

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Approval of refund of directory assistance overcharges by GTC, Inc. d/b/a GT Com.

DOCKET NO. 050195-TL  
ORDER NO. PSC-05-0919-PAA-TL  
ISSUED: September 19, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
LISA POLAK EDGAR

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING REFUND

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

From June 7, 2004, through June 30, 2004, our staff evaluated the service quality of GTC, Incorporated's (GT Com) operations. Part of the evaluation process includes testing Directory Assistance for correct telephone numbers and proper charges. Our staff discovered a billing problem that resulted in Directory Assistance calls being randomly overcharged. Some of our staff's test calls were charged \$0.95 instead of GT Com's tariff rate of \$0.45. All of the test calls were directed to the local Directory Assistance number of 411.

GT Com worked with its Directory Assistance provider, Sprint-Florida, Incorporated (Sprint), to resolve the problem. Our staff summarized and analyzed the initial billing data provided by GT Com and requested additional information. As a result, GT Com revised its data and determined that the subscribers were overcharged \$43,020.

Additionally, GT Com's investigation revealed that some Operator Assisted Directory Assistance calls were also overcharged during the same period. The total amount overcharged for Operator Assisted Directory Assistance calls was \$1,943.50. Subsequently, GT Com submitted a refund proposal for this Commission's approval to provide direct credits to the affected subscribers. Our staff determined that the total amount needed to be refunded is \$46,732.65 which includes calculated interest.

Our staff tested GT Com's Directory Assistance service by dialing 411. Upon reviewing the billing detail of the Directory Assistance test calls, our staff determined that some calls were

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charged a \$.95 rate and some were charged a \$.45 rate. GT Com's tariff lists the appropriate charge as \$.45. GT Com and Sprint identified the problem as a billing system programming error and corrected the program in February 2005. GT Com asserts that the problem began around February 2003, because Sprint made changes to its system during this time frame. GT Com and Sprint has since corrected the corrupted translation tables.

On March 22, 2005, GT Com provided a spreadsheet which listed each affected telephone number (by month) for the period of February 2004 through February 2005. On August 9, 2005, GT Com revised its report to reflect the period of February 2003 through February 2005.

GT Com's proposed refund plan provides an immediate refund, plus interest, to the affected subscribers. Upon consideration, we find GT Com's proposed refund plan to be an appropriate resolution to this matter. Therefore, we hereby approve GT Com's proposal to refund \$46,732.65 (\$45,036.05 plus \$1,696.60 interest) in overcharges through direct credits to the accounts of the affected subscribers.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that GTC, Incorporated's proposed refund of \$44,644.05 (\$43,020.00 plus \$1,624.05 interest) for direct dialed Directory Assistance and refund of \$2,016.05 (\$1,943.05 plus \$72.55 interest) for Operator Assisted Directory Assistance in accordance with Rule 25-4.114 (3), Florida Administrative Code, in overcharges through direct credits to the accounts of the affected subscribers is hereby approved. It is further

ORDERED that GTC, Incorporated shall submit a report within 60 days of the issuance of this Order to this Commission detailing, (1) the amount of money refunded to its customers, (2) the total number of customers that were refunded, and (3) the amount of money (including interest) due to those customers that cannot be located; and remit any amounts due to customers that cannot be located to this Commission for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that this Order shall become final and effective upon issuance of a Consummating Order if no person whose substantial interests are affected timely files a protest within twenty-one (21) days of issuance of this Order. It is further

ORDERED that this docket shall be closed upon receipt of GTC, Incorporated's detailed report.

By ORDER of the Florida Public Service Commission this 19th day of September, 2005.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

(SEAL)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 10, 2005.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.