

Date	November 16, 2004	Docket No.	041316 -TI
1. Division Name/Staff Name:		Division of Competitive Markets and Enforcement/Curry	
OPR:	Curry, CMP		
OCR:	GCO		
3. Suggested Docket Title:	Compliance Investigation of NEC Prepaid, Inc. for Apparent violation of Sections 364.02 and 364.04, Florida Statutes.		
5. Suggested Docket Mailing List (attach separate sheet if necessary)			
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
Mr. Issa Asad NEC Prepaid, Inc. 16550 NW 10 <sup>th</sup> Avenue Miami, Florida 33169			
2. Interested persons and their representatives (if any):			
6. Check one:			
<input checked="" type="checkbox"/>	Documentation is attached.		
<input type="checkbox"/>	Documentation will be provided with recommendation.		

DOCUMENT NUMBER-DATE

12231 NOV 16 04

STATE OF FLORIDA

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



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

Public Service Commission

October 13, 2004

Mr. Issa Asad  
NEC Prepaid, Inc.  
16550 NW 10th Avenue  
Miami, Florida 33169

Certified Mail

Dear Mr. Asad

The purpose of this letter is to provide NEC Prepaid, Inc. (NEC) another opportunity to comply with Sections 364.02 and 364.04, Florida Statutes (F.S.). In staff's later (Enclosure 1) dated September 21, 2004, staff informed you of NEC's requirement to provide the Commission with the company's contact information and file a tariff. The deadline for NEC to submit the requested information was October 11, 2004. To date, our records indicated that NEC has not provided the Commission with the company's contact information or filed a tariff.

Section 364.02(13)(g), F.S., requires each intrastate interexchange telecommunications company to provide the Commission with information to contact and communicate with the company. Please complete and submit the information requested on the enclosed IXC Registration form (Enclosure 2). Also, Section 364.04, F.S., requires that all telecommunications companies providing services within the state of Florida to file a tariff with the Commission. The tariff should include the rates, tolls, rentals, contracts, and charges of the company for the services to be performed within the state. A sample tariff and a tariff checklist are enclosed to assist you (Enclosure 3). Please submit the IXC Registration form and the tariff to the following address:

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

Mr. Issa Asad  
Page 2  
October 13, 2004

Please understand that if NEC fails to provide the Commission with the requested information it may be subject to a penalty as prescribed by Section 364.285, F.S., which states:

The commission shall have the power to impose upon any entity subject to its jurisdiction under this chapter which 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 this chapter a penalty for each offense of not more than \$25,000, which penalty shall be fixed, imposed, and collected by the commission; or the commission may, for any such violation, amend, suspend, or revoke any certificate issued by it. Each day that such refusal or violation continues constitutes a separate offense.

To avoid potential penalties, please submit the enclosed IXC Registration form and file a tariff with the Commission no later than **November 5, 2004**.

If you have any questions, you may contact me at (850) 413-6662.

Sincerely,




Kiwanis L. Curry  
Bureau of Service Quality

Enclosures (3)  
TMS #1683

**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. Issa Asad  
 NEC Prepaid, Inc.  
 16550 NW 10th Avenue  
 Miami, FL 33169

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *R. Harris* B. Date of Delivery *10/21/04*

C. Signature *R. Harris*  Agent  Addressee

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)  Yes

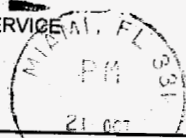
7002 0860 0001 1759 6633

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

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

  
 Ms. Kiwanis Curry  
 Florida Public Service Commission  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

OCT 20 09:12  
 MIAMI, FL 331

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
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DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

September 21, 2004

Mr. Issa Asad  
NEC Prepaid, Inc.  
16550 NW 10th Ave  
Miami, Florida 33169

Dear Mr. Asad:

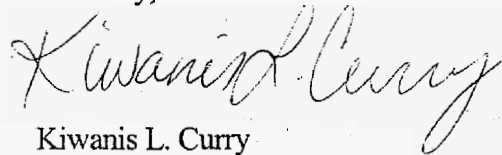
Staff has determined that NEC Prepaid, Inc. (NEC) is providing prepaid calling card services and has not provided the Commission with the company's contact information. Section 364.02 (13)(g), Florida Statutes (F.S.), requires each intrastate interexchange telecommunications company to provide the Commission with information to contact and communicate with the company. Please complete and submit the contact information requested on the enclosed IXC Registration form (Enclosure 1). Also, Section 364.04, F.S., requires that all telecommunications companies providing services within the state of Florida to file a tariff with the Commission. The tariff should include the rates, tolls, rentals, contracts, and charges of the company for the services to be performed within the state. A sample tariff and a tariff checklist are enclosed to assist you (Enclosure 2). Please submit the IXC Registration form and the tariff to the following address no later than **October 11, 2004**:

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

If you have any questions, you may contact me at (850) 413-6662.

Mr. Issa Asad  
Page 2  
September 20, 2004

Sincerely,

A handwritten signature in cursive script that reads "Kiwanis L. Curry". The signature is written in black ink on a light-colored background.

Kiwanis L. Curry  
Bureau of Service Quality

Enclosures (2)  
TMS #1620

September 17, 2004

From: Gandhi Phone Card, Inc.  
7220 NW 36<sup>th</sup> Street  
Suite # 305  
Miami, FL 33166

To: Florida Public Service  
Commission – Consumer Request  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
Attn: Kiwanis Curry

Ref: Request No. 615926T  
Mr. Michael Morgan  
Gandhi Communication / Lets Talk Talk Florida Phone Card

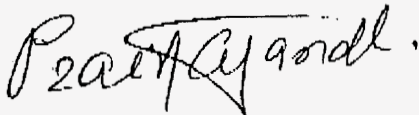
Ms. Curry,

We are in receipt of letter from your office regarding complaint filed by Mr. Michael Morgan. We have resolved this matter by sending apology letter to Mr. Morgan along with full refund. Please find enclosed letter sent to Mr. Morgan.

We are not a service provider rather a distributor of the phone cards. The service provider for our phone card is NEC Prepaid, located at 16550 NW 10<sup>th</sup> Ave., Miami, Florida, 33169.

If you have any questions or concerns, please feel free to contact me at above address. Thank you very much for all your help in this matter.

Sincerely,



Pravin Gandhi  
Customer Service Manager

September 17, 2004

From: Gandhi Phone Card, Inc.  
7220 NW 36<sup>th</sup> Street  
Suite # 305  
Miami, FL 33166

To: Michael Morgan  
551 NE 180<sup>th</sup> Drive  
Miami, FL 33162

Ref: Prepaid Phone Card  
Lets Talk Talk Florida

Dear Mr. Morgan,

I am concern about the problems you experienced with our phone card. I am writing to thank you for talking the time to bring this matter to my attention. The principal goal of our company is to provide dependable service to all of our customers at affordable price. Consequently, it's disappointing to learn that you're unhappy.

Please accept my sincere apology.

I want you to know that the comments and suggestions we received from our customers are taken seriously. They tell us what we're doing right, what we're doing wrong and how we can improve our service. Your willingness to share your recent experiences is genuinely appreciated.

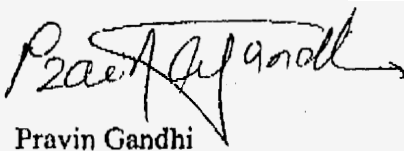
Please be assured that the issues you've raised have been addressed, and the appropriate action has been taken.

To assure your complete satisfaction, we have issued a refund for full purchase price of phone card, and also have enclosed two additional phone cards at no charge.

Again, I want to thank you for taking the time to share your concerns with us.

We look forward to serving your future communications needs.

Sincerely,



Pravin Gandhi  
Customer Service Manager



STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
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CHARLES M. DAVIDSON



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

## Public Service Commission

September 13, 2004

Mr. Previn Gandhi  
Gandhi Phone Card, Inc.  
2810 Mariah Drive  
Melbourne, Florida 32940

Dear Mr. Gandhi:

Recently the Florida Public Service Commission received a complaint (Enclosure 1) regarding the purchase of a prepaid calling card titled "Let's Talk Talk Florida." The complaint was filed by Mr. Michael Morgan. The network service provider listed on the card is Gandhi Communications. After receiving Mr. Morgan's complaint, staff contacted Gandhi Phone Card, Inc. and was informed that the company does provide service for the phone card. At this time, staff requests that you investigate the complaint, contact Mr. Morgan, and submit a written response to the complaint. The response should verify that Mr. Morgan was contacted and that his complaint has been resolved. You may fax your response to Mr. Morgan's complaint to me at (850) 413-6663 or you may respond by email to [kcurry@psc.state.fl.us](mailto:kcurry@psc.state.fl.us).

In addition, as I discussed with you during our telephone conversation, Gandhi Phone Card, Inc. has not provided the Commission with the company's contact information. Section 364.02(13)(g), Florida Statutes (F.S.), requires each intrastate interexchange telecommunications company to provide the Commission with information to contact and communicate with the company. Please complete and submit the contact information requested on the enclosed IXC Registration form (Enclosure 2). Also, Section 364.04, F.S., requires that all telecommunications companies providing services within the state of Florida file a tariff with the Commission. The tariff should include the rates, tolls, rentals, contracts, and charges of the company for the services to be performed within the state. A sample tariff and a tariff checklist are enclosed to assist you (Enclosure 3). Please submit the IXC Registration form and the tariff to the following address:

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Mr. Previn Gandhi  
Page 2  
September 13, 2004

In conclusion, the following information should be submitted by **October 4, 2004**:

- 1) A written response to Mr. Morgan's complaint verifying that he has been contacted and that his complaint has been resolved.
- 2) Completed IXC Registration form and tariff.

Sincerely,

A handwritten signature in black ink, appearing to read "Kiwanis L. Curry". The signature is written in a cursive style with a large initial "K".

Kiwanis L. Curry  
Bureau of Service Quality

Enclosures (3)

cc: Florida Department of Revenue

TMS #1611