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M E M O R A N D U M

January 8, 1998

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF LEGAL SERVICES (COX, BOWMAN) *WPC MCB for JB*
DIVISION OF COMMUNICATIONS (BIEGALSKI) *LB*
DIVISION OF CONSUMER AFFAIRS (DURBIN) *BIN*

RE: DOCKET NO. 971482-TI - INITIATION OF SHOW CAUSE
PROCEEDING AGAINST MINIMUM RATE PRICING, INC., FOR
VIOLATION OF RULE 25-4.118, FLORIDA ADMINISTRATIVE CODE,
INTEREXCHANGE CARRIER SELECTION

AGENDA: 01/20/98 - REGULAR AGENDA - INTERESTED PERSONS MAY
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\971482TI.RCM

CASE BACKGROUND

Minimum Rate Pricing, Inc. (MRP) was granted certificate number 4417 to provide intrastate interexchange telecommunications service on May 7, 1996.

Thereafter, from June 13, 1996, until December 17, 1997, the Commission's Division of Consumer Affairs staff closed a total of 47 consumer complaints against MRP as unauthorized carrier change (slamming) infractions in apparent violation of Rule 25-4.118, Florida Administrative Code. Other complaints have been received by the Division of Consumer Affairs and are pending a response from MRP.

On October 31, 1997, the Federal Communications Commission (FCC) issued a Notice of Apparent Liability for Forfeiture against MRP. The FCC found MRP apparently liable for a forfeiture in the amount of \$80,000 for apparent violations of Section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. (Attachment A, Pages 6-15)

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MRP utilized telemarketing with in house verification and welcome package as a method of obtaining new long distance customers. Customers complained that the telemarketing activities of MRP led them to believe they were signing up for a discount plan, not switching their long distance provider. In light of the numerous complaints received from consumers, and the allegations of misleading telemarketing, it is staff's opinion that MRP has violated Commission rules and has not established sufficient safeguards to protect consumers from unauthorized carrier changes. Therefore, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission order Minimum Rate Pricing, Inc. to show cause why it should not have Certificate Number 4417 canceled or be fined \$10,000 violation for a total of \$470,000 for failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

RECOMMENDATION: MRP's certificate number 4417 should not be canceled at this time. The Commission should order MRP to show cause in writing within 20 days of the effective date of the order why it should not be fined \$10,000 per violation for a total of \$470,000 for failure to comply with Rule 25-4.118, Florida Administrative Code. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the state General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. (Biegalski)

STAFF ANALYSIS: Staff believes that a fine is more appropriate than canceling certificate number 4417 at this time, because this is the first docketed show cause proceeding against this company. If the company can make corrections to its business practices, and comply with the rules, staff believes it should be allowed to continue to operate in the State of Florida.

Company responses indicate that MRP utilizes telemarketing with in house verification and welcome package before switching a customer's service. However, customers advised that the telemarketing activities led them to believe they were discussing a service discount program rather than switching their long distance carrier. Some customers have also indicated that they did

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not receive the company's welcome package which is a required verification procedure.

Rule 25-4.118(6)(b), Florida Administrative Code, requires in pertinent part:

(6) The IXC shall provide the following disclosures when soliciting a change in service from a customer:

(b) That the purpose of visit or call is to solicit a change of the PIC of the customer

The Commission's Division of Consumer Affairs received its first slamming complaint logged against MRP on June 13, 1996, approximately one month after the company received its certificate. Since that time, the Division of Consumer Affairs has closed a total of 47 complaints from consumers as unauthorized carrier change (slamming) infractions in apparent violation of Rule 25-4.118, Florida Administrative Code. MRP responded to some of the slamming complaints by stating that it received all the information needed to process the order.

Outlined below are several examples of consumer complaints against MRP:

On June 3, 1997, the Division of Consumer Affairs received a letter from Mr. Barry Wayne Beauford that his long distance service had been switched by MRP without authorization. The company's response indicated that a Mrs. Ada Beauford had authorized the change. MRP's Quality Assurance department reviewed the sales confirmation tape and responded that all the information needed to process the order was obtained. Staff with the Division of Communications reviewed the tape and discovered that Mrs. Ada Beauford informed the confirmation representative that she lives in Jupiter, Florida. Mr. Berry Wayne Beauford, whose service was switched, lives in Jacksonville, Florida. It is clear to staff that the telephone conversation had nothing to do with the number that was switched. Mr. Beauford states he never received the welcome package which contains the postcard for cancellation of service. (Attachment B, Pages 16-60)

On December 16, 1996, Mr. Ernest Jones contacted the Commission and stated his service was switched from AT&T without his authorization. MRP provided the Commission with a copy of the company's in house verification tape. Nowhere in this tape or any other MRP tape reviewed by staff did staff find a statement by MRP that the purpose of the call was to solicit a PIC change of the customer. On the tape Mrs. Debra Jones interrupts the verifier and asks, "this is not going to change any of my phone services?"

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Rather than give Mrs. Jones a direct answer the verifier answers the question by stating that Mrs. Jones will still be using the same local carrier. (Attachment C, Pages 61-71)

On February 13, 1997, Mr. David Wilson, contacted staff and expressed concern that he had received a call from a representative of MRP. The representative wanted to verify the customer's name and address and informed him that as a result of an FCC ruling, he would ensure the customer received the lowest rates possible. Mr. Wilson stated he was not informed his service would be switched until he asked. Although Mr. Wilson's service was not switched, he was alarmed by the deceptive telemarketing utilized by MRP. (Attachment D, Pages 72-75).

On February 25, 1997, Mrs. Vincent Stellato contacted the Commission and stated she had been contacted by a representative from MRP in order to inform her of a new FCC regulation. Mrs. Stellato was informed that she could only be charged the minimum rate for the time of day she was calling regardless of the company she was using. Mrs. Stellato then called the FCC to inquire as to the new regulation. She was told by the FCC that there was no such regulation. Although Mrs. Stellato's service was not switched, she was never informed by MRP that the purpose for the call was to solicit a change in her long distance service. (Attachment E, Pages 76-78).

MRP has not satisfied staff that it is in compliance with the Commission's rules. Accordingly, by Section 364.285, 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. Utilities are charged with knowledge of the Commission's rules and statutes. Additionally, "[i]t 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).

Staff believes that MRP's apparent conduct in switching PICs without customer authorization and failing to timely respond to staff inquiries has been "willful" in the sense intended by Section 364.285, Florida Statutes. In Order No. 24306, issued April 1, 1991, in Docket No. 890216-TL titled In re: Investigation Into The Proper Application of Rule 25-14.003, Florida Administrative Code, Relating To Tax Savings Refund for 1988 and 1989 For GTE Florida, Inc., having found that the company had not intended to violate the rule, the Commission nevertheless found it appropriate to order it to show cause why it should not be fined, stating that "In our view, willful implies intent to do an act, and this is distinct from intent to violate a rule." Thus, any intentional act, such as

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MRP's conduct at issue here, would meet the standard for a "willful violation."

Based on the number of complaints received by the Division of Consumer Affairs, and the 47 complaints closed by the Division of Consumer Affairs as unauthorized carrier change (slamming) infractions, staff believes that MRP does not have adequate safeguards to protect consumers from unauthorized carrier changes. Accordingly, staff believes there is sufficient cause to order MRP to show cause in writing within 20 days of the effective date of the order why it should not be fined \$10,000 per infraction for a total of \$470,000 for its apparent violations of Rule 25-4.118, Florida Administrative Code.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If staff's recommendation in Issue 1 is approved, then MRP will have 20 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If MRP timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If MRP does not respond to the Commission's Order to Show Cause, the fines should be assessed. While staff does not recommend in Issue 1 that MRP's certificate be canceled for slamming violations at this time, staff does recommend that if MRP fails to respond to the Order to Show Cause, and the fines are not received within five business days after the expiration of the show cause response period, MRP's certificate should be canceled and this docket closed administratively. (Cox, K. Peña)

STAFF ANALYSIS: If staff's recommendation in Issue 1 is approved, then MRP will have 20 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If MRP timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If MRP does not respond to the Commission's Order to Show Cause, the fines should be assessed. While staff does not recommend in Issue 1 that MRP's certificate be canceled for slamming violation at this time, staff does recommend that if MRP fails to respond to the Order to Show Cause, and the fines are not received within five business days after the expiration of the show cause response period, MRP's certificate should be canceled and this docket closed administratively.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of)
) File No. ENF-97-08
Minimum Rate Pricing, Inc.)
) NAL/Acct. No. 816EF001
Apparent Liability for Forfeiture)

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: October 31, 1997; Released: October 31, 1997

By the Acting Chief, Common Carrier Bureau:

I. INTRODUCTION

1. By this Notice of Apparent Liability for Forfeiture ("NAL"), we initiate enforcement action against Minimum Rate Pricing, Inc. ("MRP").¹ For the reasons set forth below, we find that MRP apparently willfully or repeatedly violated Section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("Act"),² as well as Commission rules and orders,³ by changing the primary interexchange carriers ("PICs") for interstate service designated by Ms. Patricia M. Cohoon of Belleville, Michigan and Ms. Cheryl Sowers of Farina, Illinois without their authorization.⁴ Based upon our review of the facts

¹ MRP is located at 300 Broad Acres Drive, P.O. Box 8000, Bloomfield, New Jersey 07003.

² 47 U.S.C. § 258. Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996).

³ See 47 C.F.R. §§ 64.1100, 64.1150; *Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 and Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket. No. 94-129, Further Notice of Proposed Rule Making and Memorandum Opinion and Order on Reconsideration, 12 FCC Rcd 10674 (1997) (*1997 FNPRM & Order on Recon.*); *Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, 10 FCC Rcd 9560 (1995) (*LOA Order*), stayed in part, 11 FCC Rcd 856 (1995) (*In-bound Stay Order*); *Policies and Rules Concerning Changing Long Distance Carriers*, 7 FCC Rcd 1038 (1992) (*PIC Change Order*), recon. denied, 8 FCC Rcd 3215 (1993); *Investigation of Access and Divestiture Related Tariffs*, 101 FCC 2d 911 (1985) (*Allocation Order*), *Investigation of Access and Divestiture Related Tariffs*, 101 FCC 2d 935 (Com. Car. Bur. 1985) (*Waiver Order*), recon. (of both *Allocation Order* and *Waiver Order*) denied, 102 FCC 2d 503 (1985) (*Reconsideration Order*).

⁴ The practice of changing a customer's PIC without the customer's authorization is commonly referred to as "slamming."

and circumstances surrounding the violations, we find that MRP is apparently liable for a forfeiture in the amount of eighty thousand dollars (\$80,000).⁵

II. THE COMMISSION'S PIC-CHANGE RULES AND ORDERS AND SECTION 258 OF THE ACT

2. In its *Allocation Order* and subsequent *Reconsideration Order*,⁶ the Commission set forth rules and procedures for implementing equal access⁷ and customer presubscription⁸ to an interexchange carrier ("IXC").⁹ The Commission's original allocation plan required IXCs to have on file a letter of agency ("LOA") signed by the customer before an IXC was permitted to submit a PIC-change order to the local exchange carrier ("LEC") on behalf of the customer.¹⁰ Certain IXCs claimed that this requirement would hinder long distance competition because consumers would not be inclined to execute promptly the LOAs even though they agreed to change their PIC. After considering these claims, the Commission allowed IXCs latitude regarding the timing of PIC-change submissions by permitting "initiation" of PIC changes if the IXCs either had "instituted steps to obtain signed LOAs" or had signed LOAs on file.¹¹ The Commission stated, however, that "IXCs should maintain such signed customer authorizations on file for use in dispute resolution."¹²

⁵ See 47 U.S.C. § 503(b)(2)(B). This section authorizes the Commission to assess a forfeiture penalty against a common carrier if the Commission determines that the carrier has "willfully or repeatedly" failed to comply with the provisions of the Act or with any rule, regulation, or order issued by the Commission under the Act.

⁶ See *supra* proceedings cited at note 3.

⁷ Equal access for interexchange carriers ("IXCs") is that which is equal in type, quality and price to the access to local exchange facilities provided to AT&T and its affiliates. *United States v. American Tel. & Tel.*, 552 F. Supp. 131, 227 (D.D.C. 1982), *aff'd sub nom. Maryland v. United States*, 460 U.S. 1001 (1983) (*Modification of Final Judgment* or "MFJ"). Equal access allows end users to access facilities of a designated [IXC] by dialing '1' only. *Allocation Order*, 101 FCC 2d at 911.

⁸ Presubscription is the process by which each customer selects one primary interexchange carrier from among several available carriers, for the customer's phone line(s). *Allocation Order*, 101 FCC 2d at 911, 928. Thus, when a customer dials "1," the customer accesses only the primary IXC's services. An end user can also access other IXCs by dialing either a five or seven-digit access code. *Id.* at 911; *Administration of the North American Numbering Plan*, Notice of Proposed Rulemaking, 9 FCC Rcd 2068, 2076-77 (1994).

⁹ Pursuant to the MFJ, the Bell Operating Companies were ordered to provide equal access to their customers, where technically feasible, by September 1986. *Allocation Order*, 101 FCC Rcd at 911.

¹⁰ An LOA is a document, signed by the customer, which states that the customer has selected a particular carrier as that customer's primary long distance carrier. *Allocation Order*, 101 FCC 2d at 929.

¹¹ *Reconsideration Order*, 102 FCC 2d at 512.

¹² *Id.*

3. Despite the adoption of the consumer protection mechanisms described above, the Commission continued to receive a growing number of consumer complaints. Accordingly, the Commission modified its rules in 1992. Specifically, while the Commission recognized the benefits of permitting a telephone-based industry to rely on telemarketing to solicit new business, it sought to curb telemarketing abuses by requiring IXC's to institute one of the following four confirmation procedures before submitting PIC change orders generated by telemarketing: (1) obtain the subscriber's written authorization; (2) obtain confirmation from the subscriber via a toll-free number provided exclusively for the purpose of confirming orders electronically; (3) utilize an independent third party to verify the subscriber's order; or (4) send an information package, including a prepaid, return postcard, within three days of the subscriber's request for a PIC change, and wait 14 days before submitting the subscriber's order to the LEC, so that the subscriber has sufficient time to return the postcard denying, cancelling or confirming the change order.¹³ Hence, the Commission's rules and orders require that IXC's either obtain a signed LOA or, in the case of telemarketing solicitations, complete one of the four telemarketing verification procedures before submitting PIC-change requests to LEC's on behalf of consumers.

4. Because of its concern over the rising volume of consumer complaints alleging that IXC's had employed deceptive LOAs, the Commission in 1995 prescribed the general form and content of the LOA used to authorize a change in a customer's primary long distance carrier.¹⁴ The Commission's current rules prohibit the potentially deceptive or confusing practice of combining in the same document the LOA with promotional materials.¹⁵ The rules also prescribe the minimum information that must be included in the LOA and require that the LOA be written in clear and unambiguous language.¹⁶ Further, the rules prohibit all "negative option" LOAs¹⁷ and require that LOAs and any accompanying promotional materials contain complete translations if they employ more than one language.¹⁸

5. In February 1996, Congress passed the Telecommunications Act of 1996.¹⁹ Section 258 of the Act substantially bolstered the Commission's authority to deter, punish, and ultimately,

¹³ See 47 C.F.R. § 64.1100; *PIC Change Order*, 7 FCC Rcd at 1045.

¹⁴ *LOA Order*, 10 FCC Rcd at 9560.

¹⁵ See *id.* at 9574-75. Checks that serve as an LOA are excepted from the "separate or severable" requirement so long as the check contains certain information clearly indicating that endorsement of the check authorizes a PIC change and otherwise complies with the Commission's LOA requirements. *Id.* at 9573.

¹⁶ See *id.* at 9564-65.

¹⁷ See *id.* at 9565-66. "Negative option" LOAs require consumers to take some action to avoid having their presubscribed interexchange carriers changed.

¹⁸ See *id.* at 9581.

¹⁹ See *supra* note 2.

eliminate slamming by making it unlawful for any telecommunications carrier to "submit or execute a change in a subscriber's carrier selection of a provider of telephone exchange service or telephone toll service except in accordance with such verification procedures as the Commission shall prescribe."²⁰ Section 258 further provides that any carrier that violates the Commission's procedures and collects charges for telecommunications service from a subscriber after such violation shall be liable to the subscriber's properly authorized carrier for all charges collected.²¹ On July 15, 1997, the Commission released the *1997 FNPRM & Order on Recon.*,²² in which the Commission, among other things, proposed to reexamine its rules in light of Section 258.²³ The Commission sought comment on, for example, its tentative proposal to incorporate the specific language of Section 258 into Part 64 of the Commission's rules.²⁴

III. THE MRP TARIFF

6. MRP's Tariff F.C.C.No. 1, which became effective on April 1, 1997, included the following tariff provision:

1.2.6. Termination by Customer

1.2.6.A. Customer may cancel service by providing written or verbal notice to MRP. The Carrier requires such notification in order to protect Customer from unauthorized account transfer, "slamming." If Carrier is not notified accordingly, Carrier may reinstate Customer's account by implementation of its automatic provisioning system. The Company will confirm all cancellations, either verbal or written, in writing within five (5) business days of any cancellation. Additionally, in the event that the Company has found, through its automatic polling system, that Customer is no longer receiving service, Customer may be reinstated as above and written notice of same will be sent to Customer within five (5) business days of such action.

On May 22, 1997, MRP filed Tariff F.C.C.No. 3 to replace Tariff F.C.C.No. 1 in its entirety. Section 1.2.6.A. of Tariff F.C.C.No. 1, set forth above, was renumbered Section 2.9 of Tariff F.C.C.No. 3, and retitled "Cancellation of Service by Customer." Except for a few minor, non-substantive changes to the text of Section 1.2.6.A., new Section 2.9 of Tariff F.C.C.No. 3 is

²⁰ 47 U.S.C. § 258(a).

²¹ 47 U.S.C. § 258(b).

²² *1997 FNPRM & Order on Recon.*, *supra*, note 3.

²³ *Id.* at 10679-80.

²⁴ *Id.* at 10682-83.

substantially the same as Section 1.2.6.A. of Tariff F.C.C.No. 1.²⁵ Both sections require the customer to notify MRP if the customer plans to change its PIC selection from MRP to another IXC. If the customer fails to provide notification, both sections provide that MRP may automatically switch the customer back to MRP.

IV. THE COHOON AND SOWERS COMPLAINTS

A. The Cohoon Complaint

7. Ms. Patricia Cohoon filed a written complaint with the Commission on June 5, 1997, alleging that MRP had converted her presubscribed long distance service provider from AT&T Communications ("AT&T") to MRP without her authorization.²⁶ Ms. Cohoon discovered the switch at the end of April 1997 when she received a letter from AT&T informing her that her long distance service had been changed to MRP. Ms. Cohoon states that on May 1, 1997, she called her local carrier, Ameritech, to complain that her long distance service had been switched without her authorization, and to request that her service be changed back to AT&T.²⁷

8. On May 8, 1997, Ms. Cohoon received a postcard in the mail from MRP advising her that if she did not respond by mail or phone, she would automatically be switched back to MRP from AT&T. Ms. Cohoon states that she then notified MRP by phone that she did not wish to be presubscribed to MRP's service. Nevertheless, when she received her May 1997 phone bill from Ameritech, Ms. Cohoon discovered that she had been switched back to MRP on May 6, 1997, two days *before* she received the MRP postcard. Upon reviewing her bill, she found that several of her long distance calls had been carried by MRP. Ms. Cohoon immediately notified MRP that her long distance service had been switched without her authorization, and that she wished to return to AT&T. According to Ms. Cohoon, an MRP representative informed her that

²⁵ Section 2.9 provides:

A Customer may cancel Service by giving written or verbal notice to the Company. Such notice should be addressed to the Company's Customer Service organization at the address specified in Section 2.8.1 of this tariff. The Company requires such notification to protect the Customer from unauthorized account transfer or "slamming." If the Company is not notified accordingly, the Company may reinstate Customer's account by implementation of its automatic provisioning system. The Company will confirm all cancellations within five (5) business days. Additionally, in the event that the automatic polling system determines the Customer is no longer receiving Service, the Customer may be reinstated and a written reinstatement notice will be sent to the Customer within five (5) business days.

²⁶ Patricia M. Cohoon, Informal Complaint No. IC-97-22037 (June 5, 1997) ("Cohoon Complaint").

²⁷ Cohoon Complaint at 1.

Ms. Cohoon "could not change her carrier" for long distance calls; "only they [MRP] can do this."²⁸

9. On August 4, 1997, the Common Carrier Bureau's Consumer Protection Branch sent MRP a Notice of Informal Complaint ("Notice") directing MRP to respond within 30 days with specific information regarding the conversion of Ms. Cohoon's presubscribed interexchange carrier.²⁹ MRP failed to respond to the Notice within 30 days, or to seek an extension of time in which to submit the requested information. On October 9, 1997, over one month after its response was due, MRP filed with the Commission what appears to be a form letter with case-specific information, such as the complainant's name, inserted at various points. In its letter, MRP states that it received Ms. Cohoon's tape-recorded order and corresponding paperwork from an independent sales contractor. MRP further states that an independent mailing company then sent Ms. Cohoon a welcome package, a copy of which is attached to MRP's letter. MRP, however, does not address Ms. Cohoon's allegation that her long-distance service was switched back to MRP after she returned to AT&T, her presubscribed interexchange carrier. Nor does MRP address Ms. Cohoon's contention that upon learning she had been switched back to MRP, she immediately contacted an MRP representative, who informed her that only MRP could change her long-distance carrier.

B. The Sowers Complaint

10. On September 9, 1997, the Commission received a written complaint from Ms. Cheryl Sowers alleging that MRP had switched her presubscribed long distance service provider without her authorization.³⁰ Specifically, Ms. Sowers explains that on or about May 9, 1997, she changed her presubscribed long distance service provider from MRP to AT&T. Ms. Sowers subsequently discovered that she had been switched back to MRP when she received her July phone bill from GTE Corporation ("GTE"), her local exchange carrier, and noticed charges from MRP. When Ms. Sowers called AT&T to find out why she had been billed for calls carried by MRP instead of AT&T, she was told that she had been switched back to MRP on or about May 16, 1997. Ms. Sowers immediately complained to an MRP representative, who informed her that MRP "could legally switch [her back to MRP] unless [Ms. Sowers] wrote them personally" indicating her desire to be presubscribed to another interexchange carrier.³¹

11. On September 15, 1997, the Common Carrier Bureau's Consumer Protection Branch sent MRP a Notice of Informal Complaint ("Notice") directing MRP to respond within 30 days with specific information regarding the conversion of Ms. Sowers' presubscribed

²⁸ *Id.*

²⁹ Notice of Informal Complaint No. IC-96-22037 (Aug. 4, 1997).

³⁰ Cheryl Sowers, Informal Complaint No. IC-97-25377 (Sept. 9, 1997) ("Sowers Complaint").

³¹ Sowers Complaint at 1.

interexchange carrier.³² On October 16, 1997, MRP filed with the Commission what appears to be a brief form letter with case-specific information, such as the complainant's name, inserted at various points. MRP failed to provide any supporting documentation to accompany its letter. In its letter, MRP merely states that it was not notified of Ms. Sowers' decision to cancel her MRP service and change her long-distance carrier to AT&T. MRP's letter, however, fails to address Ms. Sowers' allegation that she was then switched back to MRP without her authorization.

V. DISCUSSION

12. We have evaluated the information submitted in connection with the informal complaints filed by Ms. Cohoon and Ms. Sowers, and conclude that MRP is apparently liable for forfeiture for willful or repeated violation of Section 258 of the Act and the Commission's rules and requirements concerning PIC changes. It appears that on or about April 2, 1997, May 6, 1997, and May 16, 1997, MRP submitted PIC-change requests to Ameritech and GTE, resulting in the unauthorized conversion of Ms. Cohoon's and Ms. Sowers' presubscribed interexchange carrier from AT&T to MRP.

13. The statements and information provided by Ms. Cohoon indicate that MRP not only lacked the requisite authorization to request a PIC-change in Ms. Cohoon's long distance service initially, but that MRP also lacked authorization to switch Ms. Cohoon's long distance service back to MRP in accordance with MRP's automatic switchback tariff provision. As Ms. Cohoon states in her complaint, she discovered the initial switch to MRP when she received a letter from AT&T informing her that her long distance service had been changed to another carrier. After Ms. Cohoon complained about the unauthorized switch and successfully returned to AT&T, Ms. Cohoon received a postcard from MRP informing her that if she did not respond by mail or phone, she would automatically be switched back to MRP. Even though Ms. Cohoon notified MRP by phone that she did not want MRP's service, she was switched back to MRP shortly thereafter. Similarly, in the case of Ms. Sowers' complaint, we find that MRP failed to obtain the requisite authorization prior to switching Ms. Sowers' long distance service back to MRP in accordance with its automatic switchback tariff provision, in violation of Section 258 of the Act and the Commission's PIC-change rules and orders. As was the case with Ms. Cohoon, the statements and information provided by Ms. Sowers are persuasive evidence that Ms. Sowers did not authorize MRP to switch her long distance service back to MRP.³³

14. As explained above, Section 258 of the Act bolstered the Commission's existing verification procedures by making it unlawful for any telecommunications carrier to submit or execute a change in a subscriber's selection of a provider of telephone exchange service or

³² Notice of Informal Complaint No. IC-97-25377 (Sept. 15, 1997).

³³ See Sowers Complaint at 1.

telephone toll service, except in accordance with Commission-prescribed verification procedures.³⁴ MRP has failed to provide evidence to show that it followed these verification procedures when it submitted changes to the complainants' selections of presubscribed interexchange service providers, as required by Section 258 of the Act. For example, MRP has not demonstrated that it secured an LOA prior to effecting changes in the complainants' presubscribed interexchange carriers.³⁵ Moreover, in the face of the clear language of Section 258, we find particularly troubling MRP's automatic switchback tariff provision,³⁶ by which MRP reserves the right unilaterally to switch a customer back to MRP absent direct notification from the customer, rather than complying with the specific verification procedures prescribed by the Commission.

15. Further, it appears that MRP apparently knew or should have known that its automatic switchback tariff provision would enable MRP to switch consumers' PICs without their authorization, in violation of Section 258 of the Act and the Commission's PIC-change rules and orders. Thus, it appears that the unauthorized PIC changes at issue were the result of either deliberate misconduct by MRP or reckless disregard for Congressional decree and the Commission's rules and orders. Under these circumstances, we conclude that MRP's apparent actions were in willful or repeated violation of Section 258 of the Act and the Commission's PIC-change rules and orders, and that a forfeiture penalty is appropriate.³⁷ We also note that Sections 1.2.6.A. and 2.9 of MRP's tariffs appear to raise questions of reasonableness under the terms and requirements of Section 201(b) of the Act,³⁸ to the extent these tariff provisions enable MRP to engage in the unlawful act of slamming. We invite MRP to respond to these Section 201(b) concerns. After reviewing MRP's response to this NAL, we will determine whether MRP's tariff provisions violate Section 201(b), and, if so, whether further enforcement action is warranted.

16. Section 503(b)(2)(B) of the Act authorizes the Commission to assess a forfeiture of up to one hundred ten thousand dollars (\$110,000) for each violation, or each day of a continuing violation, up to a statutory maximum of one million, one hundred thousand dollars (\$1,100,000) for a single act or failure to act.³⁹ In exercising this forfeiture authority, the

³⁴ 47 U.S.C. § 258.

³⁵ See, e.g., *PIC Change Order*, 7 FCC Rcd at 1045.

³⁶ See Section 1.2.6.A., MRP Tariff F.C.C.No. 1; Section 2.9, MRP Tariff F.C.C.No. 3. As noted above, MRP renumbered Section 1.2.6.A. of MRP Tariff F.C.C.No. 1 as Section 2.9 of MRP Tariff F.C.C.No. 3 on May 22, 1997, after the date of the automatic switchbacks alleged in the complaints at issue.

³⁷ See 47 U.S.C. § 503(b)(2)(B).

³⁸ 47 U.S.C. § 201(b). This section provides in pertinent part that "[a]ll charges, practices, classifications, and regulations for and in connection with ... communication service shall be just and reasonable...."

³⁹ 47 U.S.C. § 503(b)(2)(B); 47 C.F.R. § 1.80. The Commission recently amended its rules by adding a new subsection to its monetary forfeiture provisions that incorporates the inflation adjustment requirements contained in the Debt Collection Improvement Act of 1996 (Pub. L. 104-134, Sec. 31001, 110 Stat. 1321, __), enacted on April

Commission is required to take into account "the nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."⁴⁰ For purposes of determining an appropriate forfeiture penalty in this case, we regard the conversion of Ms. Cohoon's and Ms. Sowers' presubscribed interexchange carriers as two violations. After weighing the circumstances surrounding the violation, we find that MRP is apparently liable for a forfeiture of forty thousand dollars (\$40,000) for the unauthorized conversion of Ms. Cohoon's presubscribed interexchange carrier and forty thousand dollars (\$40,000) for the unauthorized conversion of Ms. Sowers' presubscribed interexchange carrier, resulting in a total forfeiture of eighty thousand dollars (\$80,000).⁴¹ MRP will have the opportunity to submit evidence and arguments in response to this NAL to show that no forfeiture should be imposed or that some lesser amount should be assessed.⁴²

VI. CONCLUSIONS AND ORDERING CLAUSES

17. We have evaluated the information submitted in connection with the informal complaints filed by Ms. Cohoon and Ms. Sowers, and conclude that on or about April 2, 1997, May 6, 1997, and May 16, 1997, MRP apparently converted or caused a local exchange carrier to convert Ms. Cohoon's and Ms. Sowers' presubscribed interexchange carriers without their authorization. We further conclude that MRP thereby apparently willfully or repeatedly violated Section 258 of the Act and Commission rules and orders governing primary interexchange carrier conversions, and that MRP's conduct warrants a forfeiture in the amount of eighty thousand dollars (\$80,000).

18. Accordingly, IT IS ORDERED, pursuant to Section 503(b) of Communications Act of 1934, as amended, 47 U.S.C. § 503(b), Section 1.80 of the Commission's rules, 47 C.F.R. § 1.80, and the authority delegated in Sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, that Minimum Rate Pricing, Inc. IS HEREBY NOTIFIED of an Apparent Liability for Forfeiture in the amount of eighty thousand dollars (\$80,000) for willful or repeated violation of Section 258 of the Act and the Commission's PIC-change rules and orders.⁴³

26, 1996. See *In the Matter of Amendment of Section 1.80 of the Commission's Rules*, 12 FCC Rcd 1038 (1997).

⁴⁰ 47 U.S.C. § 503(b)(2)(D).

⁴¹ See *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, CI Docket No. 95-6, Report and Order, FCC 97-218 (rel. July 28, 1997) (stating that under the Commission's new guidelines for assessing forfeitures, the base amount for a single "unauthorized conversion of long distance telephone service" is \$40,000).

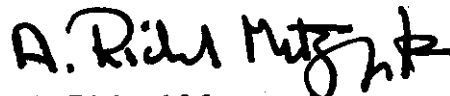
⁴² 47 U.S.C. § 503(b)(4)(C); 47 C.F.R. § 1.80(f)(3).

⁴³ See 47 C.F.R. §§ 64.1100, 64.1150; 1997 FNPRM & Order on Recon., 12 FCC Rcd 10674; LOA Order, 10 FCC Rcd 9560; In-bound Stay Order, 11 FCC Rcd 856; PIC Change Order, 7 FCC Rcd 1038; Allocation Order, 101 FCC 2d 911; Waiver Order, 101 FCC 2d 935.

19. IT IS FURTHER ORDERED, pursuant to Section 1.80 of the Commission's rules, 47 C.F.R. § 1.80, that within thirty days of the release of this Notice, Minimum Rate Pricing, Inc. SHALL PAY the full amount of the proposed forfeiture⁴⁴ OR SHALL FILE a response showing why the proposed forfeiture should not be imposed or should be reduced.

20. IT IS FURTHER ORDERED that a copy of this Notice of Apparent Liability for Forfeiture SHALL BE SENT by certified mail to Tom Salzano, President, Minimum Rate Pricing, Inc., 300 Broad Acres Drive, P.O. Box 8000, Bloomfield, New Jersey 07003.

FEDERAL COMMUNICATIONS COMMISSION



A. Richard Metzger, Jr.
Acting Chief
Common Carrier Bureau

⁴⁴ The forfeiture amount should be paid by check or money order drawn to the order of the Federal Communications Commission. Reference should be made on Minimum Rate Pricing, Inc.'s check or money order to "NAL/Acct.No. 816EF0001." Such remittances must be mailed to Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box. 73482, Chicago, Illinois 60673-7482.

Name BEAUFORT, BARRY WAYNE

Company MINIMUM RATE PRICING, INC.

Request No. 1767491

Address 3505 STURBRIDGE CIRCLE WEST

Attn. DREW KEENA 1767491

By MEP Time 2:15 PM Date 06/1

Consumer's Telephone # (904)-778-7192

To CO Time FAX Date 06/1

City/Zip JACKSONVILLE 32244-6187 County DUV

Can Be Reached (904)-269-9550

Type S Form Phone

Account Number _____

Note tele

Category _____

Company Contact _____

Limited Response N

Infraction LS-13B

Closed by MEP Date 08/22/

Reply Received L

See attached correspondence regarding customer's concerns with a switch in long distance service from MCI to Minimum Rate Pricing which the customer states is unauthorized and unrequested. Customer has returned to carrier of choice. Customer also has concerns with Paging and Voice Mail services which the customer states is also unrequested and unauthorized. Please terminate this service. Please investigate this matter, contact the customer and provide me with a detailed written report including LOA/Tape and applicable credits for Paging, Voice-Mail and switching fees, as well as an adjustment of rates to that of the customers preferred carrier by the date below.

07/11/97 Received report with explanation and Taped LOA. A copy of the report was sent to the customer.

07/14/97 Reviewed contents of tape with customer. Customer states that he does not know "Ada Beaufort". Customer states he is single and lives alone and that he is the only one authorized to make a change in service. Customer denies this authorization. Customer will submit his bills to the Commission to be rerated by the company. Customer is still being billed for pager and voice mail services. Customer states that he never received a pager. Customer states he never received a welcome package from the company.

07/14/97 Received customer's bills from preferred carrier and from Minimum Rate

CONSUMER REQUEST

FLORIDA PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEV
TALLAHASSEE, FL. 32399-0851
904-413-6100

PLEASE RETURN THIS FORM WITH REPORT OF ACTION TO

Ellen Plendl

DUE: 07/10/97

ATTACHMENT B
DOCKET NO. 971482-T1
JANUARY 8, 1998

PAGE: 2

Pricing for rerating.

07/15/97 FAX TO CO. SEE ATTACHED BILLS AND RERATE ALL CALLS TO THE RATE OF CUSTOMER'S PREFERRED CARRIER. PLEASE CONFIRM AMOUNT OF CREDIT AND THE TERMINATION OF PAGER AND VOICE MAIL SERVICES. PLEASE SUBMIT A DETAILED WRITTEN REPORT WITH APPLICABLE CREDITS BY THURSDAY, JULY 24, 1997.

07/25/97 FAX TO CO. YOUR REPORT IS PAST DUE REGARDING RE-RATING OF CUSTOMER'S BILLS. PLEASE PROVIDE A DETAILED WRITTEN REPORT INCLUDING APPLICABLE CREDITS BY FRIDAY, AUGUST 1, 1997.

08/04/97 CERTIFIED MAIL TO CO. Your report is past due. Please provide a detailed written report including all applicable credits by Wednesday, August 20, 1997.

08/20/97 Called company to obtain report. Left message.

08/21/97 Called company to obtain report. Left message.

08/21/97 Company called back to apologize for delay. Report will be sent via fax by 4:30 EST.

08/21/97 Received report with explanation & \$165.62 credit.

08/22/97 Closed via telephone conversation with the customer. Customer appears satisfied.

ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998



August 21, 1997

Ellen Plendl
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850

RE: **Mr. Barry Wayne Beaufort**
#176749

Dear Ms. Plendl:

This letter is a follow up to our earlier conversation, at which time we discussed the reimbursements issued to the above mentioned customer. In compliance with our "Customer Satisfaction Guarantee Policy," MRP has reimbursed Mr. Beaufort a total of \$165.62 for any PIC fees he incurred, along with the difference in rates charged between MRP and his current carrier. This reimbursement consists of \$33.90 mailed on 7/15/97, \$56.26 mailed on 7/24/97, and \$75.46 mailed on 7/25/97.

I hope this information is helpful in resolving any concerns you may have. If you have any questions, feel free to call me @800-408-8998.

Sincerely,

Jim Gattuso
Customer Care Manager

BELLSOUTH

BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: Apr 13, 1997

May 5	\$20.59	\$20.59	\$0.00	\$45.51	\$115.51
-------	---------	---------	--------	---------	----------

This bill was printed on Apr 16. For more information about billing, see back of page.

Important Notice(s)

Check 0623
 \$24.56

Late Charge Reminder: A 1.5% Late Payment Charge will apply to any unpaid balance as of May 14.
 Nonpayment of Regulated Charges may result in discontinuance of service. Failure to pay unregulated and certain other charges, all of which are identified by ** on your bill, will not result in an interruption of local service. The amount of Regulated Charges may be obtained by calling 780-2355.

Helpful Numbers

BellSouth Telecommunications, Inc. (BST)

NOTE: Numbers for other companies are listed on their bill pages.

RightTouch® Service 1 800 826-6290

A quick, convenient, automated, 24 hour customer service.
 (See "Messages" section for details.)

Please protect your RightTouch® Personal Access Code (PAC): 0093

(continued on page 2) ▶

FAX 473
 7/20



BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: Apr 13, 1997

Helpful Numbers (continued)

Bellsouth Telecommunications, Inc. (BST)

NOTE: Numbers for other companies are listed on their bill pages.

Billing Questions or to Place an Order 24 Hours a Day - 7 Days a Week:

If calling from within the Florida BellSouth service area	780-2355
If calling from outside Florida or outside the Florida BellSouth service area	1-800-753-2909
Repair - If calling from within the Florida BellSouth service area	611
Text Telephone (TTY) Users 7:00 AM - 7:00 PM (CST) Monday - Friday:	
If calling from within the Florida BellSouth service area	780-2274
If calling from outside Florida or outside the Florida BellSouth service area	1 800 251-5325

Detailed Statement of Charges

<u>Monthly Service Charges</u>		<u>Amount</u>
<i>Monthly Service - Apr 13 thru May 12</i>		
<i>Basic Services</i>		
1. Residential Line	Quantity 1 ...	10.30
2. Emergency 911 Charge. This charge is billed on behalf of Duval County.	1 ... **	.44
3. FCC Charge for Interstate Toll Access	1 ...	3.50
4. Telecommunications Access System Act Surcharge	1 ... **	.12
Total Basic Services		14.36
<i>Optional Services</i>		
5. Maintenance Plan(s)	Quantity 1 ... **	3.00
Total Optional Services		3.00
Total Monthly Service Charges		17.36

** Unregulated Charge

AV E030728

(continued)▶

Pay 75
8/20



BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: Mar 13, 1997

Detailed Statement of Charges

<u>Other Charges and Credits (continued)</u>	<u>Amount</u>
Work Completed On Feb 15, 1997 (continued)	
7. Interest credit for October 1996 rate reduction as ordered by the PSC .....	.03CREDIT
Work Completed On Mar 4, 1997	
8. One time charge for changing your InterLATA Long Distance Company to WILTEL	1.49
Work Completed On Mar 13, 1997	
Credit for taxes	
9. Federal .....	.06CREDIT
10. City .....	.15CREDIT
11. Franchise .....	.04CREDIT
12. Gross Receipts .....	.02CREDIT
Total Other Charges and Credits .....	.85CREDIT

<u>Itemized Calls</u>							<u>Amount</u>
<u>Direct Dialed Calls</u>							
	<u>Date</u>	<u>Place Called</u>	<u>Number Called</u>	<u>Rate*</u>	<u>Time</u>	<u>Min</u>	
13.	02/19	CALL RETRN		KD	08:30PM	1	.75
14.	02/23	CALL RETRN		KD	11:49PM	1	.75
15.	02/26	CALL RETRN		KD	09:21PM	1	.75
Total Direct Dialed Calls							2.25
Total Itemized Calls							2.25

<u>Taxes</u>	<u>Amount</u>
<u>Taxes on Regulated Services</u>	
16. Federal Tax .....	.50
17. Florida Gross Receipts Surcharge .....	.20
18. City Tax .....	.90
19. Franchise Charge .....	.21
Total Taxes on Regulated Services	1.81
Total Taxes	1.81

Total BellSouth Current Charges: \$2.25

* Taxes and Rates Applied - See Back of First Page

AV E031805

(continued)▶

Flax 4/23
 6/20

ATTACHMENT B
 DOCKET NO. 971482-TI
 JANUARY 8, 1998

BARRY WAYNE BEAUFORT
 8505 STURBRIDGE CIR. W. (904) 778-7192
 JACKSONVILLE, FL 32244-6187

JAX NAVY FEDERAL
 CREDIT UNION
 JACKSONVILLE, FL 32222-3006
 93-7827/2690

201

May 29, 1997

PAY TO THE ORDER OF BellSouth \$ 34.49
Thirty Four and 49/100 DOLLARS

MEMO (904) 778-7192, 5/13/97 [Partial Payment]

Barry Wayne Beaufort
 AUTHORIZED SIGNATURE

⑆263079276⑆ 2813299⑈ 2025

SECURITY FEATURES INCLUDED. DETAILS ON BACK. B

BELLSOUTH

Page 1

BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: May 13, 1997

CURRENT CHARGES DUE BEFORE	AMOUNT OF LAST BILL	LESS PAYMENTS	ADJUSTMENTS	CURRENT CHARGES	TOTAL AMOUNT DUE
Jun 4	\$45.51	\$28.56	\$0.00	\$35.43	\$52.38

This bill was printed on May 16. For more information about billing, see back of page.

Important Notice(s)

Late Charge Reminder: A 1.5% Late Payment Charge will apply to any unpaid balance as of Jun 16. Nonpayment of Regulated Charges may result in discontinuance of service. Failure to pay unregulated and certain other charges, all of which are identified by ** on your bill, will not result in an interruption of local service. The amount of Regulated Charges may be obtained by calling 780-2355.

See Messages Section for information on Charges Under Investigation.

Helpful Numbers

BellSouth Telecommunications, Inc. (BST)

NOTE: Numbers for other companies are listed on their bill pages.

RightTouch® Service 1 800 826-6290

A quick, convenient, automated, 24 hour customer service.
 (See "Messages" section for details.)

Please protect your RightTouch® Personal Access Code (PAC): 0093

(continued on page 2) ▶

***** PLEASE FOLD, TEAR HERE AND RETURN THIS PORTION WITH YOUR PAYMENT. *****

Please make check payable to BellSouth in U.S. funds.

CURRENT CHARGES DUE BEFORE	PAST DUE AMOUNT	TOTAL AMOUNT DUE	AMOUNT PAID
Jun 4	\$16.95	\$52.38	<u>34.49</u>

904 778-7192 607 0560
 May 13, 1997
 AV 0708 R21 E030504

Check here if correspondence included.

⑆030504⑆

P.O. BOX 33009
 CHARLOTTE NC
 28243-0001

BARRY W BEAUFORT
 8505 STURBRIDGE CIR W
 JKVL FL 32244-6187

PAY 5/10/97

904977871926070560708701210810100000000000016950000005238



BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: May 13, 1997

Helpful Numbers (continued)

BellSouth Telecommunications, Inc. (BST)

NOTE: Numbers for other companies are listed on their bill pages.

Billing Questions or to Place an Order 24 Hours a Day - 7 Days a Week:

If calling from within the Florida BellSouth service area	780-2355
If calling from outside Florida or outside the Florida BellSouth service area	1-800-753-2909
Repair - If calling from within the Florida BellSouth service area	611
Text Telephone (TTY) Users 7:00 AM - 7:00 PM (CST) Monday - Friday:	
If calling from within the Florida BellSouth service area	780-2274
If calling from outside Florida or outside the Florida BellSouth service area	1 800 251-5325

Detailed Statement of Charges

<u>Monthly Service Charges</u>		<u>Amount</u>
<i>Monthly Service - May 13 thru Jun 12</i>		
Basic Services		
	<i>Quantity</i>	
1. Residential Line	1 ...	10.30
2. Emergency 911 Charge. This charge is billed on behalf of Duval County.	1 ... **	.44
3. FCC Charge for Interstate Toll Access	1 ...	3.50
4. Telecommunications Access System Act Surcharge	1 ... **	.12
Total Basic Services		<u>14.36</u>
Optional Services		
	<i>Quantity</i>	
5. Maintenance Plan(s)	1 ... **	3.00
Total Optional Services		3.00
Total Monthly Service Charges		17.36

Other Charges and Credits Amount

Work Completed On Apr 23, 1997
Your InterLATA Long Distance Company is MCI

** Unregulated Charge

AV E030504

(continued)▶

FAX 4
11/30



BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: May 13, 1997

Detailed Statement of Charges

Other Charges and Credits (continued) Amount
Total Other Charges and Credits00

Itemized Calls Amount
Direct Dialed Calls

Date	Place Called	Number Called	Rate*	Time	Min	
6. 04/24	CALL RETRN		KD	07:51PM	1	.75
7. 04/27	CALL RETRN		KD	08:36PM	1	.75
8. 04/28	CALL RETRN		KD	08:05PM	1	.75
9. 05/05	CALL RETRN		KD	07:55PM	1	.75
10. 05/08	CALL RETRN		KD	06:27PM	1	.75
11. 05/09	CALL RETRN		KD	08:14PM	1	.75
Total Direct Dialed Calls						4.50
Total Itemized Calls						4.50

Taxes Amount
Taxes on Regulated Services

12. Federal Tax .....	.57
13. Florida Gross Receipts Surcharge .....	.22
14. City Tax	1.06
15. Franchise Charge .....	.21
Total Taxes on Regulated Services	2.06
Total Taxes	2.06

Total BellSouth Current Charges 23.92

Messages

BellSouth's RightTouch® service is an easy way to do business with us. Use any touch-tone phone to check your account balance, confirm receipt of your last payment, make payment arrangements, order services like Call Waiting and Caller ID, request a duplicate copy of your bill, order local telephone directories, or change your Personal Access Code (PAC). We even provide help on how to use telephone features. Call 1 800 826-6290, 24 hours a day, and follow the directions.

* Taxes and Rates Applied - See Back of First Page

AV E030504

(continued)▶

FAX 23
12/30



BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: May 13, 1997

Charges Under Investigation

Amount

This section is provided as a service to BellSouth customers and may include regulated and unregulated charges.

<i>Bill Period Date</i>	<i>Company</i>	
16. Apr 13, 1997	OAN Services, Inc.	17.89
Total Charges Under Investigation		17.89

Payment Requirements

You may pay the Total Amount Due from page 1 minus the Total Charges Under Investigation. Charges under investigation are excluded from late payment charges.

Total Amount Due from Page 1	52.38
Less Total Charges Under Investigation	17.89
Total Payment Required	34.49

Pax 28
13/30



BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: May 13, 1997

For OAN Services, Inc. Billing Questions, Call 1 800 926-7514

Detailed Statement of Charges

<u>Itemized Calls</u>							<u>Amount</u>
<i>Service Provider - MINIMUM RATE PRICING</i>							
<i>Direct Dialed Calls</i>							
	<i>Date</i>	<i>Place Called</i>	<i>Number Called</i>	<i>Rate*</i>	<i>Time</i>	<i>Min</i>	
1.	04/04	TALLAHASSE FL	904 922-3676	KN	07:19AM	1	.26
2.	04/04	TALLAHASSE FL	904 922-3676	KN	07:20AM	5	1.29
3.	04/04	TALLAHASSE FL	904 922-3676	KN	07:29AM	1	.26
4.	04/05	TALLAHASSE FL	904 922-3676	KN	07:43PM	1	.26
5.	04/19	GAINESVL FL	352 332-8250	KN	03:07PM	16	4.11
6.	04/20	GAINESVL FL	352 538-5721	KN	04:33PM	1	.26
7.	04/23	ALEXANDRIA VA	703 379-3938	AN	07:19PM	28	4.03
Total Direct Dialed Calls							10.47
Total Itemized Calls							10.47
<u>Taxes</u>							<u>Amount</u>
<i>Taxes on Regulated Services</i>							
8.	Federal Tax .....						.32
9.	Florida Gross Receipts Surcharge .....						.26
10.	City Tax .....						.46
Total Taxes on Regulated Services							1.04
Total Taxes							1.04
Total OAN Services, Inc. Current Charges							11.51

* Taxes and Rates Applied - See Back of First Page

This portion of your bill is provided as a service to OAN Services, Inc.

There is no connection between BellSouth and OAN Services, Inc.

AV E030504

PAID
14/30



BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: Jun 13, 1997

CHARGE DUE BEFORE	ACCOUNT CREDIT	PAYMENT	ADJUSTMENT	NEW CHARGE	TOTAL
Jul 5	\$52.38	\$34.49	\$17.89CR	\$85.23	\$85.23

This bill was printed on Jun 15. For more information about billing, see back of page.

Important Notice(s)

Late Charge Reminder: A 1.63% Late Payment Charge will apply to any unpaid balance as of Jul 14. Nonpayment of Regulated Charges may result in discontinuance of service. Failure to pay unregulated and certain other charges, all of which are identified by ** on your bill, will not result in an interruption of local service. The amount of Regulated Charges may be obtained by calling 780-2355.

See Messages Section for information on Charges Under Investigation.

PAID
6/24/97
#2052

Helpful Numbers

BellSouth Telecommunications, Inc. (BST) [Partial Amt] #2052

NOTE: Numbers for other companies are listed on their bill pages 549.45

RightTouch® Service 1 800 826-6290
A quick, convenient, automated, 24 hour customer service.
(See "Messages" section for details.)
Please protect your RightTouch® Personal Access Code (PAC): 0093
CR = Credit Amount

(continued on page 2) ▶

FAX 75
15/30



BARRY W BEAUFORT
Account Number: 904 778-7192 607 0360
Bill Period Date: Jun 13, 1997

Helpful Numbers (continued)

BellSouth Telecommunications, Inc. (BST)

NOTE: Numbers for other companies are listed on their bill pages.

Billing Questions or to Place an order 24 Hours a Day - 7 Days a Week:

If calling from within the Florida BellSouth service area	780-2355
If calling from outside Florida or outside the Florida BellSouth service area	1-800-753-2909
Repair - If calling from within the Florida BellSouth service area	611
Text Telephone (TTY) Users 7:00 AM - 7:00 PM (CST) Monday - Friday:	
If calling from within the Florida BellSouth service area	780-2274
If calling from outside Florida or outside the Florida BellSouth service area	1 800 251-5325

Detailed Statement of Charges

<u>Monthly Service Charges</u>	<u>Amount</u>
<u>Monthly Service - Jun 13 thru Jul 12</u>	
<u>Basic Services</u>	
	<u>Quantity</u>
1. Residential Line	1 ... 10.30
2. Emergency 911 Charge. This charge is billed on behalf of Duval County.	1 ... ** .44
3. FCC Charge for Interstate Toll Access	1 ... 3.50
4. Telecommunications Access System Act Surcharge	1 ... ** .12
Total Basic Services	14.36
<u>Optional Services</u>	
	<u>Quantity</u>
5. Maintenance Plan(s)	1 ... ** 3.00
Total Optional Services	3.00
Total Monthly Service Charges	17.36
 <u>Other Charges and Credits</u>	
<u>Work Completed On Mar 28, 1997</u>	
6. Credit for 1996 Shared Earnings	6.01CREDIT
 ** Unregistered Charge	

AV E030111 (cont(nued)▶

FAX 25
16/30



BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0360
 Bill Period Date: Jun 13, 1997

Detailed Statement of Charges

Other Charges and Credits (continued)

Amount

Work Completed On Jun 13, 1997

Credit for taxes

7. Federal .....	.19CREDIT
8. City .....	.43CREDIT
9. Franchise .....	.12CREDIT
10. Gross Receipts .....	.06CREDIT
Total Other Charges and Credits	6.81CREDIT

Itemized Calls

Amount

Direct Dialed Calls

<u>Date</u>	<u>Place Called</u>	<u>Number Called</u>	<u>Rate*</u>	<u>Time</u>	<u>Min</u>	
11. 05/16	CALL RETRN		KD	06:36PM	1	.75
12. 05/17	CALL RETRN		KD	11:34AM	1	.75
13. 05/18	CALL RETRN		KD	04:24PM	1	.75
14. 05/19	CALL RETRN		KD	10:55AM	1	.75
15. 05/20	CALL RETRN		KD	06:59PM	1	.75
16. 05/26	CALL RETRN		KD	05:12PM	1	.75
17. 05/28	CALL RETRN		KD	09:42AM	1	.75
18. 05/30	CALL RETRN		KD	09:36PM	1	.75
19. 06/01	CALL RETRN		KD	07:19PM	1	.75
20. 06/02	CALL RETRN		KD	08:36PM	1	.75
21. 06/03	CALL RETRN		KD	07:53PM	1	.75
Total Direct Dialed Calls						8.25
Total Itemized Calls						8.25

Taxes

Amount

Taxes on Regulated Services

22. Federal Tax .....	.68
23. Florida Gross Receipts Surcharge .....	.26
24. City Tax	1.32
25. Franchise Charge .....	.21
Total Taxes on Regulated Services	2.47
Total Taxes	2.47

* Taxes and Rates Applied - See Back of First Page

AV E030111

(continued)▶

Fax 75
17/30



BELLSOUTH

Page 4

BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: Jun 13, 1997

Detailed Statement of Charges



Messages

Bellsouth's RightTouch® service is an easy way to do business with us. Use any touch-tone phone to check your account balance, confirm receipt of your last payment, make payment arrangements, order services like Call Waiting and Caller ID, request a duplicate copy of your bill, order local telephone directories, or change your Personal Access Code (PAC). We even provide help on how to use telephone features. Call 1 800 826-6290, 24 hours a day, and follow the directions.

Effective with your next bill, BellSouth has increased the late payment charge to 1.63%. This late payment charge is assessed on any unpaid balance carried forward.

Charges Resolved

Amount

The following claims have been resolved and are reflected in the Total Amount Due on page 1.

Bill Period Date	Company	Amount
26. Apr 13, 1997	DAN Services, Inc.	17.89
Total Charges Resolved		17.89

Detail of Adjustments

Listed below is a summary of the Adjustments, found on page 1 of the bill. These adjustments are shown by date and the company making the adjustment.

Date Adjusted	Company	Adjustment
27. Jun 9, 1997	DAN Services, Inc.	17.89 CREDIT
Total Adjustments		17.89 CREDIT



Fax 23
 18/30



Page 5

BARRY W BEAUFORT
Account Number: 904 770-7192 607 0560
Bill Period Date: Jun 13, 1997

For MCI Billing Questions, Call 1 800 999-9100. Or, for Automated Touch Tone Service
Call 1 800 888-PRESS (1 800 888-7737)

Detailed Statement of Charges

Invoice Date: 06/03/97 MCI Account Number: 4N565826

BARRY W BEAUFORT

Current Charges (See Service Summary)	25.49
Current Taxes and Surcharges	<u>2.69</u>
Total Current Charges, Taxes and Surcharges	28.18

Service Summary

Long Distance	25.49
Total Current Charges	25.49

Taxes and Surcharges

1. Federal Excise Tax .....	.79
2. State & Local Taxes	1.21
3. State & Local Surcharges	<u>.69</u>
Total Current Taxes and Surcharges	2.69

Long Distance

Calls from 904-770-7192:

	Date	Place Called	Number Called	Rate*	Time	Min.	
4.	APR 27	GAINESVL	FL 352 332-8250	N	1230PM	22	2.92
5.	APR 27	GAINESVL	FL 352 332-8250	N	1253PM	5	.66
6.	APR 27	GAINESVL	FL 352 332-8250	N	240PM	21	2.79
7.	APR 30	GAINESVL	FL 352 538-5721	E	614PM	4	.69
8.	APR 30	GAINESVL	FL 352 538-5721	E	618PM	6	1.03
9.	MAY 2	GAINESVL	FL 352 332-7783	D	906AM	5	1.16
10.	MAY 3	GAINESVL	FL 352 538-5721	N	956AM	2	.26
11.	MAY 3	GAINESVL	FL 352 538-5721	N	333PM	4	.53
12.	MAY 5	ALEXANDRIA	VA 703 695-3883	E	757PM	23	4.36
13.	MAY 8	GAINESVL	FL 352 332-7783	D	1047AM	9	2.09
14.	MAY 10	GAINESVL	FL 352 332-8250	N	148PM	9	1.19

This printing of your bill is provided as a service to MCI.

There is no contract between BellSouth and MCI.

* Rate Applied - See Back of First Page

AV E030111

(continued)▶

Fax 4/25
19/30



Page 6

BARRY W BEAUFORT
Account Number: 904 778-7192 607-0560
Bill Period Date: Jun 13, 1997

For MCI Billing Questions, Call 1 800 999-9100. Or, for Automated Touch Tone Service
Call 1 800 888-PRESS (1 800 888-7737)

Detailed Statement of Charges

Long Distance (continued)
Calls from 904-778-7192:

Date	Place Called	Number Called	Rate*	Time	Min.	
15. MAY 11	CHARLESTON	SC 803 797-1225	N	1107AM	20	2.99
16. MAY 15	ALEXANDRIA	VA 703 379-3938	E	827PM	1	.18
17. MAY 18	COVINGTON	KY 606 292-0137	E	757PM	1	.18
18. MAY 27	GAINESVL	FL 352 538-5721	E	758PM	7	1.21
19. MAY 27	GAINESVL	FL 352 538-5721	E	803PM	1	.17
20. MAY 31	GAINESVL	FL 352 538-5721	N	855AM	15	1.99
21. JUN 1	GAINESVL	FL 352 538-5721	N	113PM	4	.53
22. JUN 1	ALEXANDRIA	VA 703 695-5742	E	743PM	3	.56
Total Calls from 904-778-7192:						<u>25.49</u>
Total Long Distance						<u>25.49</u>

* Rate Applied - See Back of First Page

AV E030111

(continued)▶

Fax 78
20/30



Page 7

BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: Jun 13, 1997

☎ For OAN Services, Inc. Billing Questions, Call 1 800 926-7514

Detailed Statement of Charges

<u>Miscellaneous Charges and Credits</u>		<u>Amount</u>
<u>Service Provider - MINIMUM RATE PRICING</u>		
<u>Date</u>		
1. 05/01 PAGING	**	11.95
2. 05/02 VOICE MAIL	**	5.00
3. 06/01 PAGING	**	11.95
4. 06/02 VOICE MAIL	**	5.00
Total Miscellaneous Charges and Credits		33.90
<u>Taxes</u>		<u>Amount</u>
<u>Taxes on Unregulated Services</u>		
5. Federal Tax	**	1.04
6. Florida Gross Receipts Surcharge	**	.84
Total Taxes on Unregulated Services		1.88
Total Taxes		1.88
Total OAN Services, Inc. Current Charges		35.78

**** Unregulated Charge**

This portion of your bill is provided as a service to OAN Services, Inc.
There is no connection between BellSouth and OAN Services, Inc.

AV E030111

2
Fax 78
21/30

07/14/1997 13:52 9042699553

TRUETAX (BEAUFORT)

PAGE 22



networkMCI Calling Invoice

TRUE TAX
BARRY WAYNE BEA
8505 STURBRIDGE CIR. W.
JACKSONVILLE, FL 32244-6187

Invoice Date: 1/22/97
Account Number: 00000723478
Primary Telephone Number: 904269-9553

FOR 24 HOUR CUSTOMER SERVICE CALL

1-800-727-5555

Previous Balance	Payments	Adjustments	Remaining Balance	Current Charges	Total Amount Due	Due Date
\$41.88	\$41.88cr	\$.00	\$.00	\$12.83	\$12.83	3/3/97

Current Charges

Long Distance Calling
 Long Distance \$ 11.76
 Directory Assistance .00
 Taxes and Surcharges 1.07
 Total Current Charges \$12.83

PAID
 2/20/97
 #5284
 \$12.83

Savings

At MCI, we're always looking for new ways to help your business save money. To find out how you can increase your savings, just call an MCI Customer Care Professional.

Let MCI help you save money on all of your communication needs. We offer a full range of products and services, including paging, cellular, Internet access, and conferencing. Call MCI Customer Service today for details.

For Your Information

✓ Now MCI can save you money on LOCAL TOLL CALLS as well as long distance. By using MCI to carry your local toll calls instead of the local phone company, you not only can save money, but ALL your calls are conveniently billed on A SINGLE INVOICE. It's one of the easiest ways to reduce your total costs without cutting back on your calling. To find out more about your local toll service, call MCI Customer Service.

Fax 48
22/30

ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

TRUE TAX
BARRY WAYNE BEA
8505 STURBRIDGE CIR. W.
JACKSONVILLE, FL 32244-6187

networkMCI Calling Invoice

Invoice Date	1/14/98
Account Number	0880234786
Primary Telephone Number	9041229-9240

FOR 24 HOUR CUSTOMER SERVICE CALL
1-800-727-5555

Previous Balance	Payments	Adjustments	Remaining Balance	Current Charges	Total Amount Due	Due Date
\$12.83	\$12.83cr	\$0.00	\$0.00	\$5.64	\$5.64	3/31/97

Current Charges

Long Distance Calling	
Long Distance	\$5.53
Directory Assistance	.00
Other Charges	4.47
Taxes and Surcharges	.64
Total Current Charges	\$5.64

PAID
2/21/97
#5297
\$5.64

Savings

At MCI, we're always looking for new ways to help your business save money. To find out how you can increase your savings, just call an MCI Customer Service Professional.

SIMPLIFY YOUR LIFE! Now you can get the communications services your business needs, on one invoice, from one company. MCI. From long distance, to cellular, to conferencing, to Internet access, we can help you put it all together. Call Customer Service today!

For Your Information

✓ Now MCI can save you money on LOCAL TOLL CALLS as well as long distance. By using MCI to carry your local toll calls instead of the local phone company, you not only can save money, but ALL your calls are conveniently billed on A SINGLE INVOICE. It's one of the easiest ways to reduce your total costs without cutting back on your calling. To find out more about your local toll service, call MCI Customer Service.

PAID
25/30



TRUE TAX

INVOICE DATE: 3/7/97
ACCOUNT NUMBER: 08607234796

3/7/97
08607234796

For 24 Hour Customer Service Call 1-800-727-5555

ATTACHMENT B
DOCKET NO. 971482-TT
JANUARY 8, 1998

Invoice Summary

Invoice Summary

IMPORTANT NOTICE ABOUT YOUR BILL: Beginning with your April invoice, the tax detail on the invoice summary page will list only three items: Federal Tax, State and Local Tax, and State and Local Surcharges. In addition, taxes are now being calculated based on the street, city and state (zip) address.

TOTAL CURRENT CHARGES \$5.64

TOTAL AMOUNT DUE

TOTAL AMOUNT DUE \$5.64

Expand your business with an MCI Toll Free Number. It's the fastest and easiest way to test the potential of new markets - without significant investment. And MCI offers extended toll free service to Canada and the Virgin Islands. For more information, call Customer Service.

PREVIOUS BALANCE

TOTAL PREVIOUS BALANCE \$12.83

PAYMENTS

Payment 2/24/97 12.83cr
TOTAL PAYMENTS \$12.83cr

ADJUSTMENTS

TOTAL ADJUSTMENTS \$.00

REMAINING BALANCE

TOTAL REMAINING BALANCE \$.00

CURRENT CHARGES

LONG DISTANCE
Outbound
Domestic Home Calling .53
Total Outbound \$.53
Total Long Distance \$.53

OTHER CHARGES
Minimum Usage Fee 4.47
Total Other Charges \$4.47

TAXES AND SURCHARGES
Federal Tax .16
State Tax - Florida .32
Local Tax - Jacksonville, Florida .04
FL Gross Receipts Tax - Florida .12
Total Taxes and Surcharges \$.64

2/2/97
FAX

-26-

08607234796
3/7/97
08607234796
MCI TELEPHONE SERVICES

MCI

TRUE TAX

INVOICE DATE:
ACCOUNT NUMBER:

3/7/98
0860723488

ATTACHMENT B
DOCKET NO. 97-1482-T
JANUARY 8, 1998

Page 3

For 24 Hour Customer Service Call 1-800-727-5555

Long Distance Call Detail

GREAT NEWS! Using your MCI Card just got simpler! Thanks to our new, easy-to-remember access number:

1-800-888-8000

Not only is it easy to remember, it's easy to dial! No matter which MCI service you're on, our new access number can help simplify your MCI Card dialing. However, if you prefer, you may continue using your current access number. If you have any questions, please call Customer Service.

From: (904)778-7192

Date	Time	Rate C.	From	To	Phone Number	Minutes	Charges	
02/20	11:21P	N DD	JACKSONVILLE	FL GAINESVILLE	FL 352-538-5771	3.2	1.53	
Subtotal:							3.2	\$.63
Taxes:								\$.07
Total for: (904)778-7192								\$.60

SERVICE SUMMARY	CHARGES
Domestic Home Calling	1.53
TOTAL CHARGES	1.53

LEGEND:

Rate: RATE PERIOD
D = Day E = Evening N = Night/Weekend
CT: CALL TYPE
DD Domestic Direct Dial

Fax pg
27/30

||

-37-

01-10-1998 13:12 0046000000 TRUE TAX ACCOUNTING

 **BELLSOUTH**

Page 4

BARRY W BEAUFORT
Account Number: 904 778-7192 607 0560
Bill Period Date: Apr 13, 1997

Messages (continued)

Teenagers on the line? Computer or fax tying up your phone? Get an additional line for your home now and get a \$40 credit on your phone bill, or use your credit to receive either a BellSouth 25-Channel cordless phone or a BellSouth two-line telephone with three-way conferencing.

Call 1 800 440-LINE (5463), extension 50, to order a residential additional line. (Certain limitations apply. Offer expires 5/31/97.)

Make Sure All of your Calls Go Through!

Beginning April 13, long distance calls made to or within the Palm Beach County and Treasure Coast area, including Barefoot Bay and Micco, must be dialed with the new 561 area code. This means that all telephone services and equipment that include the use of long distance numbers must be reprogrammed before April 13 to operate properly.

AV E030728

(continued)▶



BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: Apr 13, 1997

Helpful Numbers (continued)

BellSouth Telecommunications, Inc. (BST)

NOTE: Numbers for other companies are listed on their bill pages.

Billing Questions or to Place an Order 24 Hours a Day - 7 Days a Week:

if calling from within the Florida BellSouth service area	780-2355
if calling from outside Florida or outside the Florida BellSouth service area	1-800-753-2909
Repair - If calling from within the Florida BellSouth service area	611
Text Telephone (TTY) Users 7:00 AM - 7:00 PM (CST) Monday - Friday:	
if calling from within the Florida BellSouth service area	780-2274
if calling from outside Florida or outside the Florida BellSouth service area	1 800 251-5325

Detailed Statement of Charges

<u>Monthly Service Charges</u>	<u>Amount</u>
<i>Monthly Service - Apr 13 thru May 12</i>	
<i>Basic Services</i>	<i>Quantity</i>
1. Residential Line	1 ... 10.30
2. Emergency 911 Charge. This charge is billed on behalf of Duval County.	1 ... ** .44
3. FCC Charge for Interstate Toll Access	1 ... 3.50
4. Telecommunications Access System Act Surcharge	1 ... ** .12
Total Basic Services	14.36
<i>Optional Services</i>	<i>Quantity</i>
5. Maintenance Plan(s)	1 ... ** 3.00
Total Optional Services	3.00
Total Monthly Service Charges	17.36

** Unregulated Charge

AV E030728

(continued) ▶



BARRY W BEAUFORT
 Account Number: 904 778-7192 607 0560
 Bill Period Date: Apr 13, 1997

For OAN Services, Inc. Billing Questions, Call 1 800 926-7514

Detailed Statement of Charges

<i>Miscellaneous Charges and Credits</i>		<u>Amount</u>
<i>Service Provider - MINIMUM RATE PRICING</i>		
<i>Date</i>		
1. 04/01	PAGING	** 11.95
2. 04/02	VOICE MAIL	** 5.00
Total Miscellaneous Charges and Credits		<u>16.95</u>

<i>Itemized Calls</i>							<u>Amount</u>
<i>Service Provider - MINIMUM RATE PRICING</i>							
<i>Direct Dialed Calls</i>							
<i>Date</i>	<i>Place Called</i>	<i>Number Called</i>	<i>Rate*</i>	<i>Time</i>	<i>Min</i>		
3. 03/05	COVINGTON KY	606 292-0137	AN	09:07PM	8		1.15
4. 03/14	COVINGTON KY	606 292-0137	AN	07:17PM	3		.43
5. 03/14	FLS CHURCH VA	703 321-8020	AN	07:20PM	1		.14
6. 03/14	FLS CHURCH VA	703 321-8020	AN	07:21PM	7		1.01
Total Direct Dialed Calls							<u>2.73</u>
Total Itemized Calls							<u>2.73</u>

<i>Taxes</i>		<u>Amount</u>
<i>Taxes on Regulated Services</i>		
7. Federal Tax .....		.08
8. Florida Gross Receipts Surcharge		<u>.06</u>
Total Taxes on Regulated Services .....		.14

<i>Taxes on Unregulated Services</i>		
9. Federal Tax	**	.52
10. Florida Gross Receipts Surcharge	**	<u>.42</u>
Total Taxes on Unregulated Services .....		.94
Total Taxes		<u>1.08</u>

Total OAN Services, Inc. Current Charges **20.76**

** Unregulated Charge

* Taxes and Rates Applied - See Back of First Page

This portion of your bill is provided as a service to OAN Services, Inc.

There is no connection between BellSouth and OAN Services, Inc.

AV E030728

ATTACHMENT B
DOCKET NO. 97148
JANUARY 8, 1998

Commissioners:
JULIA L. JOHNSON, C.
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING

STATE OF FLORIDA



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DeMELLO
DIRECTOR
(904) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

June 26, 1997

Mr. Barry Wayne Beaufort
3505 Sturbridge Circle, West
Jacksonville, FL 32244-6187

Dear Mr. Beaufort:

Thank you for your recent letter concerning Minimum Rate Pricing, Inc.

We will look into the matter you outlined, advise the company to contact you to resolve the problem, and require the company to provide the Florida Public Service Commission with a letter outlining its resolution of the matter.

If you have any questions, I can be reached at 1-800-342-3552.

Sincerely,

A handwritten signature in cursive script that reads "Ellen Plendl".

Ellen Plendl
Regulatory Specialist I
Division of Consumer Affairs

MEP:ewe

ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

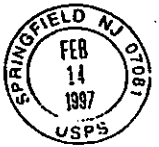
Ada

B. W. Beavfort

19042 Barris Dr

Jupiter FL 33477

Z 112 218 755



-42-

For the name over top of envelope to the
right of the return address



P.O. Box 8000
Bloomfield NJ 07003

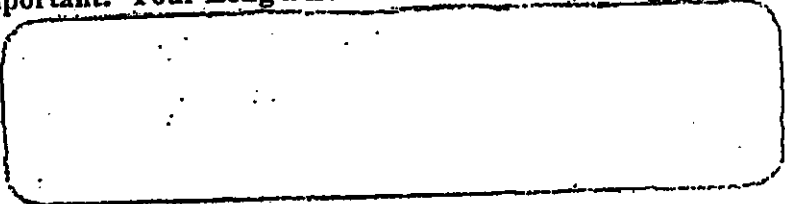
Address Correction Requested

CERTIFIED



MAIL

Important: Your Long Distance Order Confirmation Enclosed



ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

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**IMPORTANT: Fill out card
before returning. Please return
cancelled orders ASAP.**

- Please correct my name as shown.
 - I'd like to know more.
- Please immediately send me information about:
- Inbound 800 Long Distance Service Discounts
 - No Surcharge Calling Cards
 - Adding Other Locations
 - Adding Additional Phone Lines
 - College Student 800 Line
- I've changed my mind. Please cancel my order.
To prevent MRP service provisioning, this card must be returned
within 14 days of this mailing.

Company Name

Mailing Address

City, State, Zip

Contact Name

Area Code & Phone

Date

Authorized Signature

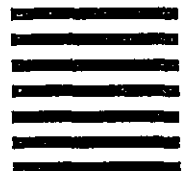


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 200 BLOOMFIELD, NJ

POSTAGE WILL BE PAID BY ADDRESSEE

Minimum Rate Pricing, Inc.
P.O. Box 8000
Bloomfield, NJ 07003-9768



What Communication Consultants Say About Minimum Rate Pricing.



"As a communications industry insider, I know that No-Surcharge Travel Cards avoid the well documented rip-offs associated with the payphone industry. Additionally, the fraud protection service makes it an unbeatable combination."

Mike Palmisano
Telecommunications Network, Inc.



"With Minimum Rate Pricing, small business gets the convenience of writing only one check through the local phone company - avoiding the hassle and expense of separate bills to track."

Rick Scall
US Communications, Inc.



"Minimum Rate Pricing is one of the greatest discounts available for small and medium sized businesses because it goes down to the first dollar of the client's expenditure. There are no 'tiers' or 'buckets' to ramp up through."

Mary Ann Schaler
Schaler Management, Inc.



"While the major carriers offer their best discounts only to large fortune 500 companies, it's refreshing to see that Minimum Rate Pricing hasn't overlooked the little guys."

Juan Guajardo
Independent Telecom Consultant



"As a telecommunications consultant, my clients appreciate the reduced costs that Minimum Rate Pricing delivers without sacrificing the quality of major carrier network services they demand."

Anthony Ventola
East Coast Communications, Inc.

No Activation or Equipment Fee, Saves You \$115

1 Month Pager Service Free, Saves You \$11.95

1 Month Voice Mail Free, Saves You \$5

Total Package Value \$130!

- No Equipment Charge!
- No Shipping Charge!
- No Activation Fee!
- No Obligation With 30 Day Return!
- Economical Monthly Lease!
- Local, Regional, or National Coverage!
- 5 Tones or Silent Vibration Mode!
- Unlimited Pages And Voice Mail!
- Convenient Local Phone Company Billing!

For A Limited Time

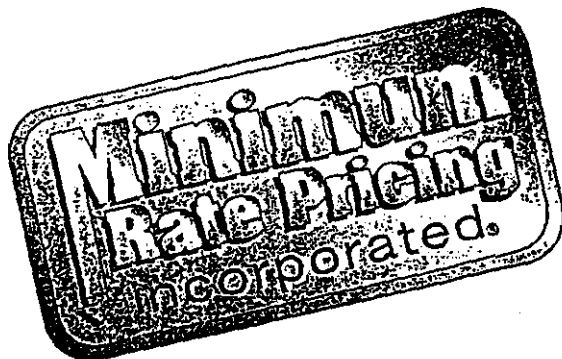
Get A FREE Motorola Pager

With One Month Unlimited Paging & Voice Mail!

Call: 1-800-408-8998

*Offer Subject To Change/Availability

-54-



**Welcome to enhanced
long distance savings
comparing the prevailing
rates of AT&T, MCI,
and Sprint!**

Congratulations on your decision to upgrade your long distance service and discounts to Minimum Rate Pricing, Inc! As discussed by telephone, Minimum Rate Pricing will apply its volume discounts on all your interstate long distance calls. Your Minimum Rate Pricing, Inc. rate discount will appear on your long distance invoice delivered with your local phone bill. Through Minimum Rate Pricing, a discount of at least 25% off prevailing national carrier rates is always achieved!* Your long distance calls will continue to be completed over the type of high quality digital fiber optic networks and operators you've become accustomed to. Minimum Rate Pricing long distance service insures both complete cost control and the convenience of remitting one check through your local phone company!

*The lowest AT&T, MCI, or Sprint basic rate PLUS 25% off!

Tariffs on file with, and regulated by, Federal Communications Commission, Common Carrier Bureau, Washington, DC 20554. Tariffs subject to change.

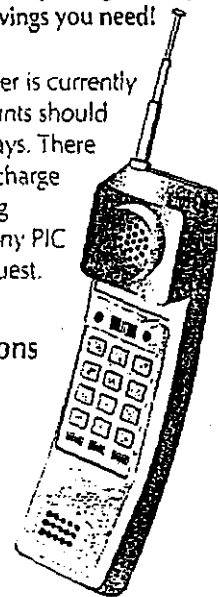
**25% Discounts
Without Restrictions!
No Commitments!
No Monthly Fees!
No Calling Circles!**

Choosing the best long distance company and discount plan can be confusing. Intelligent buyers choose Minimum Rate Pricing, Inc., one of the nation's fastest growing long distance discount service providers. Utilizing least cost pricing software comparing the most prevalent national carrier rates of AT&T, MCI, and Sprint, with 25% guaranteed discounts, Minimum Rate Pricing provides the unbeatable combination you've been waiting for! Your Minimum Rate Pricing invoice delivered with your local phone bill, gives you the management information and convenience you want. Least cost rating, comparing multiple carrier rates, gives you the savings you need!

Your reduced rate service order is currently being processed. Your discounts should begin in approximately 20 days. There is no sign up fee or monthly charge for the Minimum Rate Pricing service and any local company PIC cost is reimbursed upon request.

**If you have any questions
in the meantime...
Please call us at
1-800-408-8998**

or return the enclosed
postage paid card.





Thank You

For subscribing to
Minimum Rate Services
comparing the
major carrier
network pricing
of AT&T, MCI,
and Sprint!



acres Drive
J00
NJ 07003

NOTE: If the customer says no to question 10 - you have only one chance. Do not purposefully write down WTN's as main BTN's - it jeopardizes your contract/employment/financial freedom.

NOW GO BACK AND REPEAT QUESTION 3 THROUGH 9 FOR EACH BTN! - GET THE NEW BTNs BILLING NAME & ADDRESS, →USAGE & WTNs! WRITE UP ALL BTNs & WTNs REGARDLESS OF USAGE. YOU WILL ONLY BE PAID ON OVER \$10 BTNs, BUT TO →SERVICE YOUR CUSTOMER DISCOUNT ALL CUSTOMER LINES INCLUDING HOME PHONES UNDER \$10!

- 11. Sir/Ma'am, as a courtesy to you, we will also be discounting your home phone. How much is the long distance portion of your home phone bill each month - ? That's just the long distance, with your long distance carrier, right? (Not local usage). \$ _____
- 11a. Your main Billing Telephone Number at home is _____
- 11b. In what name does the home phone number appear?
- 11c. And the billing address of that account is: _____
- 12. We will be sending you our FREE no- surcharge calling card to save you surcharges at pay phones and hotels conveniently billed on your local phone bill. How many cards would you like sent to the company? How many would you like sent to your home?
- 13. Finally, as a credit preferred customer you are entitled to a FREE Motorola pager with one full month of free unlimited paging. There's no activation fee and no shipping charge - that's \$130 in free paging services! After your first month of free service you may continue using it for a flat monthly fee of only \$11.95 or return the pager at no obligation. Would you like more than one? Great! Now, just don't lose or damage it because there would be an \$89 charge.

(If they want to order you must say):

13a. (If yes) Now, what is the precise physical street address for delivery of the free pager to your attention?

NOTE: Pagers will be shipped to the decision maker's address only!

Now, your _____ % base rate savings (or _____ cents flat rate) will start in about 15 days and toll discounts will start when processed by the phone company. I'd like you to write down the toll free customer service number: (800)408-8998. Also, look for our welcome packet which will be certified mailed to you to guarantee your Minimum Rate Pricing discount in writing! Now, for your account protection, the local phone company will be notified automatically to maintain your MRP discounts until canceled by you and to remedy any unauthorized changes to your service.

Now, before I go, are there any other questions you have about our service? OK, great. Thanks and welcome to the network!

NOTE: ONLY if the customer asks, "can I cancel it verbally?" the answer is "YES, you can also call in to cancel verbally"

MRP BATIM REQUIRED VERIFICATION SCRIPT

Hello! I am (first and last name) with the Verification and Quality Control Department here at Minimum Rate Pricing Incorporated, I will be recording this call to facilitate accurate order entry of the data. The reason we are speaking is just to reconfirm the details you discussed with (sales person's first and last name) in order to receive the Minimum Rate Pricing _____% basic rate interstate discount plan (or _____ cents per minute flat rate plan).

Do you have the authority to approve the discounted service change to Minimum Rate Pricing? OK, great!!

NOTE: If a flat rate is chosen, skip the next question.

Do you understand that the Minimum Rate Pricing network will be comparing the lowest basic rates among AT&T, MCI, and Sprint and then deducting _____% off?

Do you understand that Minimum Rate Pricing, Inc. long distance is not affiliated with your local or long distance phone company?

NOTE: These are questions each requiring positive customer responses. If you re-state them as "FACTS" - INSTEAD OF QUESTIONS - your order will be REJECTED !

1. OK, now, your name is _____ and what is your title, please?

NOTE: If your customer is anyone other than the owner, president, vice president, treasurer, controller, or CEO you must ask: Now is there anyone else that needs to be involved in this decision besides yourself? (If Yes, you must get the other persons approval).

2. Now, first, today is (name of day-e.g. Monday), and the date is (Month & day-e.g. August 6th).

3. Your main Billing Telephone Number is:

4. The exact billing name we have for that number is _____ Is that how the name appears on the local bill?

5. Now, the billing address I have for that location is _____.

6. How much is the long distance portion of your phone bill each month? That's just the long distance, with your long distance carrier, right? (Not local usage)

NOTE: If they don't know their usage, you must say "is it under \$10, or \$10 or more?"

7. And, your additional phone numbers are: _____ Correct?

NOTE: State the customers WTNs then list the WTNs billed to the above BTN- multiple BTNs must be listed on separate form- one form per BTN only! If there are no additional lines, skip to #10

8. Do you have a computer modem line, or a fax line at this location?

9. Do all of the lines we discussed appear on one local phone bill ?

10. Do you receive any other separate local phone bills besides the one we discussed ? This would also include other locations.

10a. (If yes) Would you like the discounts to apply there ?

ATTACHMENT B
DOCKET NO. 97-82-98
JANUARY 8, 1997



Certified #
Z 112 218 755

February 14, 1997

904-778-7192
Ada
B W Beaufort
19062 Barris Dr.
Jupiter FL 33477

Dear Ada:

Thank you for your recent service request. We are honored to provide your FREE subscription change to Minimum Rate Pricing, Inc. long distance service comparing the prevailing basic interstate rates of the major carrier networks AT&T, MCI, and Sprint! Your 25% discount off major carrier interstate long distance pricing is certified to you in writing for your Guarantee of Satisfaction, Service, and Savings!* For the utmost in convenience and reliability, your call detail is delivered with your local phone bill to give you the ease of having only one check to write! In the future, MRP discounts on local toll calls will be automatically provided to you as soon as the local phone company processes service.

In addition to outbound calling discounts, you may want to obtain a FREE NO-SURCHARGE Travel Card. Have you ever made calls from a hotel or pay phone? Recent news reports have highlighted how many of these facilities add surcharges of \$1 to \$10 per call above the normal cost of calling! To avoid these exorbitant charges, request your own FREE NO-SURCHARGE Travel Cards, if you have not already done so. Like your long distance discounts, the travel cards conveniently bill any calls you make with your local phone bill! Just call in to request yours now!

Finally, under a limited promotion you will be receiving the state of the art Motorola/NEC pager you requested in your order - FREE of any equipment charge. There is no activation fee or shipping cost and your pager includes FREE unlimited paging and voice mail for 30 days! After your first FREE month of service, you may continue unlimited paging for a monthly fee of \$11.95 or return the pager at no further obligation** Your pager will be shipped directly after your discounted phone service order is finalized within 30 days.

There are no monthly fees, commitments, restrictions, or calling circles for the benefits of your Minimum Rate Pricing 25% discount, and any local exchange PIC charges are reimbursed upon request. To assure your uninterrupted service and account protection, the local phone company will be notified automatically to maintain your MRP discounts and remedy any unauthorized changes to your account. MRP'S agency will remain in effect until you notify us of any cancellation. The latest major carrier technology, security, savings, convenience and discounts are now yours. Welcome!

Sincerely,

Tracy A. Davis
Customer Service Representative

Enclosures: Welcome Packet

*The lowest AT&T, MCI, or Sprint basic interstate rate plus 25% off without restrictions! MRP tariffs on file with the FCC. Tariffs subject to change.

**Lost or damaged pagers incur an \$89.95 replacement charge. Allow up to 45 days for delivery.

300 Broadacres Drive P.O. Box 8000 Bloomfield, NJ 07003 (800) 408-8998 Fax: (800) 308-5665

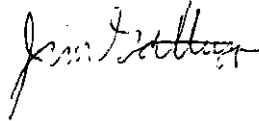
ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

MRP has made several attempts to contact Mr. Beaufort on this matter. However, these attempts have been unsuccessful.

I hope this clarifies the extensive Quality Assurance and control process utilized by MRP to insure accurate order submission. Keep in mind that proper authorization was given to the MRP salesperson to switch Mr. Beaufort's service by Ada Beaufort on 2/6/97. At that time, Ms. Beaufort was asked two specific questions in reference to the authorization needed for a carrier change, which she answered yes to. The first one was, "Do you have the authority to approve the discounted service change to Minimum Rate Pricing? The second one was, "Do you understand that Minimum Rate Pricing will be selecting your underlying carrier either AT&T, MCI, Sprint, or Wiltel to ensure your 25% discount?" Ms. Beaufort also agreed to notify MRP if she ever decided to cancel her MRP service. Furthermore, the above cancellation and rate information was reiterated in the follow up welcome letter packet sent via certified US mail to Ms. Beaufort's attention 15 days before MRP's service became activated.

Notwithstanding, in compliance with our "Customer Satisfaction Guarantee Policy," MRP will reimburse Mr. Beaufort for any PIC fee he incurred, the difference in rates charged between MRP and his current long distance carrier, and any monthly paging/voice mail charges. Mr. Beaufort has been instructed in writing that he can receive this reimbursement by simply mailing or faxing (toll free) his MRP and current carrier's bills to my attention.

Sincerely,



Jim Gattuso
Customer Care Manager

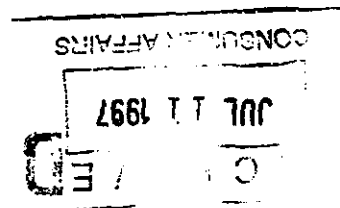
Enclosures: Sample of Certified 1st Class Mail Welcome Packet
Tape Recorded Verification Script
Personal Letter from Customer Care Manager
Certified Mail Receipt stamped by the Post Office



July 9, 1997

Ellen Plendl
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee FL 32399-0850

RE: Barry Wayne Beaufort
#176749



Dear Ms. Plendl:

Minimum Rate Pricing Inc. is in receipt of the above referenced complaint placed by Mr. Beaufort. This matter has been investigated, and the following facts have been confirmed:

1. Minimum Rate Pricing Inc. (MRP) received a tape recorded sales confirmation and corresponding order paperwork from an independent sales contractor for the customer's MRP long distance service conversion. This sales order was tape recorded for accurate order entry of the data.
2. The tape recorded sales confirmation and paperwork was independently reviewed by our Quality Assurance Department. Since all the information needed to process the order was obtained, it was approved for mailing confirmation.
3. After review of the order, a U.S. first class certified mail confirmation and welcome packet was sent to the customer by an independent mailing company. The mailing included a welcome kit with a personalized letter from the customer service manager to their attention. **There was also a postage paid business reply card and a toll free 800 number for order cancellations or customer service inquiries included inside the packet for the customer's convenience.**
4. After the certified mail packet was sent, the service order was held for fifteen (15) days (one day beyond the FCC required 14 day period), just in case the customer changed their mind. **This 15 day waiting period is in compliance with Federal Communication Commission regulations.**

May 29, 1997, *continued...*

This deception originated when my long-distance service was switched without my knowledge or consent from MCI to Minimum Rate Pricing, and the pager plus voicemail charges were added as part of that fraud. Immediately upon being made aware of this deception, I notified BellSouth to switch my long-distance carrier back to MCI and to lock my long-distance service so that it cannot be switched again with my express consent. I do not dispute that I made the long-distance calls listed on my BellSouth bills, only that I at no time authorized BellSouth, OAN, WilTel, or Minimum Rate Pricing to change my long-distance carrier from MCI, or to add paging and voicemail charges.

My current BellSouth bill (dated 5/13/97, copy enclosed) shows that I am no longer being charged for pager & voicemail services, but the fraudulent charges that appeared on the 4/13/97 bill have not been removed.

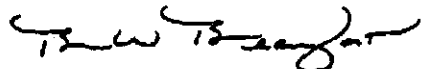
As far as the paging and voicemail charges of \$17.89 go, I state again for all concerned that I do not have a pager, do not want a pager, and have never had any use for voicemail. I did not authorize these charges, never used these services, and did not even know they were being added to my BellSouth bill until I received the statement.

On 4/24/97 I phoned Minimum Rate Pricing and demanded that BellSouth be notified to remove these charges from my account. Since that has not happened, I again request your assistance in forcing Minimum Rate Pricing, WilTel, OAN Services, and/or BellSouth to address and remedy this matter.

Please phone in case of questions. Thank you. I may be reached at these numbers:

Day	(904) 269-9550
Evening	(904) 778-7192
Cellular	(904) 608-2687

COPY



BARRY WAYNE BEAUFORT

Copy to:
BellSouth
PO Box 33009
Charlotte, NC 28243-0001

Minimum Rate Pricing
PO Box 10322
Van Nuys, CA 91410

Fax B
30/20

ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

BARRY WAYNE BEAUFORT

8505 Sturbridge Circle West
Jacksonville, FL 32244-6187
(904) 778-7192

May 29, 1997

Florida Public Service Commission
Division of Consumer Affairs
2540 Shumard Oak Blvd
The Betty Easley Conference Ctr
Tallahassee, FL 32399-0867

COPY

Re: Unauthorized/Fraudulent Telephone Charges

Dear Sir or Madam:

This is a follow-up to my telephone complaint of 4/24/97 concerning unauthorized and fraudulent charges placed on my telephone bill by Minimum Rate Pricing.

This is also my second request for your assistance in this matter. To date I have received no response from any party to my telephone complaint, nor have I been able to resolve this problem directly with Minimum Rate Pricing, WilTel, OAN Services, or BellSouth.

Upon reviewing my BellSouth statement of 4/13/97 (copy enclosed), I discovered that my long-distance carrier had been switched without my authorization, knowledge, or consent, from MCI to some company called "Minimum Rate Pricing." I have since learned that Minimum Rate Pricing is an alias for another company called "WilTel." That BellSouth statement included charges from OAN Services for paging and voicemail services which I have never had, have never wanted, and had never authorized or even discussed with any representative of Minimum Rate Pricing, WilTel, OAN, BellSouth, or any other company offering paging and voicemail services.

On 4/24/97 I registered a complaint by phone with the Florida Public Service Commission against Minimum Rate Pricing, WilTel, and OAN Services for changing my long-distance service from MCI without my knowledge or consent.

I paid the undisputed charges on my BellSouth bill and notified BellSouth in writing (copy enclosed) of the fraudulent charges. I have now received BellSouth's new statement which continues to reflect false charges of \$17.89 (\$16.95 plus tax) for the voicemail and paging services which I adamantly dispute. I had hoped that this current bill would have had these charges removed so that I could consider this problem resolved, but the phony charges remain (although they are indicated as under investigation).

Fax 2/29/98
29/30

ATTACHMENT B
DOCKET NO. 971482-TI
JANUARY 8, 1998

BARRY WAYNE BEAUFORT

8505 Sturbridge Circle West
Jacksonville, FL 32244-6187
(904) 778-7192

May 1, 1997

BellSouth
PO Box 33009
Charlotte, NC 28248-0001

Re: Unauthorized/Fraudulent charges on your statement of 4/13/97

Dear Sir or Madam:

This letter accompanies my check #0623, dated 5/1/97, in the amount of \$28.56, as partial payment of your statement dated 4/13/97, for telephone services (904-778-7192) at my residence:

Upon reviewing your statement, I discovered that my long-distance carrier had been switched without my authorization, knowledge, or consent, from MCI to some company called "Minimum Rate Pricing." I have since learned that Minimum Rate Pricing is connected with some company called "WITel." Further, your statement includes charges from OAN Services for paging and voicemail services which I do not have, do not want, never authorized or ever even discussed with any representative of Minimum Rate Pricing, WITel, OAN, BellSouth, or any other company offering paging and voicemail services.

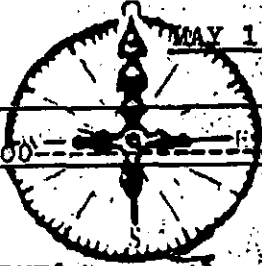
On 4/24/97 I registered a complaint by phone with the Florida Public Service Commission against Minimum Rate Pricing, WITel, and OAN Services for changing my long-distance service from MCI without my knowledge or consent, and I intend to follow that phonecall with a formal, written complaint.

My enclosed payment of \$28.56 covers BellSouth's charges of \$24.75, plus long-distance charges of \$3.81. I am paying the long-distance charges since I do not dispute that I made the long-distance calls listed on my bill, only that I at no time authorized BellSouth, OAN, WITel, or Minimum Rate Pricing to change my long-distance carrier from MCI. As far as the paging and voicemail charges of \$18.95 go, I do not have a pager, do not want a pager, and have absolutely no use for voicemail. I did not authorize these charges, never used these services or was even aware that I supposedly had them, and did not know they were being added to my BellSouth bill until I received your statement. On 4/24/97 I phoned Minimum Rate Pricing and demanded that BellSouth be notified to remove these charges from my account. By now that should have happened. If it has not, please contact me, and annotate your records to reflect that the pager and voicemail charges are in dispute.

Please phone in case of questions. Thank you.

BARRY WAYNE BEA

FAX 28/30

WORLDWIDE SERVICE		0623
		
BARRY WAYNE BEAUFORT PH 904-778-7192 8505 STURBRIDGE CIR., W. JACKSONVILLE, FL 32244-6187		
Pay to the Order of	BELLSOUTH	\$ 28.56***
TWENTY-EIGHT & 56/100		Dollars
P.O. BOX 42006, JACKSONVILLE, FLORIDA 32232-0006 JAX NAVY		
For 4/13/97 [PARTIAL PMT]		28 56 28 56

MCI

TRUE TAX

INVOICE DATE:
ACCOUNT NUMBER:

088072347-8

Page 3

For 24 Hour Customer Service Call 1-800-727-5555

Long Distance Call Detail

GREAT NEWS! Using your MCI Card just got simpler! Thanks to our new, easy-to-remember access number:

1-800-888-8000

Not only is it easy to remember, it's easy to dial! No matter which MCI service you're on, our new access number can help simplify your MCI Card dialing. However, if you prefer, you may continue using your current access number. If you have any questions, please call Customer Service.

From: (804)778-7192

Date	Time	Rate	CI	From	To	Phone Number	Minutes	Charge
01/15	9:08P	E	DD	JACKSONV, FL	COCOA, FL	407-851-5517	9.1	\$1.52
01/18	4:05P	N	DD	JACKSONV, FL	BAINESV, FL	352-538-5721	14.1	\$2.35
01/18	7:23P	E	DD	JACKSONV, FL	LEXINGTON, SC	803-957-6347	3.2	\$0.50
01/20	12:10A	N	DD	JACKSONV, FL	FLS CHURCH, VA	703-321-8020	1.7	\$0.25
01/22	9:23P	E	DD	JACKSONV, FL	FLS CHURCH, VA	703-321-8020	1.6	\$0.25
01/22	9:25P	E	DD	JACKSONV, FL	COVINGTON, KY	506-292-0137	.5	\$0.08
01/22	9:25P	E	DD	JACKSONV, FL	COVINGTON, KY	506-292-0137	23.3	\$3.63
01/24	7:52P	E	DD	JACKSONV, FL	COCOA, FL	407-851-0643	8.1	\$1.36
01/30	8:35P	E	DD	JACKSONV, FL	TIRUSVILLE, FL	407-254-4272	1.3	\$0.22
02/01	11:25P	N	DD	JACKSONV, FL	FLS CHURCH, VA	703-321-8020	1.6	\$0.25
02/01	11:27P	N	DD	JACKSONV, FL	COVINGTON, KY	506-292-0137	7.7	\$1.20
02/03	10:56P	F	DD	JACKSONV, FL	TIRUSVILLE, FL	407-254-4272	.8	\$0.15
Subtotal:							78.1	\$11.78
Taxes:								\$1.08
Total for: (804)778-7192								\$12.84

SERVICE SUMMARY	CHARGES
Domestic Home Calling	\$11.78
TOTAL CHARGES	\$11.78

LEGEND:

Rate: RATE PERIOD
D - Day E - Evening N - Night/Weekend
CI: CALL TYPE
DD Domestic Direct Dial

24/30
R
R
R

||

01-14-1998 10:53 504655553 TRUE 00000001

MCI

TRUE TAX

INVOICE DATE:
ACCOUNT NUMBER:

2/7/97
086072347

For 24 Hour Customer Service Call 1-800-727-8555

Page 2

ATTACHMENT B
DOCKET NO. 971488-TI
JANUARY 8, 1998

Invoice Summary

Call Customer Service today to begin paying your MCI bill by credit card each month. Each month, your MCI charges will be billed to your American Express, VISA, MasterCard, or Discover card.

PREVIOUS BALANCE

TOTAL PREVIOUS BALANCE \$41.88

PAYMENTS

Payment 1/27/97 41.88cr
TOTAL PAYMENTS \$41.88cr

ADJUSTMENTS

TOTAL ADJUSTMENTS \$.00

REMAINING BALANCE

TOTAL REMAINING BALANCE \$.80

CURRENT CHARGES

LONG DISTANCE

Outbound
Domestic Home Calling 11.76
Total Outbound \$11.76
Total Long Distance \$11.76

TAXES AND SURCHARGES

Federal Tax .36
Local Tax - Jacksonville, Florida .39
FL Gross Receipts Tax - Florida .30
State & Local Surcharge - Florida .02
Total Taxes and Surcharges \$1.07

TOTAL CURRENT CHARGES \$12.83

TOTAL AMOUNT DUE

TOTAL AMOUNT DUE \$12.83

Invoice Summary

Effective 2/1/97, your network MCI Calling volume discounts on in-state and state-to-state rates will be 5% on total eligible monthly usage of \$20 - \$949.99, and 10% on total eligible monthly usage of \$950 - \$10,000.

-57-

2/2/97
Fax

ATTACHMENT B
DOCKET NO. 971482-7
JANUARY 8, 1998

BARRY WAYNE BEAUFORT

8505 Sturbridge Circle West
Jacksonville, FL 32244-6187
(904) 778-7192

May 1, 1997

BellSouth
PO Box 33009
Charlotte, NC 28243-0001

Re: Unauthorized/Fraudulent charges on your statement of 4/13/97

Dear Sir or Madam:

This letter accompanies my check #0623, dated 5/1/97, in the amount of \$28.56, as partial payment of your statement dated 4/13/97, for telephone services (904-778-7192) at my residence.

Upon reviewing your statement, I discovered that my long-distance carrier had been switched without my authorization, knowledge, or consent, from MCI to some company called "Minimum Rate Pricing." I have since learned that Minimum Rate Pricing is connected with some company called "WilTel." Further, your statement includes charges from OAN Services for paging and voicemail services which I do not have, do not want, never authorized or even discussed with any representative of Minimum Rate Pricing, WilTel, OAN, BellSouth, or any other company offering paging and voicemail services.

On 4/24/97 I registered a complaint by phone with the Florida Public Service Commission against Minimum Rate Pricing, WilTel, and OAN Services for changing my long-distance service from MCI without my knowledge or consent, and I intend to follow that phonecall with a written complaint.

My enclosed payment of \$28.56 covers BellSouth's charges of \$24.75, plus long-distance charges of \$3.81. I do not dispute that I made the long-distance calls listed on my bill, only that I at no time authorized BellSouth, OAN, WilTel, or Minimum Rate Pricing to change my long-distance carrier from MCI. As far as the paging and voicemail charges of \$16.95 go, I do not have a pager, do not want a pager, and have absolutely no use for voicemail. I did not authorize these charges, never used these services, and did not know they were being added to my BellSouth bill until I received your statement. On 4/24/97 I phoned Minimum Rate Pricing and demanded that BellSouth be notified to remove these charges from my account. By now that should have happened. If it has not, please contact me, and annotate your records to reflect that the pager and voicemail charges are in dispute.

Please phone in case of questions. Thank you.

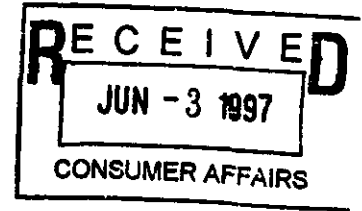

BARRY WAYNE BEAUFORT

176749I

8505 Sturbridge Circle West
Jacksonville, FL 32244-6187
(904) 778-7192

May 29, 1997

Florida Public Service Commission
Division of Consumer Affairs
2540 Shumard Oak Blvd
The Betty Easley Conference Ctr
Tallahassee, FL 32399-0867



Re: Unauthorized/Fraudulent Telephone Charges

T1434

Dear Sir or Madam:

This is a follow-up to my telephone complaint of 4/24/97 concerning unauthorized and fraudulent charges placed on my telephone bill by Minimum Rate Pricing.

This is also my second request for your assistance in this matter. To date I have received no response from any party to my telephone complaint, nor have I been able to resolve this problem directly with Minimum Rate Pricing, WilTel, OAN Services, or BellSouth.

Upon reviewing my BellSouth statement of 4/13/97 (copy enclosed), I discovered that my long-distance carrier had been switched without my authorization, knowledge, or consent, from MCI to some company called "Minimum Rate Pricing." I have since learned that Minimum Rate Pricing is an alias for another company called "WilTel." That BellSouth statement included charges from OAN Services for paging and voicemail services which I have never had, have never wanted, and had never authorized or even discussed with any representative of Minimum Rate Pricing, WilTel, OAN, BellSouth, or any other company offering paging and voicemail services.

On 4/24/97 I registered a complaint by phone with the Florida Public Service Commission against Minimum Rate Pricing, WilTel, and OAN Services for changing my long-distance service from MCI without my knowledge or consent.

I paid the undisputed charges on my BellSouth bill and notified BellSouth in writing (copy enclosed) of the fraudulent charges. I have now received BellSouth's new statement which continues to reflect false charges of \$17.89 (\$16.95 plus tax) for the voicemail and paging services which I adamantly dispute. I had hoped that this current bill would have had these charges removed so that I could consider this problem resolved, but the phony charges remain (although they are indicated as under investigation).

Name JONES, ERNEST

Company MINIMUM RATE PRICING, INC.

Request No. 1521121

Address 7228 SANDHURST ROAD, SOUTH

Attn. DREW KEENA 1521121

By SAS Time 2:40 PM Date 12/16/96

Consumer's Telephone # (904)-743-2175

To CO Time MAIL Date 12/17/96

City/Zip JACKSONVILLE County DUV

Can Be Reached (904)-743-2175

Type S Form Phone

Account Number _____

Note telemarketing

Category _____

Company Contact _____

Limited Reponse N

Infraction LS-13B

Closed by NEP Date 02/26/97

Reply Received T

MAIL TO COMPANY (LONG DISTANCE CO.)

Mr. Jones says that his long distance service was switched from AT&T without his authorization, and says that he was on AT&T's True Savings Calling Plan. He objects to the switch, and wants the problem investigated. (PLEASE INVESTIGATE AND PROVIDE A DETAILED WRITTEN REPORT INCLUDING LOA/TAPE AND APPLICABLE CREDITS FOR THE SWITCHING FEES AND LONG DISTANCE CALLS AFTER YOUR CONTACT WITH THE CUSTOMER.)

01-17 Final report received stating that the company had received a tape recorded order and paper work from an independent sales contractor.

01-22 FAXED TO CO. USING THE FAX TELEPHONE NUMBER LISTED ON REPORT. PLEASE MAIL ME A COPY OF THE ACTUAL TAPE RECORDED VERIFICATION BY JANUARY 29, 1997, SO WE CAN LISTEN TO IT.

NOTE: report also stated that customer was contacted and situation resolved.

01-28 Tape received

"This is not going to change any of my phone services?" Not a direct answer. Verifier begins answering question by stating that she will still be using the same local carrier.

CONSUMER REQUEST

FLORIDA PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-0850
904-413-6100

PLEASE RETURN THIS FORM WITH REPORT OF ACTION TO:

Shirley Stokes

DUE: 01/10/97

ATTACHMENT C
DOCKET NO. 971482-TI
JANUARY 8, 1998

ATTACHMENT C
DOCKET NO. 971482
JANUARY 8, 1998



P.O. BOX 8000
BLOOMFIELD, NJ 07003

F A X C O V E R S H E E T

R E C E I V E

DATE: 1/24/97

JAN 28 1997
CONSUMER AFFAIRS

TO: Shirley Stokes

PHONE: _____
FAX: _____

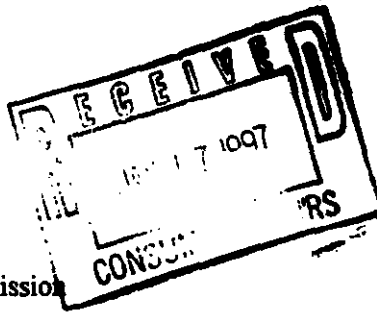
FROM: Jim Gattuso
Minimum Rate Pricing Inc.

PHONE: 800-408-8998
FAX: 800-508-5665

RE: Earnest & Deborah Jones NUMBERS OF PAGES: _____
152112 F

MESSAGE

Shirley,
Here is the tape you requested for
Earnest Jones.
Thank You
Jim Gattuso



January 10, 1997

Shirley Stokes
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee FL 32399-0850

RE: Earnest & Deborah Jones
152112I

Dear Ms. Stokes:

Minimum Rate Pricing Inc. (MRP) has spoken to Mrs. Jones in reference to the above mentioned complaint. During our discussion, Mrs. Jones explained to me she didn't remember speaking to anyone from our company. I then briefly explained to her that an independent contractor of MRP spoke to her on 9/3/96 regarding our service, and also explained the events that led to her service being changed to MRP. Mrs. Jones informed me that all she cared about was her long distance service being on AT&T. As always, MRP's Customer Satisfaction Guarantee, (which credits switching fees and adjusts any calls that were billed higher than the previous service), was offered to Mrs. Jones. However, Mrs. Jones ended the conversation by telling me, "As long as I'm not with your company and I am with AT&T, I have no problems." I reassured Mrs. Jones that Minimum Rate Pricing cancelled her service on 12/6/96, upon her request. It was Mrs. Jones's testimony to me that this situation has been resolved to her satisfaction. Below is a brief description of how Mrs. Jones's long distance service was initially switched by MRP.

1. MRP received a tape recorded long distance service order and corresponding order paperwork from an independent sales contractor for the customer's MRP service conversion. This sales order was tape recorded for accurate data entry of the data
2. The tape recorded order and paperwork was independently reviewed by our Quality Assurance Department. Since all the information needed to process the order was obtained, it was approved for mailing confirmation.
3. After review of the order, a U.S. first class certified mail confirmation and welcome packet was sent to the customer by an independent mailing company. The mailing included a welcome kit with a personalized letter from the customer service manager to their attention. There was also a postage paid business reply card and a toll free 800 number for order cancellations or customer service inquiries included inside the packet for the customer's convenience.

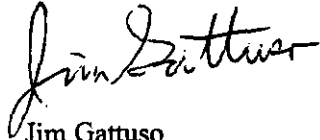
- 63 -

ATTACHMENT C
DOCKET NO. 971482-T1
JANUARY 8, 1998

4. After the certified mail packet was sent, the service order was held for fourteen (14) days, just in case the customer changed their mind. **This 14 day waiting period is in compliance with Federal Communication Commission Regulations.**

I hope this clarifies the extensive Quality Assurance process utilized by MRP. The information provided above should be helpful to resolving this matter. If I may be of any further assistance to you, please do not hesitate to call.

Sincerely,



Jim Gattuso
Customer Care Manager

Enclosures: Copy of Certified 1st Class Mail Welcome Packet
Tape recorded verification script
Personal Letter from Customer Care Manager

**MINIMUM RATE PRICING VERBATIM REQUIRED TAPE RECORDED VERIFICATION SCRIPT
WITH SEPARATE VERIFIER**

Hello! I am (first and last name) with the Verification and Quality Control Department here at Minimum Rate Pricing Incorporated, I will be recording this call to facilitate accurate order entry of the data. The reason we are speaking is to reconfirm the details you discussed with (sales person's first and last name) in order to receive the Minimum Rate Pricing 25% service and discount plan.

Do you have the authority to approve the discounted service change to Minimum Rate Pricing? OK, great!!

Do you understand that Minimum Rate Pricing will be selecting your underlying carrier either AT&T, MCI, Sprint, or Wiltel to insure your 25% discount?

Do you understand that Minimum Rate Pricing, Inc. long distance is not affiliated with your local phone company?

1. OK, now, your name is _____ and what is your title, please?

Note: If they are anyone other than the owner, president, vice president, treasurer, controller, or CEO you must ask: **Now is there anyone else that needs to be involved in this decision besides yourself?** (If Yes, you must get the other persons approval).

2. Now, first, today is (name of day-e.g. Monday), and the date is (Month & day-e.g. August 6th).

3. The exact company billing name we have for you is _____
Is that how the company name appears on the local bill?

4. What is your precise physical street address where local service is installed? _____

5. Now, the billing address I have for that location is _____ is that right?

6. How much is the long distance portion of your phone bill each month? That's just the long distance, with your long distance carrier, right? (Not local usage).

7. Your main Billing Telephone Number is _____

8. And, your additional phone numbers there are: _____

9. Do you have a computer modem line, or a fax line at this or any location? Do you have account codes?

10. Do all of your lines appear on one local bill?

11. We will be sending you our cost saving no surcharge calling card conveniently billed with your local phone company bill, this is to save you surcharges at pay phones or hotels, OK? (If yes) How many cards would you like sent to you?

12. Do you have more than one location? (If YES, then) Would you like the discounts to apply to all locations? (If yes, you need BTN's and physical addresses from each site). If yes, What are your other BTN's and phone lines? And, what is the physical service address for each BTN? Are there any modem or fax lines there?

This next paragraph (#13) is optional

13. Also now, as a preferred customer you are eligible for the purchase of a new pager! This special offer includes 3 FREE months of service with no activation fee. After 3 months of FREE service you only pay a flat monthly rate of \$10.95 for unlimited paging. The pager is available to you at the wholesale cost of only \$59.95. Would you like more than one?

(If customer asks what kind of beeper, respond: Motorola or Uniden)

Now, your savings will start in about 15 days and you will be assigned a personal Minimum Rate Pricing account manager. I'd like you to write down their toll free 800 number: (800) 408-8998. Also, look for our welcome packet which will be certified mailed to you to guarantee your Minimum Rate Pricing 25% discount in writing! Now, for your account protection, the phone company will be notified on your behalf to restrict any unauthorized charges to your service without getting your direct approval. Also, your Minimum Rate service and discounts will remain in effect until canceled by you in writing so you are assured uninterrupted service and savings.

(NOTE: ONLY if the customer asks, "can they cancel it verbally?" the answer is "YES, you can also call in to cancel verbally")

Now, before I go, are there any other questions you have about our service? OK, great. Thanks and welcome to the network!



Thank You

For subscribing to
Minimum Rate Pricing
service utilizing
major carrier
networks such
as AT&T, MCI,
Sprint, or
Wiltel



300 Broadacres Drive
P.O. Box 8000
Bloomfield, NJ 07003



**Welcome to enhanced
long distance savings
utilizing advanced network
technology such as AT&T,
MCI, Sprint, or Wiltel**

Congratulations on your decision to upgrade your long distance service and discounts to Minimum Rate Pricing, Inc! As discussed by telephone, Minimum Rate Pricing will apply its volume discounts on all your interstate and international long distance calls. Your Minimum Rate Pricing, Inc. rate discount will appear on your long distance invoice delivered with your local phone bill. Through Minimum Rate Pricing, a discount of at least 25% off standard day rates is always achieved! At all times, your long distance calls will be completed over the high quality digital fiber optic networks and operators you've become accustomed to such as AT&T, MCI, Sprint or LDOS/WorldCom/Wiltel. Minimum Rate Pricing long distance service insures both complete cost control and the convenience of remitting one check through your local phone company.*

*25% off AT&T Commercial or Residential Day Rates without restrictions

Tariffs on file with, and regulated by, Federal Communications Commission, Common Carrier Bureau, Washington, DC 20554.

**Minimum Rate Pricing
Utilizing AT&T, MCI,
Sprint or Wiltel
Underlying Networks**

Choosing the best long distance company and discount plan can be confusing. Intelligent buyers choose Minimum Rate Pricing, Inc., one of the nation's fastest growing long distance discount service providers. Utilizing national carriers such as AT&T, MCI, Sprint, or Wiltel with 25% guaranteed discounts, Minimum Rate Pricing provides the unbeatable combination you've been waiting for! Your Minimum Rate Pricing invoice delivered with your local phone bill, gives you the management information and convenience you want. Least cost rating, comparing multiple carrier costs, gives you the savings you need!

Your reduced rate service order is currently being processed. Your discounts should begin in approximately 20 days. There is no sign up fee or monthly charge for the Minimum Rate Pricing service and any local company PIC cost is reimbursed upon request.

**If you have any questions
in the meantime...Please
call us at 1-800-408-8998**

or return the enclosed
postage paid card.



What Communication Consultants Say About Minimum Rate Pricing:



"As a communications industry insider, I know that No-Surcharge Travel Cards avoid the well documented rip-offs associated with the payphone industry. Additionally, the fraud protection service makes it an unbeatable combination."

Mike Palmisano
Telecommunications Network, Inc.



"With Minimum Rate Pricing, small business gets the convenience of writing only one check through the local phone company - avoiding the hassle and expense of separate bills to track."

Rick Scali
US Communications, Inc.



"Minimum Rate Pricing is one of the greatest discounts available for small and medium sized businesses because it goes down to the first dollar of the client's expenditure. There are no 'tiers' or 'buckets' to ramp up through."

Mary Ann Schafer
Schafer Management, Inc.



"While the major carriers offer their best discounts only to large fortune 500 companies, it's refreshing to see that Minimum Rate Pricing hasn't overlooked the little guys."

Juan Guajardo
Independent Telecom Consultant



"As a telecommunications consultant, my clients appreciate the reduced costs that Minimum Rate Pricing delivers without sacrificing the quality of major carrier network services they demand."

Anthony Ventola
East Coast Communications, Inc.

- No Activation Fee, Saves You \$20
- 3 Months Pager Service Free, Saves You \$32.85
- 1 Month Voice Mail Free, Saves You \$5
- Totals \$57.85 in FREE SERVICE

Wholesale Cost Only \$59.95!

Time Stamps All Messages!

800 Numbers Available!

Alarm Mode Feature!

Clock Feature!

Latest Flex Technology!

Local, Regional, or National Coverage!

Extra-Small Size & Weight!

8 Tones or Silent Vibration Mode!

Unlimited Pages Just \$10.95 Per Month!!!

For A Limited Time

Purchase A Pager At Wholesale

Conveniently Billed on Your Local Phone Bill &

Get 3 Months Pager Service FREE!

Call 1-800-408-8998

-59-

ATTACHMENT C
DOCKET NO. 971482-TI
JANUARY 8, 1998

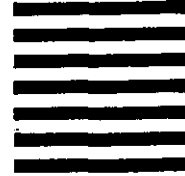


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 200 BLOOMFIELD, NJ

POSTAGE WILL BE PAID BY ADDRESSEE

Minimum Rate Pricing, Inc.
P.O. Box 8000
Bloomfield, NJ 07003-9768



- Please correct my name as shown.
- I'd like to know more.
Please immediately send me information about:
 - Inbound 800 Long Distance Service Discounts
 - No Surcharge Calling Cards
 - Adding Other Locations
 - Adding Additional Phone Lines
 - Local or National Paging Services
- I've changed my mind. Please cancel my order.
To prevent MRP service provisioning, this card must be returned within 14 days of this mailing.

**IMPORTANT: Fill out card
before returning. Please return
cancelled orders ASAP.**

Company Name

Mailing Address

City, State, Zip

Contact Name

Area Code & Phone

Authorized Signature

Date

Put at the very top of envelope to the right of the return address



P.O. Box 8000
Bloomfield NJ 07003

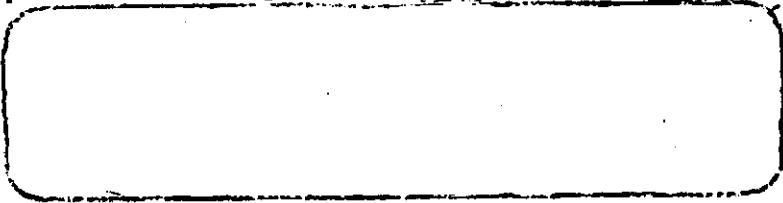
Address Correction Requested

CERTIFIED



MAIL

Important: Your Long Distance Order Confirmation Enclosed



ATTACHMENT
POCKET NO. 971482-T1
JANUARY 8, 1998

715

Name WILSON, DAVID E. Company MINIMUM RATE PRICING, INC.
Address PO BOX 6237 Attn. DREW KEENA 160511
Consumer's Telephone # (904)-277-8338
City/Zip FERNANDINA BEACH 32035 County NAS Can Be Reached (904)-321-1710
Account Number _____ Note _____
Company Contact _____ Limited Reponse _____

Request No. 1605111
By RWM Time 3:46 PM Date 02/13/97
To CO Time FAX Date 02/13/97
Type S Form Phone
Category _____
Infraction LS-14
Closed by RWM Date 05/20/97
Reply Received L

Customer said he received a call from Richard Duran regarding his long distance service. Customer said the caller indicated he was verifying the customer's name and address. He said the was a result of a FCC ruling. Mr. Duran said he would make sure customer got the lowest rates possible. Customer said he was not informed his service was going to be switched until he asked. Please investigate, contact customer and provide response by the date below.

3-13 reply received

5-9 Please provide additional information concerning this matter. In the response it was stated MRP would investigate situation if the company had the name of the individual who called. Please see above information. The name of Richard Duran was given when the inquiry was filed on Feb. 13. Please investigate further, provide the written script and any tape conversations you may have. A report is due by May 16. Thanks Ruth McHargue.

5-16 reply received
file closed

CONSUMER REQUEST

**FLORIDA PUBLIC
SERVICE
COMMISSION**

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-0850
904-413-6100

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

Ruth W. McHargue

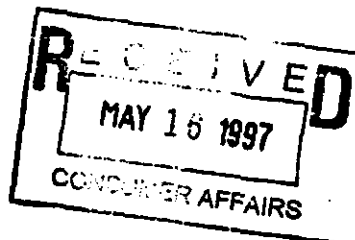
DUE: 02/28/97

ATTACHMENT D
DOCKET NO. 971482-TI
JANUARY 8, 1998



May 15, 1997

Ruth W. McHargue
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee FL 32399-0850



RE: David E Wilson
#160511

Dear Ms. McHargue:

Minimum Rate Pricing Inc. (MRP) is in receipt of your request for additional information pertaining to this customer. MRP apologizes for the initial oversight of the Richard Duran's name in your original request. After researching our "contractor's" database, it has been discovered that the name supplied to MRP in your "Consumer Request" report, Richard Duran, doesn't appear in this database.

MRP requires photo ID and Social Security card proofs before any contractor is approved to market MRP long distance. This requires policy absolutely requires contractors to market in their proper legal name and insures that only orders sold according to this procedure are processed by MRP.

I hope this information is helpful in resolving any concerns you may have. If you have any questions, feel free to call me @800-408-8998.

Sincerely,

A handwritten signature in cursive script that reads "Jim Gattuso".

Jim Gattuso
Customer Care Manager



February 21, 1997

Ruth W. McHargue
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850

RE: David E. Wilson
160511I

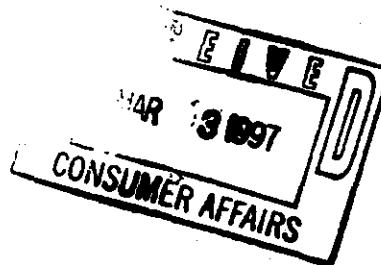
Dear Ms. McHargue:

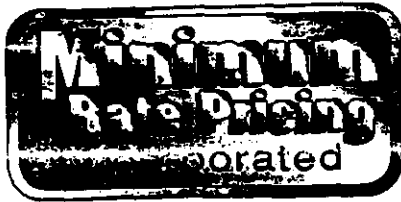
This letter is to confirm that Minimum Rate Pricing Inc. has received the above referenced complaint placed by Mr. Wilson. Through researching our database, Minimum Rate Pricing has confirmed that no change was ever made on Mr. Wilson's telephone service by our company. Included is the letter which was sent to the customer. Please confirm with Minimum Rate Pricing Inc. once the case is closed. Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Jim Gattuso".

Jim Gattuso
Customer Care Manager





February 21, 1997

David E Wilson
PO Box 6237
Fernandina Beach FL 32035

Dear Mr. Wilson:

Minimum Rate Pricing Inc. (MRP) regrets any inconvenience you may have experienced concerning the solicitation of our long distance services. It disturbs us greatly to receive a report that you feel one of our independently contracted sales representatives may not have explained the service clearly enough for you. If you have the name of the individual who called you, please notify MRP so we can properly investigate this situation.

Our internal control process insures that Minimum Rate Pricing Inc.'s service is properly presented to potential customers. All salespersons employed by MRP licensed independent contractors are absolutely required to represent themselves from **Minimum Rate Pricing Inc.**, with no exceptions. Each salesperson adheres to a **verbatim required verification script** when verifying a new customer's verbal letter of authorization (LOA). This verbal LOA is tape recorded and reviewed for accuracy before processed. Once cleared for processing, MRP orders are held 15 days (one day beyond the FCC required 14 day period) for customers to receive our certified first class mail confirmation packet, and a MRP introduction letter from their customer service representative. After reviewing the confirmation packet and welcome letter, customers can cancel their service order, if desired, via our toll free 800 customer service line or postage paid business return card. **These final control steps are what insure that any order not independently confirmed twice with the customer is not processed.**

Again, our independent control process insured your order was not processed and no change has taken place to your long distance service. I hope that you find this information helpful in resolving this problem. If you have any further questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Jim Gattuso".

Jim Gattuso
Customer Care Manager

cc: Ruth W McHargue, Florida Public Service Commission

Name STELLATO, VINCENT (MRS)

Company MINIMUM RATE PRICING, INC.

Request No. 162355I

Address 11271 COLLINGSWOOD ST.

Attn. DREW KEENA 162355

By RWM Time 12:25 PM Date 02/25/97

Consumer's Telephone # (352)-686-3825

To CO Time FAX Date 02/25/97

City/Zip SPRING HILL 34608 County HER

Can Be Reached _____

Type S Form Phone

Account Number _____

Note _____

Category _____

Company Contact _____

Limited Reponse _____

Infraction LS-14

Closed by RWM Date 05/20/97

Reply Received L

Customer said she is being called by a representative from Minimum Rate Pricing. Customer said she was told was being notified because the FCC has a new regulation that the customer can only be charged the minimum rate for the time of day she is calling regardless of the company she is using. And Minimum Rate Pricing was to make sure this was being done. Customer said she called the FCC who said there was no such regulation. Customer said she has received several calls and does not want to be called by the company again. Please investigate, contact customer and provide a report by the date below.

3-6 reply received

5-12 Please provide additional information concerning what customer is told when contacted by a telemarketer. Please provide a report by May 16. Thanks Ruth McHargue.

5-16 Reply received
File closed

CONSUMER REQUEST

FLORIDA PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-0850
904-413-6100

PLEASE RETURN THIS FORM WITH REPORT OF ACTION TO:

Ruth W. McHargue

DUE: 03/12/97

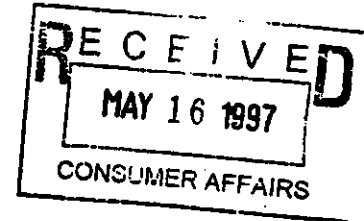
ATTACHMENT E
DOCKET NO. 971482-TI
JANUARY 8, 1998

-76-



May 15, 1997

Ruth W. McHargue
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee Fl 32399-0850



RE: Mrs. Vincent Stellato
#162355

Dear Ms. McHargue:

Minimum Rate Pricing Inc. (MRP) is in receipt of the additional correspondence from your office pertaining to this customer. This matter has been investigated, and the following information has been confirmed. On all solicitation calls, MRP requires contractors to disclose their full legal name and that they are calling from Minimum Rate Pricing, Inc. long distance service regarding an offer to change to its service.

Marketers then discuss the details of our program (i.e. 25% off national carrier rates, no restrictions, no calling circles, convenient local telephone company billing)

If the customer expresses interest, the marketer opens up a time of questions and answers.

If the customer desires to switch to MRP, the marketer proceeds to the sales verification process. I am enclosing a copy of MRP's Policies and Procedures so you can have a capsulized version of our entire process.

I hope this information is helpful in resolving any concerns you may have. If you have any questions, feel free to call me @800-408-8998.

Sincerely,

A handwritten signature in black ink that reads "Jim Gattuso".

Jim Gattuso
Customer Care Manager



March 5, 1997

Ruth W. Mc Hargue
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850

RE: File #162355I
Mrs. Vincent Stellato



Dear Ms. McHargue:

Minimum Rate Pricing Inc. (MRP) is in receipt of the above referenced complaint placed by Mrs. Stellato. We have made several unsuccessful attempts to reach Mrs Stellato to resolve this matter, but we have been unable to reach her. This matter has been investigated and the following fact has been confirmed.

In the complaint received from your office, Mrs. Stellato states that a representative from MRP called her to say that MRP was enforcing an FCC regulation. Upon investigation, MRP determined this claim to be inaccurate. What Mrs. Stellato was told is that our services and rates are tarified with the FCC.

Through researching our database, MRP has confirmed that no order to change service was ever placed for Mrs. Stellato's long distance telephone service by our company.

Sincerely,

A handwritten signature in cursive script that reads "Jim Gattuso".

Jim Gattuso
Customer Care Manager