

RECEIVED

7:30
JTB/st
Vandiver
FPSC - Records/Reporting

FLORIDA PUBLIC SERVICE COMMISSION
Capital Circle Office Center • 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

MEMORANDUM

January 8, 1998

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

FROM: DIVISION OF LEGAL SERVICES (COX, K. PEÑA) VPC VP NXB
DIVISION OF COMMUNICATIONS (BIEGALSKI) KB
DIVISION OF CONSUMER AFFAIRS (DURBIN) SA DD

RE: DOCKET NO. ~~971493~~ TI - INITIATION OF SHOW CAUSE
PROCEEDING AGAINST ALL AMERICAN TELEPHONE, 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\971493TI.RCM

CASE BACKGROUND

On February 18, 1997, the Commission granted All American Telephone, Inc. (All American) certificate number 4790 to provide intrastate interexchange telecommunications service.

Thereafter, from April 29, 1997, until December 12, 1997, the Commission's Division of Consumer Affairs has closed 26 complaints against All American 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 All American.

All American uses a sweepstakes entry form (used as a letter of authorization) as a method of obtaining new long distance customers. All American is not registered with the Secretary of State to offer sweepstakes in the state of Florida. Based on the complete sweepstakes display received by staff on December 29, 1997, and the numerous consumer complaints, it appears that the forms All American uses for its sweepstakes entries in combination

DOCUMENT NUMBER
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FPSC-RECORDS/REPORTING

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DATE: January 8, 1998

with the sweepstakes display are misleading and deceptive. The consumers thought they were signing up only to enter a sweepstakes, not to change their long distance service provider. It appears that All American is submitting numerous preferred interexchange carrier (PIC) changes with forged customer signatures. In addition, in some instances, the telephone number listed on the letter of authorization (LOA) is not the telephone number assigned to the person signing the LOA.

In light of the numerous complaints received from consumers, the allegations of false and misleading sweepstakes advertising and the claims of forgery, it is staff's opinion that All American 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 All American Telephone, Inc. to show cause why it should not have Certificate Number 4790 canceled or be fined \$10,000 per violation for a total of \$260,000 for failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

RECOMMENDATION: All American's certificate number 4790 should not be canceled at this time. The Commission should order All American 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 \$260,000 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 4790 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 that the company should be allowed to continue to operate in the State of Florida.

All American uses sweepstakes display boxes with separable packets of LOAs attached. The LOA form that staff received from a

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DATE: January 8, 1998

complainant appears to be in violation of Rule 25-4.118(3)(b), Florida Administrative Code. The statement required by the rule is not in a text size at least as large as any other text on the document.

Rule 25-4.118(3)(b), Florida Administrative Code, requires in pertinent part:

The page of the document containing the customer's signature shall contain a statement that the customer's signature or endorsement on the document will result in a change of the customer's long distance service provider and explain that only one long distance service provider may be designated for the telephone number listed; that the customer's selection will apply only to that number, and that the customer's local exchange company may charge a fee to switch service providers. Such statement shall be clearly legible and printed in type at least as large as any other text on the page. [emphasis added]

Another apparent violation of Rule 25-4.118(3)(b), Florida Administrative Code, is that the document as a whole appears to be misleading or deceptive. Staff believes that the sweepstakes display combined with the attached LOA is misleading because many customers thought they were only entering a sweepstakes. According to Rule 25-4.118(3)(b), Florida Administrative Code, in pertinent part:

If any such document is not used solely for the purpose of requesting a PIC change, then the document as a whole must not be misleading or deceptive. For purposes of this rule, the terms "misleading or deceptive" mean that, because of the style, format or content of the document, it would not be readily apparent to the person signing the document that the purpose of the signature was to authorize a PIC change, or it would be unclear to the customer who the new long distance service provider would be; that the customer's selection would apply only to the number listed and there could only be one long distance service provider for that number; or that the customer's local exchange company might charge a fee to switch service providers. [emphasis added]

The Division of Consumer Affairs received its first slamming complaint logged against All American on April 29, 1997, approximately two months after the company received its certificate. Since that time, the Division of Consumer Affairs has closed a total of 26 consumer complaints against All American as unauthorized carrier change (slamming) infractions through December

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DATE: January 8, 1998

12, 1997. All American responded to some of the slamming complaints by stating that it received signed letters of authorization.

Examples of complaints received from consumers include the following:

On July 25, 1997, Mr. Armando Morcate advised staff that his long distance service was switched without authorization. He stated he did not realize he had been switched until he received a letter from AT&T, his preferred carrier, asking him to re-enroll. All American's report stated that the company received a LOA signed by Ms. Jackie Cordero, listing a different address. The company considered it to be valid and forwarded it to BellSouth. Further investigation determined there had been a data entry error, and All American switched the wrong customer. (Attachment A, Pages 7-14)

On August 4, 1997, Ms. Marion McGhee notified staff that her long distance service was switched without authorization. Ms. McGhee noticed the change when she was billed by a carrier other than her preferred carrier. All American stated in its report to staff that the company received a LOA signed by Ms. McGhee. The company considered it to be valid and forwarded it to BellSouth for processing. Upon receipt of a copy of the LOA, Ms. McGhee notified staff that the signature on the LOA was not hers. Ms. McGhee also provided a certified copy of her signature that obviously does not match the signature on the LOA. It appears that the signature is a forgery. (Attachment B, Pages 15-33)

On October 16, 1997, Mr. Gregory Henry advised staff that his long distance service was switched without authorization. He stated he realized the change when he received his telephone bill. All American's report stated that the company received a LOA signed by Mr. Chris Henry. The company considered it to be valid and forwarded it to BellSouth for processing. Mr. Henry notified staff that Chris Henry is a minor and is not authorized to make any long distance service changes.

According to Rule 25-4.118(2), Florida Administrative Code, in pertinent part:

A certified IXC that will be billing in its name may submit a PIC change request, other than a customer-initiated PIC change, directly or through another IXC, to a LEC only if it has certified to the LEC that at least one of the following actions has occurred prior to the PIC change request: (a) the IXC has on hand a ballot or letter from the customer requesting such change.

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DATE: January 8, 1998

Since Chris Henry is not the customer of record for the telephone number listed on the LOA, the LOA is invalid. (Attachment C, Pages 34-37) This is a common example of how the sweepstakes entry method of switching a person's long distance service can result in a slam. Many persons attending fairs, flea markets, home shows, and other events that have sweepstakes boxes present are slammed because they are signing many different entries to obtain free giveaway products. The consumers are not expecting to be given something to sign that will result in their long distance service being switched.

On June 17, 1997, Mr. Terry Phillips, owner of Rex Telecommunications, advised staff that his long distance service on his pay telephone was switched without authorization. All American's report stated that the company received a LOA signed by Mr. David Jones. Further investigation determined that neither the address nor the signature on the LOA matched the person authorized to make decisions regarding the long distance service. (Attachment D, Pages 38-41)

All American 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 All American's apparent conduct in switching PICs without customer authorization 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 All American'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 26 complaints closed by the Division of

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DATE: January 8, 1998

Consumer Affairs as unauthorized carrier change infractions (slamming), staff believes that All American does not have adequate safeguards to protect consumers from unauthorized carrier changes. Accordingly, staff believes that there is sufficient cause to order All American 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 \$260,000 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 All American 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 All American timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If All American 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 All American's certificate be canceled for slamming violations at this time, staff does recommend that if All American 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, All American'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 All American 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 All American timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If All American 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 All American's certificate be canceled for slamming violations at this time, staff does recommend that if All American 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, All American's certificate should be canceled and this docket closed administratively.

Name MORCATE, ARMANDO

Company ALL AMERICAN TELEPHONE, INC.

Request No. 180796I

Address 525 W. PARK DR. 105

Attn. CLAY GAREY 180796

By DBM Time 3:55 PM Date 07/25/97

Consumer's Telephone # (305)-554-8630

To CO. Time FAX Date 07/28/97

City/Zip MIAMI 33172 County DADE

Can Be Reached _____

Type S Form MAIL

Account Number _____

Note Sweep

Category _____

Company Contact _____

Limited Response Y

Infraction LS-13A

See attached correspondence regarding unauthorized carrier change. Please provide proof of authorization. Appropriate credits are requested. Please send the customer a copy of your response to this inquiry.

Closed by MEP Date 10/16/97

Reply Received T

08/04/97 Received report with explanation, sweepstakes LOA and \$22.07 credit. A copy of the report was sent to the customer.

10/16/97 Closed by letter.

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:

Doug Martin

DUE: 08/12/97

ATTACHMENT A
DOCKET NO. 971493-TI
JANUARY 8, 1998

ATTACHMENT A
DOCKET NO. 971493-T1
JANUARY 8, 1998

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

STATE OF FLORIDA



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DENIELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

October 20, 1997

Mr. Armando Morcate
Apartment #105
525 West Park Drive
Miami, FL 33172

Dear Mr. Morcate:

We have reviewed your complaint against All American Telephone, Inc. (AAT).

To resolve your complaint, we contacted the company and requested a detailed written report regarding your concerns. It is my understanding that a representative from the utility contacted you to discuss this matter. Based on a review of the information provided to the Florida Public Service Commission (PSC), it appears that the company did not obtain the necessary information to make a switch in your telephone service. AAT has issued a credit of \$22.07 to your local telephone company.

Thank you for the opportunity to address your concerns. The PSC is concerned about unauthorized changes in customer's local toll and long distance carriers or "slamming". As information, the Commission, along with staff from the Attorney General's Office and Office of Public Counsel, will be holding ten (10) rule development workshops throughout the State to listen to consumers testimony regarding their slamming experiences. The workshop will be held in your area at the following location:

*Miami International Airport
Embassy Suites
Key Biscayne Room
3974 South River Drive
Miami, FL 33142
October 23 at 10 AM*

Again thank you for the opportunity to address your concerns. If you have any questions, I am available. 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

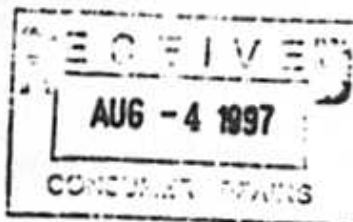
-8-

ATTACHMENT A
DOCKET NO. 971493-TI
JANUARY 8, 1998

All American Telephone, Inc.

May 27, 1997

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Re: Armando Morcate
(305) 554-8630
Req: 1807961

Dear Doug Martin,

Pursuant to your request, we have investigated the above referenced complaint. Enclosed please find a copy of (LOA) letter of authorization which served to switch the customer's long distance service to (AAT) All American Telephone, Inc. It appears this form was signed on February 15, 1997 by a Jackie Cordero, who listed a different telephone number (305) 554-8650 on the application. Due to a data entry error the telephone was transposed as (305) 554-8630.

As of May 15, 1997 Mr. Morcate's had been billed a total of \$10.27 for long distance services. All American Telephone, Inc. will initiate a full credit to Bell South for \$22.07. This amount represents two (2) monthly service fee of \$5.78 and calls that were made 004-09-97 thru 05-15-97 for \$4.49, plus two (2) switching fees of \$10.00. Please note that it may take up to 60 days before the credit appears on the customer's telephone bill.

All American Telephone apologize for this error and any inconvenience it may have caused. It is not our intent or desire to obtain customer who do not wish to utilize our service.

Sincerely,

A handwritten signature in cursive script that reads "Mary Williams".

Mary Williams
Customer Service Manager

attachment

cc: Armando Morcate

ATTACHMENT A
DOCKET NO. 971493-TI
JANUARY 8, 1998

All American Telephone, Inc.

July 30, 1997

Armando Morcate
525 W. Park Dr. 105
Miami, FL 33172

Ref: (305) 554-8630
Req No: 180796I

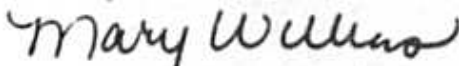
Dear Mr. Morcate,

Our company has received a notice from the Florida Public Service Commission stating that you have filed a complaint.

This complaint directs our company to a written response to Public Service Commission regarding your complaint and to send you a copy of the response.

Should you have any question or require further assistance, please feel free to call me at 1-888-558-4726.

Sincerely,



Mary Williams
Customer Service Manager

cc: Florida Public Service Commission

OFFICIAL LOA FORM
LONG DISTANCE APPLICATION
PLEASE PRINT - FILL OUT COMPLETELY
ONLY ONE PER HOUSEHOLD

AGE (REQUIRED)
18 to 35
36 & over

DIST #

520

DATE (REQUIRED) 2/15/97

00265682

NAME Jackie Cardelo
ADDRESS 10867 N.W. 76th Apt 11
CITY Miami STATE FL ZIP 33172

HOME PHONE (REQUIRED) (310) 1614-1510

02-13-87 SIGNATURE (REQUIRED) X Jackie Cardelo

I certify that I am at least 18 years of age. I further understand that I may cancel this agreement at any time. I hereby authorize All American Telephones, Inc. (AAT) to act as my agent, and to convert the long distance service on my phone listed above from my current carrier to AAT. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by AAT. I understand that my local phone company may assess a charge for my conversion to AAT. If this occurs, AAT will pay me back. I send a copy of my bill to: AAT, 4709 Colleyville Blvd., Suite 580, Dept. 203, Colleyville, TX 76034.

ATTACHMENT A
DOCKET NO. 971493-TI
JANUARY 8, 1998

STATE OF FLORIDA

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



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

July 29, 1997

Mr. Armando Morcate
Apartment #105
525 West Park Drive
Miami, FL 33172

Dear Mr. Morcate:

Thank you for your recent letter concerning All American Telephone, 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 black ink, appearing to read "Douglas B. Martin".

Douglas B. Martin
Consumer Complaint Analyst
Division of Consumer Affairs

DBM:ewe

- 12 -

180796

TI 575

July 2nd, 1997

Public Service Commission
3625 NW 82nd Ave.
Miami, FL 33166



Dear Sirs:

This is a complaint against a long-distance telephone company showing on my monthly telephone bill only as "AAT" as well as against BellSouth.

Two months ago I received a letter from AT&T which informed me that they regretted my decision to change to other company. They also invited me to re-enroll. I called them back and expressed to them my surprise about the change to AAT, which I never requested. The fact is that I always felt happy with AT&T and found the advertising tactics of certain long-distance companies shameful. I agreed to sign and sent to AT&T an application for re-enrollment.

Since my monthly telephone bill continued to charge me \$2.89 for monthly service "provided" by AAT (which I did not detect before the letter from AT&T) I tried to bring the matter to the attention of BellSouth to no avail, since their telephone access has no entry for billing questions on long-distance calls.

I then called AAT (888-558-4726) and explained to the service representative my outrage for their action to enroll and charge me in connection with a service I never requested. The employee explained to me that a so-called Maritza Torres applied for my enrollment. At this point I wish to make clear that I am a widower, live alone and know no Maritza Torres. In addition, my telephone number is private, not listed. How AAT and BellSouth are allowed to complete this change of companies without verifying it with the person receiving the service? Worst of all, why should I continue to pay AAT in spite of the fact that I have denounced the swindle to them?

I hereby request your assistance in finding a solution to this problem for which I thank you in advance.

Sincerely, *Armando Morcate*
Armando Morcate
525 W Park Dr 105
Miami, FL 33172
Tlf-(305) 554-8630

ENCLOSURE

HOLD

For HOLD Billing Services Billing Questions, Call 1 800 879-4653

Detailed Statement of Charges

<u>Miscellaneous Charges and Credits</u>		<u>Amount</u>
<i>Service Provider - A A T</i>		
<i>For billing questions, call 888 558-4726</i>		
<i>Date</i>		
1. 05/28	NO SERV FEE	2.89
	Total Miscellaneous Charges and Credits	2.89

<u>Itemized Calls</u>		<u>Amount</u>				
<i>Service Provider - A A T</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>	
2. 05/15	HAWTHORNE CA	310 644-0810	AD	12:05PM	1	.31
	Total Direct Dialed Calls .....					.31
	Total Itemized Calls .....					.31

<u>Taxes</u>		<u>Amount</u>
<i>Taxes on Regulated Services</i>		
3. Federal Tax .....		.01
Total Taxes on Regulated Services .....		.01

<i>Taxes on Unregulated Services</i>		
4. State Tax	**	.21
5. Florida Gross Receipts Surcharge	**	.07
6. County Tax	**	.21
Total Taxes on Unregulated Services .....		.49
Total Taxes .....		.50

Total HOLD Billing Services Current Charges 3.70

** Unregulated Charge
 * Taxes and Rates Applied - See Back of First Page

This portion of your bill is provided as a service to HOLD Billing Services.
 For more information, please call 1-800-879-4653.

AV E026896

Name MCGHEE, MARION J.

Company ALL AMERICAN TELEPHONE, INC.

Request No. 181982I

Address P.O. BOX 398

Attn. CLAY GAREY 181982

By DBM Time 4:32 PM Date 08/04/97

Consumer's Telephone # _____

To CO. Time FAX Date 08/05/97

City/Zip ARCHER 32618 County ALA

Can Be Reached _____

Type S Form MAIL

Account Number _____

Note sweep

Category _____

Company Contact _____

Limited Response Y

Infraction LS-13A

Closed by MEP Date 10/16/97

Reply Received T

See attached correspondence regarding unauthorized carrier change. Please provide proof of authorization. Appropriate credits are requested. Please send the customer a copy of your response to this inquiry.

08/13/97 Received report with explanation, sweepstakes LOA and \$17.41 credit. A copy of the report was sent to the customer.

10/16/97 Closed by letter.

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:

Doug Martin

DUE: 08/20/97

ATTACHMENT B
DOCKET NO. 971493-TI
JANUARY 8, 1998

-15-

Commissioners
JILL L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DEMELLO
DIRECTOR
18501 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

October 20, 1997

Ms. Marion McGhee
P. O. Box 398
Archer, FL 32618

Dear Ms. McGhee:

We have reviewed your complaint against All American Telephone, Inc. (AAT).

To resolve your complaint, we contacted the company and requested a detailed written report regarding your concerns. It is my understanding that a representative from the utility contacted you to discuss this matter. Based on a review of the information provided to the Florida Public Service Commission (PSC), it appears that the company did not obtain the necessary information to make a switch in your telephone service. AAT has issued a credit of \$17.41 to your local telephone company.

Thank you for the opportunity to address your concerns. The PSC is concerned about unauthorized changes in customer's local toll and long distance carriers or "slamming". As information, the Commission, along with staff from the Attorney General's Office and Office of Public Counsel, will be holding ten (10) rule development workshops throughout the State to listen to consumers testimony regarding their slamming experiences. The workshop will be held in your area at the following location:

*Prime Osborn Convention Center
Room 102
1000 Water Street
Jacksonville, FL 32204
November 20 at 2:30 PM*

Again thank you for the opportunity to address your concerns. If you have any questions, I am available. 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

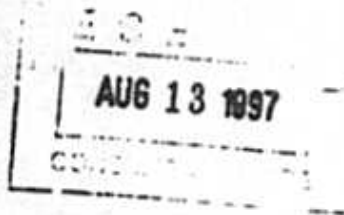
ATTACHMENT B
DOCKET NO. 971493-TI
JANUARY 8, 1998.



American Telephone, Inc.

August 8, 1997

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Ref: Marion J. Mc Ghee
(352) 495-2942
File No: 181982I

Dear Doug Martin,

Pursuant to your request, we have investigated the above referenced complaint. Enclosed please find a copy of letter of authorization (LOA) which served to switch the customer's long distance service to All American Telephone, Inc. (AAT). It appears this form was signed on April 04, 1997 by a Marion J. Mc Ghee at the same address as the complainant.

All American Telephone, Inc., a long distance reseller utilizing the U.S. Long distance network, received an application requesting our service in the name of Marion Mc Ghee. Therefore, the application was considered valid and forwarded to Bell South for processing.

Furthermore, this customer has been billed a total \$17.41, we will initiate a full credit for \$17.41. This amount represents charges for call that were made between 06-05-97 thru 06-06-97. Please note that it may take up to 60 days before the credit appears on the customer's local telephone bill.

All American Telephone apologizes for this error and any inconvenience it may have caused. It is not our intent or desire to obtain a customer who does not wish to utilize our service.

Sincerely,

Mary Williams
Customer Service Manager

attachment

cc: Marion J. Mc Ghee

HIST #

OFFICIAL LOA FORM

LONG DISTANCE APPLICATION
PLEASE PRINT - FILL OUT COMPLETELY
ONLY ONE PER HOUSEHOLD

AGE (REQUIRED)
18 to 35 _____
36 & over <input checked="" type="checkbox"/>

DATE (REQUIRED) 04-15-97

NAME Mason J. McChes

ADDRESS P.O. Box 398 *00443833*

CITY Ascher STATE FL ZIP 32618

HOME PHONE (REQUIRED) (915) 495-2914
CS-15-47

SIGNATURE (REQUIRED) X *Mason J. McChes*

I certify that I am at least 18 years of age. Further understand that I may cancel this agreement at any time. I hereby authorize All American Telephone, Inc. (AAT) to act as my agent, and to convert the long distance service on my phone listed above from my current carrier to AAT. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by AAT. I understand that my local phone company may assess a charge for my conversion to AAT. If this occurs, AAT will pay me back if I send a copy of my bill to: AAT, 4709 Coleyville Blvd., Suite 580, Dept. 203, Coleyville, TX 76034.

ATTACHMENT B
DOCKET NO. 971493-TI
JANUARY 8, 1998

~~██████████~~
~~██████████~~
~~██████████~~
All American Telephone, Inc.

August 8, 1997

Marion J. Mc Ghee
P.O. Box 398
Archer, FL 32618

Ref: (352) 495-2942

Dear Ms. Mc Ghee,

Our company has received a notice from the Florida Public Service Commission stating that you have filed a complaint.

This complaint directs our company to a written response to Public Service Commission regarding your complaint and to send you a copy of the response.

Should you have any question or require further assistance, please feel free to call me at 1-888-558-4726.

Sincerely,

Mary Williams

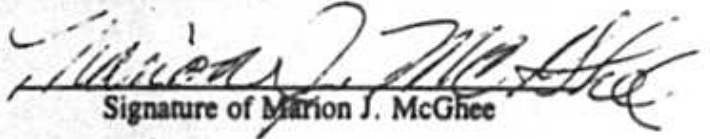
Mary Williams
Customer Service Manager

cc: Florida Public Service Commission

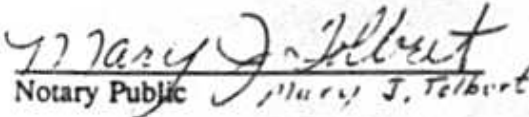
ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF ALACHUA

Before me personally appeared Marion J. McGhee to me well known and known to me to be the person described in the Official LOA Form attached who, being duly sworn, deposes and says that the signature on the form is not hers as evidenced by her signature here and before me signed.


Signature of Marion J. McGhee

Sworn to and subscribed before me this 14th of August, 1997.


Notary Public *Mary J. Tolbert*



MARY J. TOLBERT
COMMISSION # CC615962
EXPIRES MAR 16, 2001
BONDED THROUGH
ATLANTIC BONDING CO., INC.

Personally known
Notary Number: CC615962
Commission expires March 16, 2001

LIST #

OFFICIAL LOA FORM
LONG DISTANCE APPLICATION

PLEASE PRINT - FILL OUT COMPLETELY
ONLY ONE PER HOUSEHOLD

AGE (REQUIRED)
18 to 35
36 & over X

52-1-3

DATE (REQUIRED) 04-15-97

NAME MARION J. McChae

ADDRESS P.O. Box 398

00443833

CITY Ascher

STATE FL ZIP 32212

HOME PHONE (REQUIRED) (915) 495-1214

02-TS-87

SIGNATURE (REQUIRED) X Marion J. McChae

I certify that I am at least 18 years of age. I further understand that I may cancel this agreement at any time. I hereby authorize All American Telephone, Inc. (AAT) to act as my agent, and to convert the long distance service on my phone listed above from my current carrier to AAT. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by AAT. I understand that my local phone company may assess a charge for my conversion to AAT. If this occurs, AAT will pay me back. I will send a copy of my bill to: AAT, 4709 Coleyville Blvd., Suite 500, Dept. 203, Coleyville, TX 76004.

NOTE: THE FORM WAS NOT COMPLETED BY ME. IT APPEARS TO BE A SCAM.

Marion J. McChae

ATTACHMENT B
DOCKET NO. 971493-T1
JANUARY 8, 1998.

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

STATE OF FLORIDA



DIVISION OF CONSUMER AFFAIRS
BEVERLEE DE MELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

August 5, 1997

Ms. Marion J. McGhee
P. O. Box 398
Archer, FL 32618

Dear Ms. McGhee:

Thank you for your recent letter concerning All American Telephone, 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.

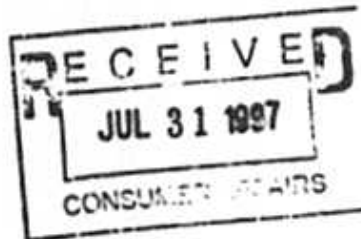
Sincerely,

A handwritten signature in black ink, appearing to read "Douglas B. Martin".

Douglas B. Martin
Consumer Complaint Analyst
Division of Consumer Affairs

DBM:ewe

P.O. Box 398
Archer, FL 32618
July 28, 1997



Ms. Beverly Demello
Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-8153

Dear Ms. Demello:

Please review my problem as stated ⁱⁿ letters enclosed
and advise me of procedure. I was terribly upset receiving
charges from an unauthorized provider.

Your immediate response will be very helpful.

Sincerely,

Marion J. McGhee
Marion J. McGhee

P.O. Box 398
Archer, FL 32618
July 28, 1997

AAT
2020 West Northwest Highway
Suite, 107
Grapevine, TX 76051

Dear Sir:

This letter is to inform you that your company or business is not authorized to provide service to my phone. It appears that your action originated from a plan to advance your personal design.

Your billing for June is different from my plan with AT&T. Therefore, I am requesting you to rerate according to our plan with them. In fact, the charges are your responsibility due to your unethical actions.

Also, I found you to be unaccessible by phone. I was placed on hold for 15 minutes or more several times with no further response.

Please desist future billing.

Your immediate response is appreciated.

Sincerely,



Marion J. McGhee

copy: Federal Trade Commission
Florida Public Service
BellSouth

ATTACHMENT B
DOCKET NO. 971493-TI
JANUARY 8, 1998.

P.O. Box 398
Archer, FL 32618
July 28, 1997

BellSouth
P.O. Box 33009
Charlotte, NC 28243-0001

Dear Sir:

Enclosed find payment for your charges due Aug. 5, 1997 in the amount of \$20.54. The balance on the statement is in dispute due to unauthorized service by AAT. My provider is AT&T.

Copies of letters are enclosed as related to dispute. You will be informed of the final decision.

Your cooperation is appreciated.

Sincerely,



Marion J. McGhee

copy: Federal Trade Commission
Florida Public Service
AAT

P.O Box 398
Archer, FL 32618
July 28, 1997

Federal Trade Commission
6th Street & Penn. Avenue, NW
Washington, DC 20580

Dear Sir:

I am hereby expressing my displeasure with AAT interference with my phone service. AT&T was authorized by me to provide long distance service.

My present statement from Bell South has AAT as provider. I feel that there should be a penalty for this action. The charges include a service charge along with a different rate from AT&T. The service charge should be deleted (I did not pay AT&T a service charge). Also, the charges should be rerated according the plan agreed with AT&T. Better yet, the bill should be written off due to an unethical act.

Bell South is instructed to return service to AT&T and freeze to prevent slamming. There should be no further billing from AAT.

I am holding payment billed by AAT in dispute while waiting for your response.

A copy of phone statement is enclosed along with a letter from AT&T and our rate plan.

Your immediate response is appreciated in order to resolve problem timely.

Sincerely,



Marion J. McGhee

copy: Bell South
Florida Public Service

P.O Box 398
Archer, FL 32618
August 21, 1997

All American Telephone, Inc.
9001 Airport Fwy, Suite 570
Fort Worth, TX 76180

Dear Ms. Williams:

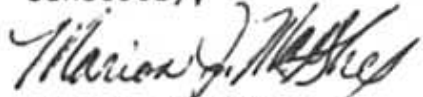
Your letter to Doug Martin, Florida Public Service Commission, dated August 8, 1997, was based on a fraudulent document. I did not request AAT to provide service nor communicate with the company regarding service. Other words, the business is unknown to me.

The application that you presented to the Florida Service Commission does not resemble my handwriting. Therefore, I am registering an official copy of my signature with the Florida Service Commission and also Bell South.

Bell South presented a statement, with \$89.85 due by August 5th. Of this amount, \$20.54 was due Bell South and the balance was calculated for AAT.

The amount you stated for full credit does not cover the balance due on Bell South's statement. It appears that you should request the amount to balance to zero.

Sincerely,


Marion J. McGhee

copy: Florida Public Service Commission
Bell South





DAVID MCGHEE
 Account Number: 352 495-2942 940 1984
 Bill Period Date: Jul 14, 1997

CURRENT CHARGES DUE BEFORE	AMOUNT OF LAST BILL	LESS PAYMENTS	ADJUSTMENTS	CURRENT CHARGES	TOTAL AMOUNT DUE
Aug 5	\$49.11	\$49.11	\$0.00	\$89.85	\$89.85

This bill was printed on Jul 17. 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 Aug 15. 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): 0940

(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	352 495-2942 940 1984
Aug 5	\$0.00	\$89.85		Jul 14, 1997
				AC 0909 R08 E008528

Check here if correspondence included.

6007083 ==B 004

P.O. BOX 33009
 CHARLOTTE NC
 28243-0001

DAVID MCGHEE
 PO BOX 398
 ARCHER FL 32618-0398

35294952942940198090970108059010000000000000000000000008985



DAVID MCGHEE

Account Number: 352 495-2942 940 1984

Bill Period Date: Jul 14, 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 1-800-251-2125

Florida BellSouth service area 1-800-251-2125

Detailed Statement of Charges

<u>Monthly Service Charges</u>		<u>Amount</u>
<u>Monthly Service - Jul 14 thru Aug 13</u>		
Basic Services		
	<i>Quantity</i>	
1. Residential Line	1 ...	8.80
2. Emergency 911 Charge. This charge is billed on behalf of Alachua County.	1 ... **	.50
3. FCC Charge for Interstate Toll Access	1 ...	3.50
4. Telecommunications Access System Act Surcharge	1 ... **	.12
Total Basic Services		<u>12.92</u>
Optional Services		
	<i>Quantity</i>	
5. Call Waiting	1 ...	4.00
6. Maintenance Plan(s)	1 ... **	2.00
Total Optional Services		<u>6.00</u>
Total Monthly Service Charges		<u>18.92</u>

** Unregulated Charge

AG E008528

(continued)▶



DAVID MCNEE
Account Number: 352 495-2942 940 1984
Bill Period Date: Jul 14, 1997

Detailed Statement of Charges

	<u>Amount</u>
<u>Taxes</u>	
<u>Taxes on Regulated Services</u>	
7. Federal Tax .....	.50
8. Florida Cross Receipts Surcharge .....	.21
9. County Tax .....	.91
Total Taxes on Regulated Services	1.62
Total Taxes	1.62
Total Bellsouth Current Charges	20.54

Messages

Bellsouth's RightTouch® service is an easy way to do business with us. Use any touch-tone phone to check your account balance, review a copy 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 July 3, 1997, the rate for residential message and measured service has increased. The enclosed bill reflects this change.

AC E008528

(continued)▶

HOLD

DAVID MCGHEE

Account Number: 352 495-2942 940 1984
Period Date: Jul 14, 1997

For HOLD Billing Services Billing Questions, Call 1 800 879-4653

Detailed Statement of Charges

Miscellaneous Charges and Credits

Service Provider - A A T

For billing questions, call 888 558-4726

Date

1. 06/24 NO SERV FEE

Amount

2.89
2.89

Total Miscellaneous Charges and Credits

Itemized Calls

Service Provider - A A T

Direct Dialed Calls

Date	Place Called	Number	Area	Time	Min
2. 06/05	MIAMI FL	305 585-7096	KD	01:18PM	1
3. 06/05	MIAMI FL	305 716-4552	KD	01:20PM	4
4. 06/05	MIAMI FL	305 716-4552	KD	01:30PM	1
5. 06/05	MIAMI FL	305 585-7096	KD	03:09PM	2
6. 06/05	MIAMI FL	305 738-9258	KD	10:34PM	8
7. 06/06	WASHINGTON DC	202 363-6978	AN	06:48AM	3
8. 06/06	MIAMI FL	305 751-1816	KD	02:33PM	1
9. 06/06	WASHINGTON DC	202 429-1111	AD	02:52PM	28
10. 06/06	ORLANDO FL	407 423-4552	KD	03:20PM	16
11. 06/07	WASHINGTON DC	202 363-6978	AN	05:00PM	51
12. 06/08	WASHINGTON DC	202 363-6978	AN	10:31AM	1
13. 06/08	WASHINGTON DC	202 363-6978	AN	11:06AM	3
14. 06/09	ORLANDO FL	407 423-4552	KD	04:58PM	5
15. 06/09	WASHINGTON DC	202 429-1111	AD	05:42PM	47
16. 06/11	FORT MYERS FL	941 693-5856	KE	06:44AM	10
17. 06/11	FORT MYERS FL	941 693-5856	KE	07:38PM	33
18. 06/13	FORT MYERS FL	941 693-5856	KE	09:12AM	1
19. 06/14	FORT MYERS FL	941 693-5856	KE	08:01AM	1
20. 06/16	FORT MYERS FL	941 693-5856	KE	08:53PM	2
21. 06/17	FORT MYERS FL	941 693-5856	KE	09:08PM	8

Amount

.28
1.12
.28
.56
1.60
.57
.28
8.40
4.32
9.69
.19
.57
1.35
8.23
1.60
6.27
.28
.16
.38
1.52

Handwritten notes and corrections:
2.89
2.89
2.89
2.22
3.44
3.00
2.80
1.00
1.10
1.75
1.00
2.30
1.00
1.20

** Unregulated Charge

* Taxes and Rates Applied - See Back of First Page

E008528

(continued) ▶

HOLD

DAVID MCGHEE

Account Number: 352 495-2942 940 1984

Bill Period Date: Jul 14, 1997

For HOLD Billing Services Billing Questions, Call 1 800 879-4653

Detailed Statement of Charges

Itemized Calls (continued)

Service Provider - A A T (continued)

For billing questions, call 888 558-4726

Direct Dialed Calls (continued)

Date	Place Called	Number Called	Rate	Time	Min	Amount
22. 06/17	FORT MYERS FL	941 695-5856	KE	10:30PM	10	1.90 1.00
23. 06/18	FORT MYERS FL	941 695-5856	KE	12:10AM	1	.16 10
24. 06/18	BOUND BROOK NJ	908 273-1933	AD	08:47AM	3	.90 75
25. 06/18	FORT MYERS FL	941 695-5856	KE	07:53PM	1	.19 10
26. 06/22	WASHINGTON DC	202 363-6978	AN	09:53AM	21	3.99 5.00
27. 06/22	WASHINGTON DC	202 429-1090	AN	04:08PM	1	.19 25
28. 06/22	WASHINGTON DC	202 429-1090	AN	04:25PM	1	.19 25
29. 06/22	WASHINGTON DC	202 429-1090	AN	04:28PM	5	.95 1.25
30. 06/22	WASHINGTON DC	202 429-1090	AN	04:48PM	1	.19 25
31. 06/22	WASHINGTON DC	202 429-1090	AE	07:55PM	1	.19 10
32. 06/22	WASHINGTON DC	202 429-1090	AE	07:59PM	5	.95 50
33. 06/25	FORT MYERS FL	941 695-5856	KE	09:48PM	12	2.28 1.20
34. 06/27	FORT MYERS FL	941 695-5856	KN	06:47AM	1	.16 10
35. 06/28	WASHINGTON DC	202 363-6978	AN	06:36PM	1	.19 10
Total Direct Dialed Calls						60.78
Total Itemized Calls						60.78

Taxes

Taxes on Regulated Services

36. Federal Tax	1.87
37. Florida Gross Receipts Surcharge	1.51
38. County Tax	1.77
Total Taxes on Regulated Services	5.15

* Taxes and Rates Applied - See Back of First Page

AC E008528

(continued) ▶

HOLD

DAVID MCGHEE
Account Number: 352 495-2942 940 1984
Bill Period Date: Jul 14, 1997

For HOLD Billing Services Billing Questions, Call 1 800 879-4653

Detailed Statement of Charges

<i>Taxes (continued)</i>	<i>Amount</i>
<i>Taxes on Unregulated Services</i>	
39. State Tax	** .21
40. Florida Gross Receipts Surcharge	** .07
41. County Tax	** .21
Total Taxes on Unregulated Services .....	.49
Total Taxes	5.64
Total HOLD Billing Services Current Charges	69.31

** Unregulated Charge
This portion of your bill is provided as a service to HOLD Billing Services.
There is no connection between BellSouth and HOLD Billing Services.

AC E008528

Name HENRY, GREGORY

Company ALL AMERICAN TELEPHONE, INC.

Address 1134 HIDDEN VALLEY WAY

Attn. CLAY GAREY

Consumer's Telephone # (954)-349-3825

City/zip WESTON 33327 County BRO

Can Be Reached (305)-252-4500

Account Number _____

Notes _____

Company Contact _____

Listed Response M. Outreach OTHER

Customer said her service was switched from AT&T without authorization in Mar. Customer said as a result she was billed higher rates. Customer said she found out about the switch when she received her bill.
5-6 reply received.
7-24 I called customer regarding the LOA. He said Chris Henry was a minor child and did not have authorization to have the service switched.
File closed by letter.

See 1695171.

Request No. 1903801

By RHM Time 12:12 PM Date 10/16/97

To CO Time FAX Date 10/16/97

Type S. Form Phone _____

Category _____

Infraction LS-13A

Closed by RHM Date 10/16/97

Reply Received I

CONSUMER REQUEST

34

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: 10/31/97

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



DIVISION OF CONSUMER AFFAIRS
BEVERLIE DEMELLO
DIRECTOR
(850) 413-6100
TOLL FREE 1-800-342-3552

Public Service Commission

October 16, 1997

Mr. Gregory Henry
1134 Hidden Valley Way
Weston, FL 33327

Dear Mr. Henry:

This is in response to your complaint concerning All American Telephone.

The company was in violation of Florida Administrative Code 25-4.118, Ch. 25-4, Supp. No. 178. This rule is regarding what we call "slamming", or the unauthorized switching of your telephone service. The company will be issuing a credit of \$13.63 for the services you were billed.

The Florida Public Service Commission is concerned about unauthorized changes in local and long distance service. The Commission, along with staff from the Attorney General's Office and the Office of Public Counsel, will hold ten rule development workshops throughout the state to listen to consumers' concerns regarding slamming. The workshop will be held in your area on October 23 at 6:30 PM at the following location:

*Broward County Governmental Center
Room 422
115 South Andrews Avenue
Ft. Lauderdale, FL 33301*

Thank you for giving me the opportunity to address your concerns. I am attaching a copy of the company's report for your review. If you have any questions, please call me, toll-free, at 1-800-342-3552.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ruth W. McHargue".
Ruth W. McHargue
Regulatory Specialist III
Division of Consumer Affairs

RWM:ewe

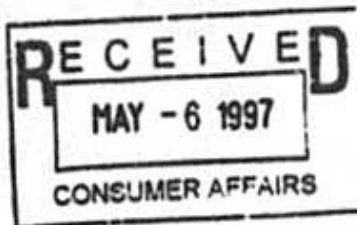
Attachment: Company report

- 35 -

All American Telephone, Inc.

May 5, 1997

Florida Public Service Commission
C/O Ruth W. McHargue
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



RE: Henry, Gregory
(954) 349-3825
1695171

Dear Ms. McHargue,

Pursuant to your request, we have investigated the above referenced complaint. Enclosed please find a copy of (LOA) letter of authorization which served to switch the customer's long distance service to (AAT) All American Telephone, Inc.. It appears that this form was signed on March 13, 1997 by a Chris Henry at 1134 Hidden Valley Way Weston, FL 33327.

As of March 26, 1997, Mr. Henry had been billed a total of \$41.83 for long distance services. All American Telephone have initiate credit to Bell South for \$13.63. this amount represents two (2) monthly service fees and calls that were made 03-26-97 thru 04-21-97. Please note that it may take up to 60 days before the credit appears on the customer's telephone bill.

All American Telephone apologizes for this error and any inconvenience it may have caused. It is not our intent or desire to obtain customer who do not wish to utilize our service.

CONTACT CUSTOMER:

Mr. Gregory Henry, left message in regarding the complaint and advise customer a credit had been initiate for \$13.63, advise customer " if he had any question to please call me " at 1-888-558-4726.

Sincerely,

Mary Williams

Mary Williams
Customer Service Manage

cc: Gregory Henry

- 36 -

DIST # 500 **OFFICIAL LOA FORM**
LONG DISTANCE APPLICATION
PLEASE PRINT - FILL OUT COMPLETELY
ONLY ONE PER HOUSEHOLD

AGE (REQUIRED)
18 to 35
36 & over

00284878

DATE (REQUIRED) 3/13/97
NAME Chris Henry
ADDRESS 134 Hidden Valley way
CITY Weston STATE FL. ZIP 33312

HOME PHONE (REQUIRED) (915) 141-1318 12-15
03-75-447
SIGNATURE (REQUIRED) x Chris Henry

I certify that I am at least 18 years of age. I further understand that I may cancel this agreement at any time. I hereby authorize All American Telephone, Inc. (AAT) to act as my agent, and to convert the long distance service on my phone listed above from my current carrier to AAT. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by AAT. I understand that my local phone company may assess a charge for my conversion to AAT. If this occurs, AAT will pay me back if I send a copy of my bill to: AAT, 4709 Colleyville Blvd., Suite 580, Dept. 203, Colleyville, TX 76034.

Name REX TELECOMMUNICATIONS

Company ALL AMERICAN TELEPHONE, INC.

Request No. 176188I

Address TERRY PHILLIPS

Attn. CLAY GAREY 176188I

By KES Time 4:09 PM Date 06/17/97

5447 CENTER STREET

Consumer's Telephone # (561)-996-9050

To CO Time MAIL Date 06/18/97

City/Zip JUPITER 33458 County PLB

Can Be Reached (561)-575-0663

Type S Form Phone

Account Number _____

Note _____

Category _____

Company Contact _____

Limited Response N

Infraction LS-13C

Closed by KES Date 09/11/97

Reply Received T

Customer said that the service at its payphone located at 105 NW 10th Avenue in South Bay, FL (at the convenience store) was changed without his authority. The company would like an explanation for this change. USLD advises that All American is handling this account. Please investigate, follow up with customer and send a detailed report. [cross-reference 174894I]

7/03/97 Report with explanation; copy of LOA; customer contacted. No billing occurred so there is no credit.

9/11/97 File closed.

CONSUMER REQUEST

-38-

FLORIDA PUBLIC SERVICE COMMISSION

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

PLEASE RETURN THIS FORM WITH REPORT OF ACTION TO:

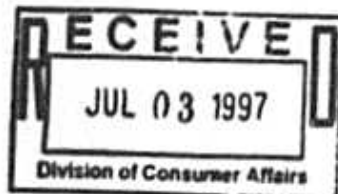
Kate Smith

DUE: 07/03/97

ATTACHMENT D
DOCKET NO. 971493-TI
JANUARY 8, 1998

ATTACHMENT D.
DOCKET NO. 971493-TI
JANUARY 8, 1998

All American Telephone, Inc.



June 30, 1997

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Rex Telecommunications
(581) 996-9050
Ref: 1761881

Dear Kate Smith,

Pursuant to your request, we have investigated the above referenced complaint. Enclosed please find a copy of letter of authorization (LOA) which served to switch the customer's long distance service to All American Telephone, Inc. (AAT) It appears this form was signed on April 07, 1997 by a David Jones, who listed the same telephone number on the application as the complainant, Mr. Terry Phillips. The address listed on the application also did not match Mr. Phillips business address.

We have also reviewed the billing tape and find that as of today's date, this customer has not been billed for any services.

All American Telephone apologize for this error and any inconvenience it may have caused. It is not our intent or desire to obtain customer who do not wish to utilize our service.

Sincerely,

Mary Williams

Mary Williams
Customer Service Manager

attachment

cc: Terry Phillips

ATTACHMENT D
DOCKET NO. 971493-T1
JANUARY 8, 1998

All American Telephone, Inc.

June 30, 1997

Rex Telecommunications
C/O: Terry Phillips
5447 Center Street
Jupiter, FL 33458

Re: (561) 996-9050
Ref No: 1761881

Dear Terry Phillips,

Our Company has received a notice from the Florida Public Service Commission stating that you have filed a complaint.

This complaint directs our company to a written response to Public Service Commission regarding your complaint and to send you a copy of the response.

Should you have any question or require further assistance, please feel free to call me at 1-888-558-4726.

Sincerely,

Mary Williams

Mary Williams
Customer Service Manager.

cc: Florida Public Service Commission

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DIST # 521
OFFICIAL LOA FORM
LONG DISTANCE APPLICATION
PLEASE PRINT - FILL OUT COMPLETELY
ONLY ONE PER HOUSEHOLD

AGE (REQUIRED)
18 to 35 _____
36 & over _____

DATE (REQUIRED)
4-7-97

NAME David Jones *00407477*
ADDRESS 190 N. W. 9th Apt #3
CITY South Bay STATE FL ZIP 33413
HOME PHONE (REQUIRED) (561) 919-1619 ZIP 919519
G2-75-147

SIGNATURE (REQUIRED) X David Jones

I certify that I am at least 18 years of age. I further understand that I may cancel this agreement at any time. I hereby authorize All American Telephone, Inc. (AAT) to act as my agent, and to convert the long distance services on my phone listed above from my current carrier to AAT. I understand that this LOA changes my carrier, and that I may designate only one carrier at a time for any 1 number. I understand that I will be billed through my local telephone company by AAT. I understand that my local phone company may assess a charge for my conversion to AAT. If this occurs, AAT will pay me back if I send a copy of my bill to: AAT, 4709 Colleyville Blvd., Suite 500, Dept. 208, Colleyville, TX 76034.