Communications. Apparently, a small percentage of cards distributed by 9278 Communications erroneously indicated that 9278 Communications was the service provider, rather than identifying the carrier. We have undertaken steps to correct those errors and to ensure that accurate disclosure of the carrier is made on all future cards distributed by 9278 Communications.

With respect to cards distributed in Florida, 9278 Communications currently distributes 38 varieties of cards. Of these, six had the erroneous disclosure of 9278 as the service provider. These 38 cards utilize telecommunications services provided by five separate carriers, namely MCI, Sakon, Primus Telecommunications, Orbitel Telecommunications Group, and IBGH Communications.

9278 Communications Inc. is a Delaware corporation with subsidiary corporations in a variety of states which distribute cards within their state of incorporation. In Florida, 9278 Distributors Florida, Inc., a Florida corporation, distributes all cards bearing the 9278 Communications logo (including 9278.com). Because certain brand names sold in Florida are also used in other states (e.g., Go Florida is marketed in

DOCKET NO. 030696-TI

Attachment K

DATE: December 4, 2003

Florida, whereas Go New York is marketed in New York through another subsidiary), the card indicates the name 9278 Communications as the distributor for consistency sake, rather than the specific local subsidiary.

IBGH Communications LLC, one of the carriers, is owned in part by the stockholder of 9278 Communications. There is no parent-subsiary relationship between the companies, nor is their financial information consolidated or reported together in any way. The companies operate separately, although due to the overlap in ownership, management of 9278 takes an active role in consulting with IBGH management as to strategic decisions at IBGH and 9278 provides personnel support from time to time. To help establish IBGH's facilities, 9278 provided certain loans to IBGH in exchange for preferential use of IBGH's telecommunications platform. It is my understanding that IBGH is in the process of filing its registration materials with the State of Florida (which should be completed with the next 7-10 days), and that the Florida PSC has sent IBGH notice of a proposed action. IBGH will be responding separately to that.

In light of the foregoing, it is my understanding and belief that registration is not required of 9278 Communications. I am responding, as agreed, to the other issues we discussed in our formal settlement proposal, and would like to include an appropriate response to the registration issue in line with this conclusion. Please call me at your convenience to discuss your opinion on this.

Thanks

Craig S. Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461  
tel: (718) 887-9278 x103  
fax: (718) 887-2035

DOCKET NO. 030696-TI

DATE: December 4, 2003 STATE OF FLORIDA

Attachment L

COMMISSIONERS:

LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

November 6, 2003

**Via U.S. Certified Mail and Facsimile:**

**(718) 887-2035**

Mr. Craig Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461

**Re: Docket No. 030696-TI**

Dear Mr. Libson:

Staff sent you a letter, dated September 29, 2003, requesting specific information regarding 9278 Communications, Inc. (9278) and IBGH Communications, LLC (IBGH). In your email of October 3, 2003, you indicated that staff would receive the requested documents and information by October 10, 2003. In addition, on October 15, 2003, staff sent you a facsimile of the consumer complaint from Mr. Julio Tupac, Request No. 554677T. A reply to Mr. Tupac's complaint was due on November 5, 2003. I have enclosed copies of the letter, emails, and consumer complaint for your convenience. As of the date of this letter, staff has not received a reply to staff's letter or the consumer complaint.

Further, your email dated September 4, 2003, states that you do not believe 9278 is providing prepaid calling services in Florida and is not required to register with the Commission and file a tariff. In an effort to settle this matter, 9278 should take the following actions by **November 21, 2003**:

1. Reply to and resolve Mr. Tupac's complaint, Request No. 554677T.
2. Provide staff with the information and documentation staff requested in its letter dated September 29, 2003.
3. Submit an original letter on company letterhead explaining the reasons why 9278 believes it is not required to register and file a tariff. In the letter, please include the docket number and a statement that should 9278 provide prepaid calling services in Florida in the future, the company understands that it is required to first register with the Commission and file a tariff in accordance with Sections 364.02 and 364.04, Florida Statutes.

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DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment L

Mr. Craig Libson  
Page 2  
November 6, 2003

Please understand that the issues in Docket No. 030696-TI cannot be resolved until 9278 provides staff with the requested replies and information. Should you have any questions regarding this request please call me.

Sincerely,



Dale R. Buys  
Regulatory Analyst  
Bureau of Service Quality

Voice: (850) 413-6536  
Fax: (850) 413-6537  
Email: [dbuys@psc.state.fl.us](mailto:dbuys@psc.state.fl.us)

Enclosures (3):

1. Staff's letter dated September 29, 2003
2. Emails dated October 3, 2003, and September 24, 2003
3. Consumer complaint Request No. 554677T

cc: Office of the General Counsel (Rojas)

Ref: TMS 815



## Dale Buys

---

**From:** Craig [Craig@9278.com]  
**Sent:** Friday, October 03, 2003 3:14 PM  
**To:** Craig; Dale Buys; Jason Rojas  
**Cc:** vish@ibgh.net  
**Subject:** RE: 9278 Communications

Dale-

was out of town since Tuesday and received your fax when I arrived back in the office this morning. I will be able to compile and send you the documents and information you requested. However, Vish Trichur, President of 3GH Communications, is not available. I also understand IBGH has retained counsel to ensure its compliance with state and federal regulations and I would want to coordinate with that counsel as well. As such, I will be unable to provide you the information and documentation on the timeframe you requested. I hope that if I am able to get the requested documents and information to you by next Friday it will be acceptable. Please confirm that for me.

Thanks

Craig

Craig S. Libson  
9278 Communications, Inc.  
942 Williamsbridge Road  
Bronx, NY 10461  
Tel: (718) 887-9278 x103  
Fax: (718) 887-2035

-----Original Message-----

**From:** Craig [mailto:craig@9278.com]  
**Sent:** Wednesday, September 24, 2003 11:30 AM  
**To:** 'Dale Buys'; 'Jason Rojas'  
**Subject:** 9278 Communications

Gentlemen:

As I discussed with Jason, it is my belief that 9278 Communications is not a "provider of prepaid calling services" as contemplated by Part XVI of the Florida PSC Rules and is not required to register or file tariffs under such rules. As I indicated in our conversation, such services are provided by third party telecommunications carriers and the cards are distributed by 9278 Communications. Apparently, a small percentage of cards distributed by 9278 Communications erroneously indicated that 9278 Communications was the service provider, rather than identifying the carrier. We have undertaken steps to correct those errors and to ensure that accurate disclosure of the carrier is made on all future cards distributed by 9278 Communications.

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DOCKET NO. 030696-TI  
DATE: December 4, 2003

Page 2 of 2  
Attachment L

Florida, whereas Go New York is marketed in New York through another subsidiary), the card indicates the name 9278 Communications as the distributor for consistency sake, rather than the specific local subsidiary.

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In light of the foregoing, it is my understanding and belief that registration is not required of 9278 Communications. I am responding, as agreed, to the other issues we discussed in our formal settlement proposal, and would like to include an appropriate response to the registration issue in line with this conclusion. Please call me at your convenience to discuss your opinion on this.

Thanks

Craig S. Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461  
tel: (718) 887-9278 x103  
fax: (718) 887-2035

STATE OF FLORIDA

COMMISSIONERS:

LILA A. JABER, CHAIRMAN

J. TERRY DEASON

BRAULIO L. BAEZ

RUDOLPH "RUDY" BRADLEY

CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT

BETH W. SALAK

DIRECTOR

(850) 413-6600

# Public Service Commission

September 29, 2003

**Via U.S. Mail and Facsimile:**

**(718) 887-2035**

Mr. Craig Libson  
9278 Communications, Inc.  
1942 Williamsbridge Road  
Bronx, NY 10461

**Re: Docket No. 030696-TI**

Dear Mr. Libson:

Upon review of the letter you sent via email on September 24, 2003 (copy enclosed), staff has additional questions regarding the telecommunications services utilized by 9278 Communications, Inc. (9278) for its prepaid calling cards. To help staff better understand the issues cited in your letter, please provide the following:

1. The mailing address, physical address, telephone number, and name of the contact person for IBGH Communications, LLC (IBGH).
2. A copy of the promissory note executed between 9278 and IBGH in which 9278 provided funds to IBGH in return for use of IBGH's network facilities.
3. A copy of any contract, agreement, or other similar documentation that delineates, lists, or addresses the carrier services or PIN accounts 9278 purchases from IBGH.
4. A detailed explanation of the extent of 9278's participation in the creation and establishment of the prepaid calling card platform used by IBGH to provide carrier services to 9278. Explain which company, 9278 or IBGH, sets the rates, surcharges, and other fees for the Arroz Con Pollo prepaid phone card.
5. Which company pays the Federal Excise Tax on the services provided for the Arroz Con Pollo prepaid phone card; 9278 or IBGH?

Please provide staff with the requested information by **October 6, 2003**. Please note that you may request confidential treatment for any information provided.

- 43 -

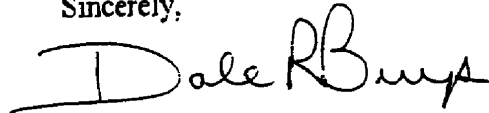
DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment L

Mr. Craig Libson  
Page 2  
September 29, 2003

Should you have any questions regarding this request please call me.

Sincerely,

A handwritten signature in black ink that reads "Dale R. Buys". The signature is written in a cursive style with a large, prominent "D" at the beginning.

Dale R. Buys  
Regulatory Analyst  
Bureau of Service Quality

Voice: (850) 413-6536  
Fax: (850) 413-6537  
Email: [dbuys@psc.state.fl.us](mailto:dbuys@psc.state.fl.us)

Enclosure (1)

## Dale Buys

---

**From:** Craig [craig@9278.com]  
**Sent:** Wednesday, September 24, 2003 11:30 AM  
**To:** 'Dale Buys'; 'Jason Rojas'  
**Subject:** 9278 Communications

Gentlemen:

I discussed with Jason, it is my belief that 9278 Communications is not a "provider of prepaid calling services" contemplated by Part XVI of the Florida PSC Rules and is not required to register or file tariffs under such rules. As I indicated in our conversation, such services are provided by third party telecommunications carriers and the cards are distributed by 9278 Communications. Apparently, a small percentage of cards distributed by 9278 Communications erroneously indicated that 9278 Communications was the service provider, rather than identifying the carrier. We have undertaken steps to correct those errors and to ensure that accurate disclosure of the carrier is made on all future cards distributed by 9278 Communications.

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In light of the foregoing, it is my understanding and belief that registration is not required of 9278 Communications. I am responding, as agreed, to the other issues we discussed in our formal settlement proposal, and would like to include an appropriate response to the registration issue in line with this conclusion. Please call me at your convenience to discuss your opinion on this.

Thanks

Craig S. Libson  
9278 Communications, Inc.  
42 Williamsbridge Road  
Bronx, NY 10461  
Tel: (718) 887-9278 x105  
Tel: (718) 887-2035

October 15 2003, 09:52 AM

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

TO:

Mr. Craig Libson  
9278 Communications, Inc.

(718) 887-2035

FROM:

Dale R. Buys  
Division of Competitive Services

Voice: (850) 413-6536

Fax: (850) 413-6537

RE:

FL PSC Consumer Complaint  
Request No. 554677T, Julio Tupac

Notes:

Mr. Libson,

Mr. Tupac is not satisfied with 9278's resolution to his complaint. According to Mr. Tupac, the phone card he received had a value of \$1. He has 13 phone cards from 9278 that he claims did not give him their full advertised value. I have included a copy of his updated complaint and the phone cards. Please contact Mr. Tupac and work out a resolution to his complaint. Please provide me with a written report by **November 5, 2003**, that denotes the actions taken by 9278 to resolve Mr. Tupac's complaint.

Sincerely,

Dale R. Buys  
Bureau of Service Quality

DOCKET NO. 030696-TI  
DATE: December 4, 2003

**Consumer Information**

Name: JULIO TUPAC  
Business Name:  
Address: 825 BRICKELL BAY DRIVE  
APT. 1150  
City: Dade Phone: (305)-375-9129  
City/Zip: Miami / 33131-  
Account Number:  
Member's Name: JULIO TUPAC  
Billing Address: 825 BRICKELL BAY DRIVE  
APT. 1150  
City/Zip: MI 47 , FL 33131-  
Phone: (305)-375-9129  
Tracking Number:

**Florida Public Service  
Commission - Consumer Request  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
850-413-6100**

**PSC Information**

Assigned To: DALE BUYS  
Entered By: DKF  
Date: 09/04/2003  
Time: 09:11  
Via: MAIL  
Prelim Type: PREPAID CALLING  
PO:  
Disputed Amt: 0.00  
Supmntl Rpt Req'd: / /  
Certified Letter Sent: / /  
Certified Letter Rec'd: / /  
Closed by:  
Date: / /  
Closeout Type:  
Apparent Rule Violation: N

**Utility Information**

Company Code: NA  
Company: 9278.COM  
Attn.  
Response Needed From Company? Y  
Date Due: 09/26/2003  
Fax: R  
Interim Report Received: / /  
Reply Received: / /  
Reply Received Timely/Late:  
Informal Conf.: N

Please review the attached correspondence in which the customer reports the following:

Customer reports that he bought multiple \$5.00 and \$10.00 prepaid calling cards and experienced insufficient minutes on each of the cards.

Please investigate this issue, contact the customer and provide the Commission with a detailed written report that addresses the issues in the correspondence, and confirms the customer has been contacted either by letter or phone.

**PLEASE NOTE\*\*** The information on this form is only a summary of the customer's concerns. Additional information, important to this matter, may be contained in the correspondence.

Inquiry taken by Diana Falise\*\*

Case No. 554677T Name TUPAC ,JULIO Business Name \_\_\_\_\_

Attachment I

FACT NUMBERS:

FAX: 850/413-7168  
Email:pscreply@psc.state.fl.us

04/2003 Cannot locate 9278 in the Master Commission Directory. Requesting complaint be forwarded to CMP for filing. ACalhoun

7/2003 Case reassigned to the Division of Competitive Markets and Enforcement. P.Lowery

10/2003: Staff faxed a copy of the complaint to Mr. Craig Libson at 9278 Communicaitons, Inc. requesting the company investigate the complaint and provide staff with a written response no later than September 2003. Staff requested that the report include a call detail summary of the phone cards in the complaint and the company's proposed resolution. drbuys

11/16/2003: The customer sent in additional correspondence and phone cards. Staff telephoned the customer and informed him that Dale Buys (CMP) was assigned to the case. Staff discussed the complaint briefly but the customer had to attend a meeting and will call staff tomorrow. drbuys

11/29/2003: Staff received a letter from 9278 Communications, dated September 24, 2003, indicating that the company sent Mr. Tupac a \$5.00 prepaid phone card as a replacement. drbuys

12/07/2003. Staff called Mr. Tupac who stated that he was not satisfied with the company's resolution to his complaint. First, the card that the company sent, ABC Florida Phone Card, only had \$1.00 value on it. Second, he has 15 cards from 9278 that did not give him the full advertised value. Mr. Tupac is sending the cards to staff via mail. Staff will contact 9278 with the new information when the cards arrive. drbuys.

12/15/2003: Fax sent to 9278, including a copy of the complaint and phone cards. Staff requested that 9278 contact Mr. Tupac and work out a resolution to his complaint, then provide staff with a written report stating the actions taken by 9278 to resolve Mr. Tupac's complaint. The report is due by November 5, 2003. drbuys





TO PLACE A CALL FROM ANY TOUCH TONE PHONE  
1 Dial 1-866-692-1409      1. Marque: 1-866-692-1411  
2 Enter PIN number as prompt      2. Introduzca su número de tarjeta

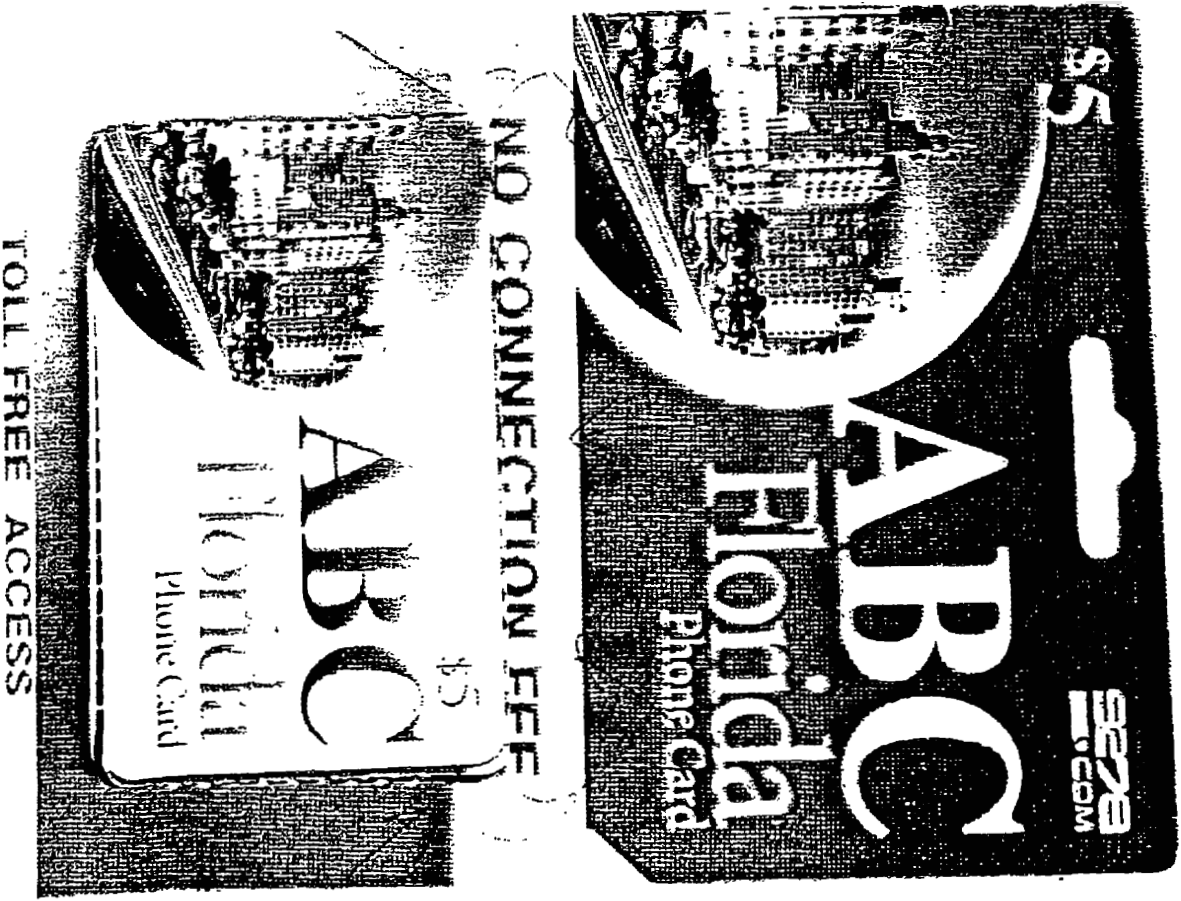
PIN #                                      9805 6564 1944                                      \$5

FOR DOMESTIC CALLS Dial 1 - 866-692-1409      1. Marque: 1-866-692-1411  
INTERNATIONAL CALLS Dial 1 - 866-692-1409      1. Marque: 1-866-692-1411  
PARA LAS ESTADOS UNIDOS Y CANADA Marque: 1-866-692-1409      1. Marque: 1-866-692-1411  
PARA LAS LLAMADAS INTERNACIONALES Marque: 1-866-692-1409      1. Marque: 1-866-692-1411

Customer Service / Servicio al cliente: 1-866-836-5646

12-663417

© 2003 American Telephone and Telegraph Company. All rights reserved. This card may be used for domestic calls only. For international calls, please refer to the instructions on the back of the card. The card may be used for international calls only if the card is used in conjunction with a valid international calling plan. For more information, please contact your telephone service provider.



ABC  
Florida  
Phone Card

\$5

**TERMS & CONDITIONS:** Maximum minutes quoted based on one call per card. Card may not be used to place 500, 700, 800, 800, 877, 888, 910 or 970 number calls, or to place certain operator assisted, third party billed, or collect calls. International rates vary and are subject to change. Rates are in US dollars. Cost for calls made from international locations are higher than calls made from the USA. Higher rates may be imposed for calls completed to international wireless receivers or Special Service Country/City codes. Cards are not refundable or exchangeable and have no surrender value. 9278 Distribution does not make any warranty, expressed or implied, regarding the condition(s) or fitness of the services offered for any particular use or purpose. The liability of 9278 Distribution shall be limited to an amount equal to the charge for such service(s). **IN NO EVENT WILL 9278 DISTRIBUTION, EMPLOYEES OR AGENTS BE LIABLE FOR ANY PUNITIVE, SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES YOU ACCEPT THESE TERMS AND CONDITIONS BY USING THIS CARD. If 9278 Distribution's reasonably suspects fraudulent use of this card, it may be suspended or terminated without further notice.**

Telecommunications services provided by 9278 Communications. This card bills at three minute intervals on every call. Federal, state and local taxes may apply. US payphone surcharge will apply. 9278 Distribution is not responsible for lost or stolen cards. Safeguard your Prepaid Phone Card and PIN number against loss, theft and unauthorized use. Consumers who are unable to resolve complaints with 9278 Distribution have the right to contact the regulatory agency in the state where a phone card was purchased.

Do not accept if PIN is visible.

**TOLL FREE ACCESS IS LIMITED TO FLORIDA**





DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment L

1-866-617-1889 1-866-617-1890

6390 2510 509

\$5

DOMESTIC CALLS... INTERNATIONAL CALLS...  
SE7E  
COM

00307/AIS-D03 128-04750



PHONECARD  
MIAMI TOLL FREE ACCESS

ENGLISH ESPAÑOL

1-866-617-1889 1-866-617-1890

1860 6560 4739

\$5

DOMESTIC CALLS... INTERNATIONAL CALLS...  
SE7E  
COM

00307/AIS-D03 128-04747



PHONECARD  
MIAMI TOLL FREE ACCESS

ENGLISH ESPAÑOL

1-866-617-1889 1-866-617-1890

9387 6914 6612

\$5

DOMESTIC CALLS... INTERNATIONAL CALLS...  
SE7E  
COM

00307/AIS-D03 128-04746



PHONECARD  
MIAMI TOLL FREE ACCESS

ENGLISH ESPAÑOL

1-866-617-1889 1-866-617-1890

8545 5372 9675

\$5

DOMESTIC CALLS... INTERNATIONAL CALLS...  
SE7E  
COM

00307/AIS-D03 128-04746

- 52



PHONECARD  
MIAMI TOLL FREE ACCESS

DOCKET NO. 030696-TI  
DATE: December 4, 2003

Attachment L

1-866-617-1889

1-866-617-1890

2891 5867 4437

SE



PHONECARD  
MIAMI

TOLL FREE ACCESS

03007/AIS-D03

128-04745



ESPAÑOL

1-866-617-1889

1-866-617-1890

7554 8503 5112

S5

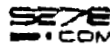


PHONECARD  
MIAMI

TOLL FREE ACCESS

03007/AIS-D03

128-04745



ESPAÑOL

1-866-617-1889

1-866-617-1890

5089 4345 6222

006 S5  
1707

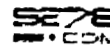


PHONECARD  
MIAMI

TOLL FREE ACCESS

03007/AIS-D03

128-04745



ESPAÑOL

1-866-617-1889

1-866-617-1890

1488 2223 2859

SE

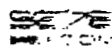


PHONECARD  
MIAMI

TOLL FREE ACCESS

03007/AIS-D03

128-04745



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul> <p>Mr. Criag Libson 9278 Communications, Inc. 1942 Williamsbridge Road Bronx, New York 10461      </p>	A. Received by (Please Print Clearly)	B. Date of Delivery
	C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
	D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

7002 0860 0001 1755 1052

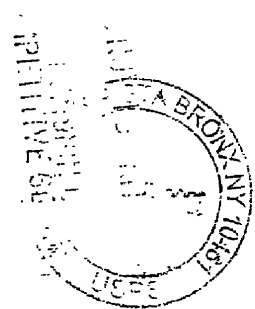

PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

Mr. Dale Buys  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850



01 |||||