

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of show cause ) DOCKET NO. 930260-TI  
proceedings against WILTEL, INC. ) ORDER NO. PSC-93-1461-FOF-TI  
for violation of Rule 25-4.118, ) ISSUED: October 7, 1993  
F.A.C., unauthorized primary )  
interexchange carrier (PIC) )  
changes. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

ORDER CLOSING DOCKET

BY THE COMMISSION:

WilTel, Inc. (WilTel or the Company) is a facilities based interexchange carrier. As a certificated provider of interexchange telephone service in Florida WilTel is subject to the rules of this Commission. Rule 25-4.118(1), Florida Administrative Code, provides in pertinent part that:

The primary interexchange company (PIC) of a customer shall not be changed without the customer's authorization.

Violation of this rule is commonly called "slamming." There have been 90 slamming complaints filed against WilTel since January 1, 1993.

Upon review, it appears that the unauthorized carrier changes are the result of reseller companies who initially submitted the PIC change requests to WilTel for processing without either: (1) receiving a legitimate request for a PIC change, or; (2) verifying the PIC change request in accordance with Rule 25-4.118(2). WilTel does not appear to have a marketing problem of its own. Consequently, we find that show cause proceedings against WilTel for violation of Rule 25-4.118 are not warranted.

Therefore, it is

ORDERED by the Florida Public Service Commission that this docket is hereby closed.

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By ORDER of the Florida Public Service Commission this 7th day  
of October, 1993.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.