

State of Florida



# ORIGINAL Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD 09  
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-PPSC  
FEB 19 11 4 09

**-M-E-M-O-R-A-N-D-U-M-** COMMISSION CLERK

**DATE:** February 19, 2004

**TO:** Blanca S. Bayó, Commission Clerk and Administrative Services Director

**FROM:** Paula J. Isler, Research Assistant, Division of Competitive Markets & Enforcement *PJ*

**RE:** Docket No. 030629-TX - Delta Phones, Inc.

The Division of Consumer Affairs notified staff that Delta Phones, Inc. has two outstanding complaints to which the company has not responded after numerous attempts by Consumer Affairs staff. Copies of the complaints are attached and should be documented in CMS. Based on this information, please change the docket title to the following:

Cancellation by Florida Public Service Commission of CLEC Certificate No. 7770 issued to Delta Phones, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and compliance investigation for apparent violation of Rule 25-22.032(5)(a), F.A.C., Customer Complaints.

Let me know if you have any questions.

cc: Office of the General Counsel (McKay)

Attachments

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

DOCUMENT NUMBER-DATE

02434 FEB 19 09

FPSC-COMMISSION CLERK

<p><b>Consumer Information</b></p> <p>Name: WILLIAM STAZENSKI</p> <p>Business Name:</p> <p>Svc Address: 8048 MCGLOTHLIN STREET</p>	<p><b>Florida Public Service</b>  <b>Commission - Consumer Request</b>  <b>2540 Shumard Oak Boulevard</b>  <b>Tallahassee, Florida 32399</b>  <b>850-413-6100</b></p>	<p><b>PSC Information</b></p> <p>Assigned To: CMP</p> <p>Entered By: XMK</p> <p>Date: 10/07/2003</p> <p>Time: 12:27</p>
<p>County: Duval Phone: (904)-317-3230</p> <p>City/Zip: Jacksonville / 32210-</p> <p>Account Number: 9043173230</p> <p>Caller's Name: WILLIAM STAZENSKI</p> <p>Mailing Address: 8048 MCGLOTHLIN STREET</p>	<p><b>Utility Information</b></p> <p>Company Code: TX534</p> <p>Company: DELTA PHONES, INC.</p> <p>Attn. Vince Gomez561328T</p> <p>Response Needed From Company? Y</p> <p>Date Due: 11/05/2003</p> <p>Fax: 61,630-955-0059 R</p>	<p>Via: PHONE</p> <p>Prelim Type: IMPROPER</p> <p>PO:</p> <p>Disputed Amt: 0.00</p>
<p>City/Zip: JACKSONVILLE ,FL 32210-</p> <p>Can Be Reached: (904)-629-3961</p> <p>E-Tracking Number:</p>	<p>Interim Report Received: / /</p> <p>Reply Received: / /</p> <p>Reply Received Timely/Late:</p> <p>Informal Conf.: N</p>	<p>Supmntl Rpt Req'd: / /</p> <p>Certified Letter Sent: / /</p> <p>Certified Letter Rec'd:01/23/20</p> <p>Closed by:</p> <p>Date: / /</p> <p>Closeout Type:</p> <p>Apparent Rule Violation: N</p>

Preclose type - Improper Disconnect

Are you currently without service? Yes

When was the service disconnected? 10/03/03

Did you receive a disconnect notice? If so, what was the date of disconnection on the notice? No

Other Comments: Customer states that his service was disconnected by Delta Phones despite his bill being paid in full on 09/11. Customer has receipt for when he paid in cash at A+ All Florida Inc (904) 779-7477. Customer will like his phone reconnected as soon as possible. Customer never received any notice from the company to inform him that his service was going to be disconnected.

ORIGINAL

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\_XKerr

Send Response to

Fax number 850-413-7168

E-mail : PSCREPLY@PSC.STATE.FL.US

10/15/2003 Company states they did not receive his case. Due date adjusted and case resent by e-mail. P.Lowery

12/8/03 ATTN COMPANY: YOUR RESPONSE IS SEVERELY PAST DUE, PLEASE RESPOND BY 12/11/03. SHONNA MCCRAY

12/10/03 Telephoned Delta Phones, Inc., Mr. Ron Gordon and left message for him to call regarding the past due response on Mr. William Stazenski. PRoberts

12/12/03 Attempt to call Mr. Ron Gordon again today and was unable to get through to him. So, I fax case to Ms. Rhonda Walters asking her to please email me or fax me the past due response this afternoon or no later than Monday. PRoberts

12/15/2003 Past due report sent to company. P.Lowery

1/14/2004 Certified letter from the PSC General Counsel mailed to company. P.Lowery

1/23/2004 Signed green card received. P.Lowery

2/5/2004 Case reassigned to the Division of Competitive Markets and Enforcement. P.Lowery

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Request No. 561328T Name STAZENSKI ,WILLIAM MR. Business Name \_\_\_\_\_

PAGE NO: 2

ORIGINAL

**Paul Lowery**

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**From:** Paul Lowery  
**Sent:** Thursday, February 05, 2004 3:26 PM  
**To:** Paul Lowery

THIS CASE HAS BEEN REASSIGNED CASE NO.: 561328T FROM CAF

ORIGINAL

STATE OF FLORIDA

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



OFFICE OF THE GENERAL COUNSEL  
RICHARD D. MELSON  
GENERAL COUNSEL  
(850) 413-6199

# Public Service Commission

January 14, 2004

**Return Receipt Requested**

Mr. Ruben Ortiz  
Delta Phones, Inc.  
M&T Capital Group, LLC  
1245 East Diehl Road, Suite 300  
Naperville, Illinois 60563-4816

**Re: Past Due Company Response to Consumer Complaints**

Dear Mr. Ortiz:

The Florida Public Service Commission's Division of Consumer Affairs (CAF) has informed my office that Delta Phones, Inc. has not responded to the Commission regarding a specific consumer complaint. Despite numerous attempts by CAF to obtain a reply to the complaint, our records show that a company response has not been received to date.

The Commission intends to see that disputes between regulated companies and their customers be resolved as quickly, effectively, and inexpensively as possible. According to PSC Rule 25-22.012(5)(a):

" . . . a Commission staff member will investigate the complaint and attempt to resolve the dispute in the following manner: The staff member will notify the company of the complaint and request a response. The company shall provide its response to the complaint within fifteen (15) working days. The response shall explain the company's actions in the disputed matter and the extent to which those actions were consistent with applicable statutes and regulations. The response shall also describe all attempts to resolve the customer's complaint."

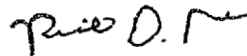
I have enclosed a copy of the original complaint form for which we have no response. If the Commission has not received a response within ten (10) business days of the date of this letter, Delta Phones, Inc. is potentially at risk of being fined and/or having its certificate revoked. Please respond via fax to (850) 413-7168, or e-mail the response to [PSCREPLY@psc.state.fl.us](mailto:PSCREPLY@psc.state.fl.us).

INDICIA I

Ruben Ortiz  
Page 2  
January 14, 2004

If you have any questions or need assistance, please contact Bev DeMello, Director of Consumer Affairs at (850) 413-6107 or by e-mail at [bdemello@psc.state.fl.us](mailto:bdemello@psc.state.fl.us), or Leroy Rasberry, Chief, Bureau of Complaint Resolution at (850) 413-6119, e-mail [lraser@psc.state.fl.us](mailto:lraser@psc.state.fl.us).

Sincerely,



Richard D. Melson  
General Counsel

RDM:bsd/jmb  
Enclosures

cc: Mary Andrews Bane, Executive Director  
Bev DeMello, Director, Consumer Affairs

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) _____ B. Date of Delivery <u>1/20/04</u></p> <p>C. Signature <u>X [Signature]</u> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Mr. Ruben Ortiz  Delta Phones, Inc.  M&amp;T Capital Group, LLC  1245 East Diehl Road, Suite 300  Naperville, Illinois 60563-4816</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center; font-weight: bold;">JAN 23 2004</p> <p>3. Service Type</p> <p><input checked="" 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>2. Article Number  (Transfer from service label)</p>	<p style="text-align: center; font-weight: bold;">7002 0860 0001 1757 9285</p>

ORIGINAL

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 •

Florida Public Service Commission  
Division of Consumer Affairs  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Atten: Paul Lowery



ORIGINAL



Request No. 561435T

Name MCCOY ,BARBARA MS.

Business Name

**Consumer Information**

Name: BARBARA MCCOY

Business Name:

Svc Address: 8633 NOROAD

County: Duval

Phone: (904)-317-8628

City/Zip: Jacksonville / 32210-

Account Number: 9043178628

Caller's Name: BARBARA MCCOY

Mailing Address: 8633 NOROAD

City/Zip: JACKSONVILLE ,FL 32210-

Can Be Reached: (904)-317-8628

E-Tracking Number:

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

**Utility Information**

Company Code: TX534

Company: DELTA PHONES, INC.

Attn. Vince Gomez561435T

Response Needed From Company? Y

Date Due: 11/05/2003

Fax: 61,630-955-0059

R

Interim Report Received: / /

Reply Received: / /

Reply Received Timely/Late:

Informal Conf.: N

**PSC Information**

Assigned To: CMP

Entered By: XMK

Date: 10/07/2003

Time: 16:03

Via: PHONE

Prelim Type: IMPROPER

PO:

Disputed Amt: 0.00

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd:01/23/20

Closed by:

Date: / /

Closeout Type:

Apparent Rule Violation: N

Preclose type - Improper Disconnect

Are you currently without service? Yes

When was the service disconnected? Friday October 3rd

Did you receive a disconnect notice? If so, what was the date of disconnection on the notice? No

Other Comments: Customer states Delta Phone disconnected her phone with no notification. Customer says this is the 2nd time her phone has been disconnected by Delta Phones with no reason or notice. Customer says she was advise by Delta that they are having some issue with Bellsouth. Customer needs to have a working phone as soon as possible. Customer is concern her child will be detained if she does not have a working phone at her home ASAP.

Request No. 561435T

Name MCCOY ,BARBARA MS.

Business Name

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\_XKerr  
Send Response to  
Fax number 850-413-7168  
E-mail : PSCREPLY@PSC.STATE.FL.US

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STATE OF FLORIDA

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J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL  
RICHARD D. MELSON  
GENERAL COUNSEL  
(850) 413-6199

Public Service Commission

January 14, 2004

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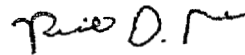
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Ruben Ortiz  
Page 2  
January 14, 2004

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Sincerely,



Richard D. Melson  
General Counsel

RDM:bsd/jmb  
Enclosures

cc: Mary Andrews Bane, Executive Director  
Bev DeMello, Director, Consumer Affairs

ORIGINAL

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Ruben Ortiz  
Delta Phones, Inc.  
M&T Capital Group, LLC  
1245 East Diehl Road, Suite 300  
Naperville, Illinois 60563-4816

2. Article Number  
(Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
1/20/04

C. Signature  
X *[Signature]*  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

JAN 23 2004

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7002 0860 0001 1757 9285

ORIGINAL

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 •

Florida Public Service Commission  
Division of Consumer Affairs  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Atten: Paul Lowery



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