



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

## -M-E-M-O-R-A-N-D-U-M-

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RECORDS AND REPORTING

**DATE:** SEPTEMBER 10, 1998

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

**FROM:** DIVISION OF LEGAL SERVICES (COX) *WPC mcb*  
DIVISION OF COMMUNICATIONS (BIEGALSKI) *CB* *TD*

**RE:** DOCKET NO. 971482-TL - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST MINIMUM RATE PRICING, INC. FOR VIOLATION OF RULE 25-4.118, F.A.C., INTEREXCHANGE CARRIER SELECTION.

**AGENDA:** 09/22/98 - REGULAR AGENDA - DECISION PRIOR TO HEARING - MOTION FOR RECONSIDERATION ON MOTION TO DISMISS AND MOTION FOR MORE DEFINITE STATEMENT - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\971482RC.WPC

### CASE BACKGROUND

On May 7, 1996, the Commission granted Minimum Rate Pricing (MRP) Certificate Number 4417 to provide intrastate interexchange telecommunications service. MRP reported gross operating revenues of \$ 164,675,000 on its Regulatory Assessment Fee Return for the period January 1, 1997, through December 31, 1997. As a provider of interexchange telecommunications service in Florida, MRP is subject to the rules and regulations of this Commission.

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 Telecommunications Act of 1996.

On February 23, 1998, we issued Order No. PSC-98-0313-FOF-TI, requiring MRP to show cause why it should not have certificate

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FPSC-RECORDS/REPORT

number 4417 canceled or be fined \$500,000 for 50 apparent violations of Rule 25-4.118, Florida Administrative Code. In response to this order, MRP filed a Motion to Dismiss or Quash Order No. PSC-98-0313-FOF-TI, or, in the alternative, Motion for More Definite Statement, or, in the alternative, Partial Response to Order to Show Cause. On April 24, 1998, Robert A. Butterworth, Attorney General (Attorney General) and the Citizens of the State of Florida, by and through the Office of the Public Counsel (OPC), filed a joint response to MRP's motions. On July 7, 1998, we issued Order No. PSC-98-0908-PCO-TI denying the Motion to Dismiss or Quash and the Motion for More Definite Statement. On July 17, 1998, MRP filed a Motion for Reconsideration of Order No. 98-0908-PCO-TI. Also on this date, MRP filed its Response to the Order to Show Cause and Petition for a Hearing. This recommendation addresses MRP's Motion for Reconsideration.

### DISCUSSION OF ISSUES

**ISSUE 1:** Should the Commission grant Minimum Rate Pricing, Inc.'s Motion for Reconsideration of Order No. PSC-98-0908-PCO-TI denying its Motion to Dismiss or Quash or, in the alternative, Motion for More Definite Statement?

**STAFF RECOMMENDATION:** No. Minimum Rate Pricing, Inc. has failed to identify any point of fact or law that the Commission overlooked or failed to consider in rendering Order No. PSC-98-0140-FOF-TP. Minimum Rate Pricing, Inc.'s Motion for Reconsideration should, therefore, be denied.

### **STAFF ANALYSIS:**

#### STANDARD OF REVIEW

The proper standard of review for a motion for reconsideration is whether the motion identifies a point of fact or law which was overlooked or which the Commission failed to consider in rendering its Order. See Stewart Bonded Warehouse, Inc. v. Bevis, 294 So. 2d 315 (Fla. 1974); Diamond Cab Co. v. King, 146 So. 2d 889 (Fla. 1962); and Pingree v. Quaintance, 394 So. 2d 161 (Fla. 1st DCA 1981). In a motion for reconsideration, it is not appropriate to reargue matters that have already been considered. Sherwood v. State, 111 So. 2d 96 (Fla. 3rd DCA 1959); citing State ex. rel. Jaytex Realty Co. V. Green, 105 So. 2d 817 (Fla. 1st DCA 1958). Furthermore, a motion for reconsideration should not be granted "based upon an arbitrary feeling that a mistake may have been made, but should be based upon specific factual matters set forth in the

record and susceptible to review." Stewart Bonded Warehouse, Inc. v. Bevis, 294 So. 2d 315, 317 (Fla. 1974).

MRP's MOTION FOR RECONSIDERATION

MRP asserts that the Commission overlooked several dispositive points in reaching its decision on MRP's motions. MRP argues that the Commission overstepped its limitations in its review of MRP's Motion to Dismiss by relying on the provision of copies of customer complaints outside the four corners of the Show Cause Order to evaluate the sufficiency of the Show Cause Order. MRP contends that the Show Cause Order does not contain sufficient factual allegations.

Next, MRP claims that the Commission overlooked the actual holding of Commercial Ventures, Inc. v. Beard, 595 So.2d 47 (Fla. 1992). MRP argues that this case does not set forth the minimum standards for factual allegations in show cause orders to satisfy due process requirements. Instead, MRP believes the holding of this case is that a show cause order need not contain the phrases "refused to comply with" or "wilfully violated". MRP argues that the Commission must provide additional factual allegations to inform MRP of how it violated a statute or a Commission rule.

Assuming Commercial Ventures does establish the minimum standards for show cause orders, MRP argues that the Commission overlooked the fact that the Show Cause Order does not meet these standards. MRP argues that the Show Cause Order does not contain the same level of detailed factual allegations as were provided in the show cause order involved in Commercial Ventures. MRP contends that Section 120.60(5), Florida Statutes, requires that the Commission provide MRP with an administrative complaint that affords MRP with reasonable notice of facts or conduct that warrant disciplinary action by the Commission. MRP argues that Cottrill v. Department of Insurance, 685 So.2d 1371 (Fla. 1st DCA 1996) and Dyson v. Dyson, 483 So.2d 546 (Fla. 1st DCA 1986) support its interpretation of the statute. MRP believes that the only response it can give to the Show Cause Order without additional factual detail is a general denial.

In addition, MRP contends that the statement, "all of the complaints in the Show Cause Order result from bonafide allegations that customers' long distance carriers were changed without their permission in violation of Rule 25-4.118, Florida Administrative Code," is clearly erroneous. MRP notes that in two of the four examples of complaints contained in the Show Cause Order the customer's long distance carrier was never switched.

STAFF ANALYSIS

Staff disagrees with MRP that the Commission overlooked various points of law and fact when it denied MRP's Motion to Dismiss and Motion for More Definite Statement. First, staff does not believe the Commission overstepped its legal limitations in reviewing the Motion to Dismiss. The Commission did not rely on the copies of customer complaints provided to MRP by the Commission's Division of Consumer Affairs to demonstrate that the Show Cause Order provided MRP with full and complete notice of the show cause proceedings and the basis of their authority as required by Commercial Ventures, Inc. v. Beard, 595 So.2d 47 (Fla. 1992). This information was included only to supplement a sufficiently detailed Order and to indicate that in addition to more than adequate notice provided by the Show Cause Order, the Division of Consumer Affairs had provided MRP with copies of all of the complaints included in the Show Cause Order. Furthermore, MRP has responded through its own personnel to each and every one of the 50 complaints in question. The Order Denying the Motion to Dismiss states that the Show Cause Order (itself) "provides sufficiently detailed information". Thus, the Commission's order did rely on the information contained within the four corners of the Show Cause Order, and the Commission did not overlook this legal requirement when it rendered its decision on the Motion to Dismiss.

Second, despite MRP's argument to the contrary, the Commission's Show Cause Order did provide sufficient factual allegations under the Commercial Ventures decision. The Order Denying the Motion to Dismiss explained that the Commission agreed with the AG and the OPC's arguments that the Show Cause Order exceeds the minimum requirements established by the Supreme Court of Florida in Commercial Ventures decision for giving full and complete notice of the proceedings/ alleged violations and the basis of the Commission's authority. Staff disagrees with MRP that the Commercial Ventures case does not provide the minimum requirements for notice and due process. This Florida Supreme Court decision specifically addresses a Florida Public Service Commission show cause order. The Court found that the allegations contained in the Commercial Ventures show cause order were clearly adequate and gave the company full and complete notice of the proceedings and the basis for their authority. See Commercial Ventures, 595 So.2d at 48. The "clearly adequate" allegations set forth in the Commercial Ventures show cause order are as follows:

Commercial Ventures, Inc. a certified PATS (telephone company providing pay telephone services) subject to the jurisdiction of this Commission, repeatedly failed to comply with the

above-identified rules (Rule 25-24.515 (4)(5)(7)(10), Florida Administrative Code). The Commission will not tolerate cavalier disregard of our rules by regulated utilities. Section 364.285, Florida Statutes, gives the Commission authority to impose a fine of up to \$5,000 per day for violation of Commission rules, each day constituting a separate offense.

Id.

As stated earlier in this recommendation and in the Order Denying MRP's Motion to Dismiss and Motion for More Definite Statement, the Commission's Show Cause Order provided the same level of specificity in its allegations against MRP as is found in the Commercial Ventures show cause order. In fact, the MRP Show Cause Order provided greater factual detail. This Order explains that customers complained that the telemarketing activities of MRP led them to think that they were signing up for a discount plan, not switching their long distance provider. Furthermore, some of these customers did not receive the welcome package verification as required by the anti-slamming rule alleged to have been violated, Rule 25-4.118(2)(d), Florida Administrative Code. Thus, the Show Cause Order details the specific pattern of conduct that supports the Commission's allegations in the Show Cause Order that MRP had apparently violated Rule 25-4.118 on 50 occasions. MRP thus has full and complete knowledge of what it has allegedly done in violation of the Commission's rules. It is abundantly clear that MRP's due process rights have and will be adequately protected through issuance of the Order to Show Cause and the opportunity to request a formal hearing on this matter.

Finally, MRP's conclusion that the statement "all of the complaints in the Show Cause Order result from bonafide allegations that customers' long distance carriers were changed without their permission in violation of Rule 25-4.118, Florida Administrative Code" is clearly erroneous is, in fact, incorrect itself. The four complaint examples are not all part of the 50 bonafide complaints for alleged violations of Rule 25-4.118 received as of the day of the Commission's vote to issue the Show Cause Order, February 3, 1998. The alleged facts regarding the complaints of Mr. David Wilson and Mrs. Vincent Stellato specified in the Order indicate that these individuals' long distance carriers were not switched. These two examples, as stated in the Show Cause Order, were merely included to demonstrate the alleged deceptive marketing techniques utilized by MRP. The two other examples do represent bonafide complaints where the customers' carriers were allegedly changed without authorization. As the Order Denying MRP's Motions

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DATE: September 10, 1998

correctly noted, the 50 complaints alleged in the Show Cause Order do result from bonafide allegations of unauthorized carrier switches by MRP in violation of Rule 25-4.118.

MRP has not identified any factual or legal basis for its Motion for Reconsideration. Its motion falls short of the standard set forth in Diamond Cab Co. V. King, 146 So. 2d 889 (Fla. 1962). Based on the foregoing, staff recommends that MRP's Motion for Reconsideration of Order No. PSC-98-0140-FOF-TP be denied. In an effort to provide more than adequate notice and due process and as an exercise of caution, staff notes that the Commission could provide clarification to Order No. 98-0313-FOF-TI (the Show Cause Order) by attaching a summary of the 50 complaints in question to the order issued on this recommendation. (Attachment A) Staff believes, however, that this clarification is not necessary for the reasons discussed above.

**ISSUE 2:** Should this docket be closed?

**STAFF RECOMMENDATION:** No. This docket should remain open to address Minimum Rate Pricing, Inc.'s Response to Order to Show Cause and Petition for a Hearing, filed July 17, 1998. **(COX)**

**STAFF ANALYSIS:** On July 17, 1998, MRP filed its Response to Order to Show Cause and Petition for a Hearing in this docket. Accordingly, this docket should remain open to address the response and petition for hearing.

Name MURDOCK ROBERT

Company MINIMUM RATE PRICING, INC.

Request No. 140894I

Address 805 NE 8 STREET

Attn. DREW KEENA 140894I

By KES Time 3:26 PM Date 09/24/96

Consumer's Telephone # (352)-481-5276

To CO Time MAIL Date 09/25/96

City/zip HAWTHORNE 32640 County ALA

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note Tele

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 03/05/97

Reply Received L

Customer said that there are several calls on his bill from the company. As MRP is not his long distance carrier, he called to inquire. Has his service been switched? If so, please provide proof of authorization. If not, please explain why billing was initiated. Please contact customer and advise.

11/12/96 Mr. Keena, please fax a final report no later than 11/22/96.

01/02/97 Certified letter sent.

01/13/97 Return receipt received.

01/27/97 I tried to call company, but both contact numbers are fax machines.

NOTE TO COMPANY: Commission rules require a response to an inquiry within 15 days of receipt by the company. If a final report is not received in this office by Wednesday, January 29, 1996, this inquiry will be forwarded to the Division of Communications for a possible show cause.

2/6/97 Report from company received. The case has been settled, but company

has been waiting since October to receive copies of the customer's report.

a rerate can be done. I spoke with Drew Kenna and he advised me that the company has left numerous voice messages for the customer, but no calls were returned.

We discussed his sending a letter to the customer and waiting for a response. If none is received, we will assume the customer is satisfied and no further action will be necessary.

Mr. Kenna will send me a copy of the letter. I called customer and left him a voice message explaining the conversation with the company and its report.

I told Mr. Murdock that I was closing this case so please call me with any questions.

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850  
850-413-6100

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**FLORIDA PUBLIC  
SERVICE  
COMMISSION**

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ATTACHMENT A

DUE: 10/10/96

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2/7/97 Mr. Murdock called. He said that the company had offered him a 50 percent reduction in his bill, but that was not acceptable. He no longer has his old bills but he said that he wanted the usage rerated. With Sprint he had 10 cents a minute for calls after 7:00 p.m. Monday through Friday and all day on the weekends until 7:00 a.m. on Monday morning. He is requesting that the company rerate his bill based on this information.

NOTE TO COMPANY: Mr. Keena, please see the above notes. Mr. Murdock is willing to settle this case if his calls are rerated to the 10 cents per minute as described above. Please send a final report on the rerate by 2/24/97. P.S. Please provide a telephone number where I can reach you. The numbers we have listed are fax machines.

2/24/97 Mr. Keena, company, called. Since Mr. Murdock is not able to provide copies of his bills, Minimum Rate Pricing is offering a 50% reduction in the entire bill. Otherwise, the rerate would only be on the portion of the bill where customer would have been billed at 10 cents.

2/26/97 I called and left a voice message for Mr. Murdock explaining the above information and telling him that I was closing the case and suggesting that the 50% reduction would probably work out better for him. Closed by phone.

3/4/97 Final report with copy of tape and copy of welcome letter to customer. Customer given 50% discount. Tape: customer said that he did not understand what the program was and asked verifier several times to slow down as she was talking so fast, he could not follow what she was saying.



Name DEFAZIO, JOSEPH (MRS)

Company MINIMUM RATE PRICING, INC.

Request No. 141906I

Address 1555 N.W. 91ST AVENUE

Attn. DREW KEENA 141906

By JRD Time 3:22 PM Date 10/01/96

APT 833

Consumer's Telephone # (954)-341-8148

To CO Time MAIL Date 10/02/96

City/Zip CORAL SPRINGS 33071 County BRO

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note tele

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by NEP Date 12/23/96

Reply Received T

Customer says her PIC was switched without her authorization. Please provide proof of authorization and rerate calls to Sprint rates.

10/10/96 Customer called to check on the status of her complaint.

10/16 report indicating telemarketing and offering to rerate charges if they were higher.

12/23 spoke with customer. She said she mailed and faxed copies of her Sprint bills to MRP and is still waiting for rerating because the MRP rates were higher than Sprints. She also stated that she did not receive a welcome packet before her service was switched.np

12/24 BY FAX: Please contact customer and process rerating immediately. **2540 SHUMARD OAK BOULEVARD  
DADE COUNTY, FL. 32399-0850  
850-413-6100**

12/27 Additional report with credits. See 156158R.

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ATTACHMENT A

DUE: 10/17/96

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Name D'ELIA, JOSEPH

Company MINIMUM RATE PRICING, INC.

Request No. 146357I

Address 540 SOUTHEAST 2ND AVENUE #6

Attn. DREW KEENA 146357

By JRD Time 11:10 AM Date 11/04/96

Consumer's Telephone # (954)-429-1521

To CO Time FAX Date 11/05/96

City/zip DEERFIELD BEACH 33441 County BRO

Can Be Reached \_\_\_\_\_

Type S Form MAIL

Account Number \_\_\_\_\_

Note tele

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by NEP Date 12/23/96

Reply Received T

See attached correspondence concerning misleading solicitation.

11/15 report and letter to customer offering credit.

12/23 called customer left message to call if charges had not been rerated.

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**2540 SHUMARD OAK BOULEYARD  
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DUE: 11/21/96

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ATTACHMENT 1

Name EUROPEAN SALON

Company MINIMUM RATE PRICING, INC.

Request No. 149961I

Address JANA LIGHTBURN, OWNER

Attn. DREW KEENA 149961

By DBM Time 10:31 AM Date 12/03/96

480 NE 125 STREET

Consumer's Telephone # (305)-899-9846

To CO. Time MAIL Date 12/03/96

City/Zip MIAMI 33161 County DADE

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note swt. aft cancel

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13Z

Closed by NEP Date 02/26/97

Reply Received T

Customer called to say that Minimum Rate Pricing did not cancel her service upon request but in fact switched her back after she had requested a transfer of her service to AT&T. Minimum Rate Pricing continues to bill the customer. Please contact the customer, investigate and provide a report. Please provide proof of authorization to change the customer's service after she transferred to AT&T. Appropriate credits are requested to reflect a refund of switching fees/ service charges that apply as well as an adjustment of rates to those of the customer's preferred carrier, (AT&T). Please send the customer a copy of your response to this PSC inquiry

12/16 report indicating no notification from customer of cancellation so switched him back. However, customer stated in complaint that MRP did not cancel service upon request.

2540 SHUMARD OAK BOULEYARD  
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850-413-6100

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DUE: 12/18/96

Name JONES, ERNEST

Company MINIMUM RATE PRICING, INC.

Request No. 152112I

Address 7228 SANDHURST ROAD, SOUTH

Attn. DREW KEENA 152112I

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

City/Zip JACKSONVILLE County DUV

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

To CO Time MAIL Date 12/17/96

Account Number \_\_\_\_\_

Can Be Reached (904)-743-2175

Type S Form Phone

Caller's Name \_\_\_\_\_

Note telemarketing

Category \_\_\_\_\_

Informal Conf. 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.

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

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.

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DUE: 01/10/97

5

Name SIGLER, DON

Company MINIMUM RATE PRICING, INC.

Request No. 153289I

Address 10410 CRESTFIELD DRIVE

Attn. DREW KEENA 153289I

By SAS Time 1:48 PM Date 12/27/96

Consumer's Telephone # (813)-654-3559

To CO Time FAX Date 12/27/96

City/Zip RIVERVIEW 33569 County HILL

Can Be Reached (813)-654-3559

Type S Form Phone

Account Number \_\_\_\_\_

Note keypunch

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13D

Closed by SAS Date 04/02/97

Reply Received L

Mr. Sigler says that his long distance service was switched from AT&T without his authorization, and he found out about the switch when he received a November bill with the charges on it for calls made in October. He objects to the unauthorized switch, and says that he was on AT&T's ten cents calling plan for all calls day or night. He wants ALL of the unauthorized charges removed from his account. (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.)

12-30 Received a copy of Mr. Sigler's December 27 letter to the company regarding the above problem.

03-27 FAXED TO CO. THE REPORT DUE DATE WAS JANUARY 16, 1997, BUT I HAVEN'T RECEIVED THE REPORT. I NEED TO RECEIVE THE REPORT IMMEDIATELY, AND MY FAX TELEPHONE NUMBER IS 904/413-6362.

04-01 Final report received

04-02 Closed (The report stated that the customer received specific written instructions on how to receive his reimbursement for the switch

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DUE: 01/16/97

Name FRANK, BRUCE

Company MINIMUM RATE PRICING, INC.

Request No. 153641I

Address 120 MAYFAIR LANE

Attn. DREW KEENA 153641I

By SRG Time 11:31 AM Date 12/31/96

City/zip BOYTON BEACH 33462 County PLB

Consumer's Telephone # (561)-965-7470

To CO Time MAIL Date 01/02/97

Account Number \_\_\_\_\_

Can Be Reached (561)-965-9520

Type S Form Phone

Caller's Name \_\_\_\_\_

Note telemarketing

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by NEP Date 02/26/97

Reply Received T

Customer says the following:

His long distance service was switched without his knowledge.  
The customer's PIC is MCI.

Please provide proof of authorization.

12/31/96 Fax received from customer of 2 bills showing MRP charges were higher than MCI charges.

1/3/97 Report received.

1/6/97 FAX TO COMPANY . Send copy of tape.

1/17/97 Call was made to company. Tape will be sent ASAP. Due date no later than 1/23/97.

1/24/97 Tape received.

On tape he is assured that he will be getting a 25% discount. When he asks "guaranteed lowest rates?" he is told "Yes, it is."

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100

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ATTACHMENT A

DUE: 01/16/97

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Name SCARPA, KIMIKO

Company MINIMUM RATE PRICING, INC.

Request No. 155208I

Address 2000 PRESIDIO STREET

Attn. Drew Keena155208I

By DBM Time 10:42 AM Date 01/14/97

Consumer's Telephone # (904)-939-2501

To CO. Time MAIL Date 01/14/97

City/zip NAVARRE 32566 County SNR

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note keypunch

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13D

Closed by NEP Date 02/26/97

Reply Received T

See enclosed correspondence regarding unauthorized carrier change. Please provide proof of authorization. (LOA/Tape). Appropriate credits are requested to reflect a refund of switching fees/ service charges that apply as well as an adjustment of rates to those of the customer's preferred carrier. Please send the customer a copy of your response to this inquiry.

1/23/97 Report and letter to customer with explanation and offering to rerate charges. File closed.

03-05-97- TO MINIMUM RATE PRICING VIA FAX. CUSTOMER HAS NOT RECEIVED CREDIT OR RERATE OF CALLS. SHE ALSO SAYS SHE WAS SWITCHED AGAIN IN JANUARY. PLEASE CONTACT THE CUSTOMER, ADVISE OF CREDIT AND ISSUE A SUPPLEMENTAL REPORT. DBM

03-26-97- To Minimum Rate Pricing via FAX. Your supplemental report received. Please investigate and advise no later than April 2, 1997. Thanks.

**2540 SHUMARD OAK BOULEYARD  
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03/27/97 Received report with explanation. It appears that the service resulted from a data entry error. A letter was sent to the customer.

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04/12/97 Received correspondence from the customer.

02/23/98 FAX TO CO. See attached bills from the customer. Please provide a



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DUE: 04/20/98

detailed written report including applicable credit for adjustment of customer's bills by Tuesday, March 17, 1998.

03/24/98 FAX TO CO. Your report is past due. It is my understanding that MRP will still provide a credit adjustment of rates to that of the customer's preferred carrier. Please direct this response to Ellen Plendl (fax 850-413-6362) Please provide a response by Tuesday, March 31, 1998.

04/03 Faxing to company due date changed to 4/20.

4/10/98: Received reply from Minimum Rate Pricing. They have sent the customer another check for \$265.60. See # 209862R - the credit was recorded. The customer was sent a closeout letter to explain that another check would be sent to her for \$265.60. JEB



Name WHITNEY, VIRGINIA

Company MINIMUM RATE PRICING, INC.

Request No. 159444I

Address 2910 LAMPLIGHTER DRIVE

Attn. DREW KEENA 159444

By JRD Time 11:03 AM Date 02/07/97

Consumer's Telephone # (941)-359-0861

To CO Time FAX Date 02/07/97

City/zip SARASOTA 34234 County SAR

Can Be Reached (941)-955-2430

Type S Form Phone

Account Number \_\_\_\_\_

Note tele

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Customer says her PIC was switched from MCI Friends and Family without her authorization. Please provide proof of authorization and rerate calls.

Closed by NEP Date 02/26/97

Reply Received T

2/17 Report with explanation, credit and indicating customer contacted. File closed.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEYARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

**PLEASE RETURN THIS FORM  
WITH REPORT OF ACTION TO:**

DUE: 02/24/97

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Name HULSEY, TEMEJIN

Company MINIMUM RATE PRICING, INC.

Request No. 162568I

Address 5952 73 ST. NORTH

Attn. DREW KEENA 162568

By RWM Time 9:01 AM Date 02/26/97

Consumer's Telephone # (813)-546-2136

To CO Time FAX Date 02/26/97

City/zip ST. PETERSBERG 33709 County PIN

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by RWM Date 05/01/97

Reply Received T

Customer's service was switched from AT&T in Jan. Customer did not authorize the service be changed. Investigate this matter, contact customer and provide a response by the date below. Include a copy of the LOA and apply appropriate credits.

3-6 reply received - Customer contacted by company. file closed.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

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DUE: 03/13/97

Name BERTHOLD, MARY L.

Company MINIMUM RATE PRICING, INC.

Request No. 163135I

Address 14641 S.W. 24 ST.

Attn. DREW KEENA 163135I

By SRG Time 12:22 PM Date 03/03/97

Consumer's Telephone # (954)-473-5478

To CO Time FAX Date 03/03/97

City/zip DAVIE 33325-4916 County BRO

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SRG Date 03/28/97

Reply Received T

Please investigate the information outlined in the attached correspondence, and provide me with a detailed written report, including LOA/TAPE and applicable credits for any switching fees, and long distance calls after your contact with the customer.

3/7/97 Report received.

3/11/97 FAX TO CO. Please send copy of LOA/TAPE.

3/20/97 Company called stating that they are unable to attain a copy of the verification tape, but will be sending a letter with an explanation.

3/27/97 Report received. I called Bellsouth requesting a PIC history.

2540 SHUMARD OAK BOULEYARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100

3/28/97 Report and letter to customer.

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**CONSUMER REQUEST**

**FLORIDA PUBLIC  
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COMMISSION**

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DUE: 03/18/97

Name SHERMAN'S WELDING AND MAINTENANCE

Company MINIMUM RATE PRICING, INC.

Request No. 165445I

Address ALICE SHERMAN

Attn. DREW KEENA 165445I

By KES Time 2:38 PM Date 03/19/97

6299 POWERS AVENUE

Consumer's Telephone # (904)-731-3460

To CO Time FAX Date 03/19/97

City/Zip JACKSONVILLE 32217 County DUV

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note Telemarketing

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 04/02/97

Reply Received T

Customer said that the company contacted her husband and he agreed to switch his service; however, he does not have the authority to change service. Mrs. Sherman contacted the company two months ago via certified letter asking that the account be cancelled. The company still has not cancelled her service. Customer is requesting that her service be cancelled immediately and that she receive a full refund for all charges. Please investigate, contact customer and advise.

3/31/97 Report with explanation, customer credited for switching fees and rerated usage. Customer satisfied.

4/02/97 File closed.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
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DUE: 04/03/97

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Name BANKS, JACK

Company MINIMUM RATE PRICING, INC.

Request No. 166191I

Address 7202 PROMENADE DRIVE

Attn. DREW KEENA 166191I

By MEP Time 8:05 AM Date 03/26/97

City/Zip BOCA RATON 33433 County PLB

Consumer's Telephone # (561)-750-0885

To CO Time FAX Date 03/27/97

Account Number \_\_\_\_\_

Can Be Reached (561)-750-0885

Type S Form MAIL

Caller's Name \_\_\_\_\_

Note keypunch error

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13D

Closed by MEP Date 04/16/97

Reply Received L

See attached correspondence regarding customer's concerns with a switch in long distance service from AT&T to Minimum Rate Pricing without authorization or request. Customer has returned to carrier of choice. OAN has informed the Commission that Minimum Rate Pricing is the carrier that initiated the change in long distance service. Please investigate this matter, contact the customer, and provide me with a detailed written report including LOA/Tape and applicable credits for switching fees as well as an adjustment of rates to that of the customer's preferred carrier by the date below. Please note that the customer received 250 minutes free monthly on their plan with their preferred carrier.

04/14/97 FAX TO CO. Your report is past due. Please provide a response by Monday, April 21, 1997.

04/16/97 Received report with explanation and \$37.23 credit. were sent to the customer.

04/16/97 Closed.

2540 SHUMARD OAK BOULEVARD  
ATLANTA, GA 30329-0850  
850-413-6100

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**CONSUMER REQUEST**

**FLORIDA PUBLIC  
SERVICE  
COMMISSION**

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ATTACHMENT A

13

DUE: 04/11/97

Name NEWMAN, JACK

Company MINIMUM RATE PRICING, INC.

Request No. 167556I

Address 236 SUSSEX L

Attn. DREW KEENA 167556

By RWM Time 2:59 PM Date 04/07/97

City/Zip CENTURY VILLAGE 33417 County PLB

Consumer's Telephone # (561)-687-3487

To CO Time FAX Date 04/07/97

Account Number \_\_\_\_\_

Can Be Reached (516)-822-9097

Type S Form Phone

Caller's Name \_\_\_\_\_

Note keypunch

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13D

Closed by RWM Date 04/16/97

Reply Received T

The customer said his service was switched to Minimum Rate Pricing from Sprint without authorization. The customer would like his calls rerated, and credit for any switching fees. Please, provide proof of authorization LOA/TAPE, follow up with the customer, send the Commission a detailed written report, and respond by the date below.

Inquiry taken by JOHN PLESCOW.

Note, the CBR is in Newyork.

4-9 reply received - customer contacted by company.  
file closed

5-23 Mr. Newman called. He said his calls had not been rerated by Minimum Rate Pricing even though he provided them with copies of the bills. I requested he send me copies of the bill and I would contact the company on his behalf. He said he would.

**2540 SHUMARD OAK BOULEVARD  
PALM BEACH, FL. 32399-0850  
850-413-6100**

6-10 received correspondence from customer

**PLEASE RETURN THIS FORM  
WITH REPORT OF ACTION TO:**

ATTENTION MINIMUM RATE PRICING

6-23 See attached correspondence and bill copies. Customer said his calls have not been rerated to Sprint rates. Please investigate, contact customer and provide a follow-up report by June 30. Thanks Ruth McHargue.

6-27 Jim Gattuso with MRP called. He said the matter was being investigated.

**CONSUMER REQUEST**

**FLORIDA PUBLIC  
SERVICE  
COMMISSION**

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DUE: 04/22/97

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Name NEWMAN, JACK

Company MINIMUM RATE PRICING, INC.

Request No. 167556I

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He said if the checks could not be located the customer would be sent additional checks for the refund.

7-12 Mr. Gattuso called. He said the customer was issued a check for \$100 and it was being mailed. He said the customer had been contacted and informed of the matter. He said the customer was satisfied.

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Name AKHTAR, SYED SHAMEEM

Company MINIMUM RATE PRICING, INC.

Request No. 167637I

Address 605 NW 72 AVENUE, APT 106

Attn. DREW KEENA 167637I

By KES Time 11:00 AM Date 04/08/97

Consumer's Telephone # (305)-261-0506

To CO Time FAX Date 04/09/97

City/zip MIAMI 33126-5847 County DADE

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 06/09/97

Reply Received T

Customer states that his long distance service was switched without his authorization. He is disputing the entire bill. Please investigate, contact customer with explanation, provide a copy of the LOA or verification tape, and send a full report. Correspondence attached.

4/16/97 Report with explanation, copy to customer, and copy of certified welcome package receipt.

4/16/97 Mr. Keena, please supply a copy of the verification tape by May 1st.

5/12/97 I called Mr. Keena. He will forward a copy of the verification tape today.

5/21/97 I called mr. Keena to remind him about the tape. He **2540 SHUMARD OAK BOULEVARD  
SHALLHURST, FL. 32399-0850  
850-413-6100** definitely be in the mail today.

5/22/97 Tape received. Mr. Keena, thank you for the verification tape, however, it is clear on the tape that the customer's son is the one speaking. The son has no idea what he agreed to and several times asked for further clarification. He was even unsure about the switch and asked, "We have to switch to you guys?" At this point verifier should have ended the contact and referred the customer back to the original telemarketer. Based on this tape, **PLEASE RETURN THIS FORM WITH REPORT OF ACTION TO:**

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**FLORIDA PUBLIC SERVICE COMMISSION**

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DUE: 04/24/97

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please issue appropriate rerates and send a supplemental report including the amount of the rerate and a copy of the letter sent to the customer. I understand that the rerate was refused by the customer, but it seems appropriate to go ahead with it. Please be sure to send a letter to the customer explaining that the credit will appear on his future billing. Please send supplemental report by June 11, 1997.

5/28/97 Mr. Keena left a voice message. He cannot rerate customer's usage without a copy of the customer's bill. Customer has refused the company's offer of a rerate. Mr. Keena discussed my above comments on the verification tape.

NOTE TO COMPANY: Mr. Keena I noted your comments on the voice mail message you left. The note you sent with the tape told me it was the son and not the customer of record on the tape. However, his voice is so young that it is obvious he is not an adult. I understand that he did say he had the authority to make changes to his father's service, but his hesitancy and repeated questions to the verifier made it clear to me that he did not understand the company's offer or the way your service works. I understand that you need the bill to rerate. Thank you for that information. I will send the customer a closeout letter and suggest that if he wishes to pursue the rerate, that he send a copy of his bill. If he does send a copy, I know you will follow through; if he does not, we can assume he no longer wishes to pursue the matter. This should close this case. Thanks, again, for your help.

6/9/97 File closed. Letter sent to customer.

Name PIERCE, JANE

Company MINIMUM RATE PRICING, INC.

Request No. 1684301

Address 11005 TAFT DR.

Attn. DREW KEENA 168430

By DBM Time 11:40 AM Date 04/14/97

Consumer's Telephone # (813)-868-7397

To CO. Time FAX Date 04/14/97

City/Zip PORT RICHEY 34668 County PAS

Can Be Reached (813)-849-2283

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by DBM Date 05/06/97

Reply Received L

Customer's long distance carrier was changed from MCI to Minimum Rate Pricing without her permission. Please provide proof of authorization. (LOA/ Tape). Appropriate credits are requested to reflect a refund of switching fees/ service charges that apply as well as an adjustment of rates to those of the customer's preferred carrier. Please send the customer a copy of your response to this inquiry.

04-30-97- Report received containing script and contents of information packet.

It offers customer rebate for switching fees plus rate adjustment.

05-06-97 File closed. Customer notified in writing by Minimum Rate Pricing.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100

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DUE: 04/29/97

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Name VERITY, JOHN F.

Company MINIMUM RATE PRICING, INC.

Request No. 168552I

Address 972 SILVERTON LOOP

Attn. DREW KEENA 168552I

By KES Time 2:21 PM Date 04/15/97

Consumer's Telephone # (407)-322-4379

To CO Time FAX Date 05/22/97

City/zip LAKE MARY 32746 County SEM

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13D

Closed by KES Date 06/12/97

Reply Received T

Customer said that she discovered that her service had been changed when she received her bill and noticed the switching fees. WilTel advises that MRP is handling this account. Customer did not sign or authorize a change in her long distance service in any way and is requesting a refund of all charges. Please investigate, provide proof of authorization (LOA/tape), contact customer and send a report.

5/22/97 Ms. Verity called. She still has not heard from the company. She is still receiving billing from the company for \$15.40. She has received a third bill from the company. She asked that I call Bellsouth and explain that these charges are under investigation. I called and spoke with Ms. Williams. She will note the account.

I called Mr. Keena at MRP. He had not received this complaint refaxed and changed the due date.

**2540 SHUMARD OAK BOULEVARD  
DADE CITY, FL. 32399-0850  
850-413-6100**

6/06/97 Report with explanation; copy to customer.

**PLEASE RETURN THIS FORM  
WITH REPORT OF ACTION TO:**

6/12/97 Customer called and asked for advice on next step. We reviewed the letter and I suggested that the customer accept Mr. Gattuso's offer to rerate her usage and credit her with all fees. She will wait for her next bill to see if credits are applied. Case closed.

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DUE: 06/06/97

**CONSUMER REQUEST**

**FLORIDA PUBLIC  
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ATTACHMENT A

Name ZOCLOBOS, ANNA AND HATZIGEORGIU

Company MINIMUM RATE PRICING, INC.

Request No. 169058I

Address 621 HAVEN PL

Attn. DREW KEENA 169058

By DBM Time 9:23 AM Date 04/21/97

City/Zip TARPON SPRINGS 34689 County PIN

Consumer's Telephone # (813)-942-0903

To CO. Time FAX Date 04/21/97

Can Be Reached (813)-942-0903

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by DBM Date 05/06/97

Reply Received T

Customer's long distance carrier was changed from Sprint to Minimum Rate Pricing without authorization. Please provide proof of authorization, (LOA/ Tape). Appropriate credits are requested to reflect a refund of switching fees/ service charges as well as an adjustment of rates to those of the customer's preferred carrier. Please send the customer a copy of your response to this inquiry.

04-25 - The customer called, and she said that she had received a bill from the company. She said that she will not pay it until the company responds./JFP

04-30-97- Report received. It includes copy of marketing script plus contents of welcome letter and packet. Customer has been contacted and offered refund of PIC change charges plus rate adjustment.

05-06-97- File closed.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

**PLEASE RETURN THIS FORM  
WITH REPORT OF ACTION TO:**

DUE: 05/06/97

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Name RICH, JOHN (MRS.)

Company MINIMUM RATE PRICING, INC.

Request No. 169558I

Address 1510 WINDWOOD DRIVE

Attn. DREW KEENA 169558I

By KES Time 12:12 PM Date 04/23/97

APT 101

Consumer's Telephone # (407)-725-7579

To CO Time FAX Date 04/23/97

City/zip PALM BAY 32905 County BRE

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 07/02/97

Reply Received L

Customer said that the company switched her service twice in one week without her permission. She discovered the change when she received her bill. She called her LEC, Sprint, and switched back. Then three days later she called her LEC about a billing question and was told the company switched her again. Customer said she was never contacted by the company in any way. She is requesting a full refund of all charges. Please investigate, send a copy of the verification tape, contact customer and send a detailed report.

5/12/97 I called and spoke with Mr. Keena. He will forward the final report and verification tape today.

5/13/97 Report with explanation; customer contacted. If customer send copies of bills, company will do rerate.

6/18/97 I called Mr. Gattuso, MRP. He promised to send the verification tape to arrive by June 30.

7/02/97 No tape has been received. Customer denies giving permission for the switch. File closed.

**2540 SHUMARD OAK BOULEYARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

**PLEASE RETURN THIS FORM  
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**CONSUMER REQUEST**

**FLORIDA PUBLIC  
SERVICE  
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DUE: 05/08/97

Name ANNA MARIA PEST CONTROL

Company MINIMUM RATE PRICING, INC.

Request No. 170167I

Address JOHN DURKIN

Attn. DREW KEENA 170167

By RWM Time 12:25 PM Date 04/28/97

409 PINE AVE.

Consumer's Telephone # (941)-745-3585

To CO Time FAX Date 04/28/97

City/Zip ANNA MARIA 34216 County MAN

Can Be Reached (941)-778-1630

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by RWM Date 06/26/97

Reply Received T

Customer said he service was switched in Nov. without authorization. Customer said he found out when he received his bill in Jan. Customer said his rate were 15 cents a minute; however, as a result of the switch he was billed higher rates. Please investigate, contact customer and provide a response by the date below. Include a copy of the LOA and apply appropriate credits.

5-13 The company called spoke with Jim. He said the response and tape would be sent overnight, should receive it on 5-14.

5-14 reply received with copy of tape. On the tape the representative talks about customer receiving a discount. Wording not clear service is being switched.

File closed

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEYARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

**PLEASE RETURN THIS FORM  
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Name TUTTLE, VERNON S.

Company MINIMUM RATE PRICING, INC.

Request No. 170575I

Address 6194 S.E. GEORGETOWN PLACE

Attn. DREW KEENA 170575I

By SRG Time 4:38 PM Date 04/30/97

City/Zip HOBE SOUND 33455 County MART

Consumer's Telephone # (561)-546-4075

To CO Time FAX Date 04/30/97

Account Number \_\_\_\_\_

Can Be Reached \_\_\_\_\_

Type S Form Phone

Caller's Name \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13D

Closed by SRG Date 05/15/97

Reply Received T

Please investigate the following information in the attached correspondence, and provide me with a detailed written report along with the LOA/TAPE and credit for any switching fees and phone calls after your contact with the customer.

5/13/97 Report received.

5/19/97 Report and letter sent to the customer.

6/30/97 Letter received from the customer. The customer states that he has not heard from the company.

6/30/97 I explained to the customer in the previous letter that he should contact me in the future if there are any further problems concerning this matter, because it usually takes a company between two to three months to give the customer a credit.

3/25/98 I spoke to the customer and he says that he is still being billed by the company. The customer stated that he does not wish to pursue this matter any further, and that he will not pay this company because he did not order its services.

3/25/98 FAX TO CO. Why is this customer still being billed by you, and if he is

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850  
850-413-6100

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Name TUTTLE, VERNON S.

Company MINIMUM RATE PRICING, INC.

Request No. 170575I

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still being billed by you then make sure that he is given a rerate for all calls to his preferred carrier's rates. Please provide a response by 3/31/98.

4/7/98 I have not received a response from the company, so I am having this matter forwarded to the Division of Communications.

4/16/98 Report received. The company stated that it will be issuing the customer an additional credit.

4/27/98 Report received. The company has issued the customer an additional credit of \$41.55, for the charges incurred due to the change in service.

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Name ARNOLD, RUTH C.

Company MINIMUM RATE PRICING, INC.

Request No. 171505I

Address 1314 TRAIL BY THE LAKE

Attn. DREW KEENA 171505I

By MEP Time 8:31 AM Date 05/07/97

City/zip DELAND 32724 County VOL

Consumer's Telephone # (904)-734-8855

To CO Time FAX Date 05/08/97

Account Number \_\_\_\_\_

Can Be Reached (905)-734-8855

Type S Form MAIL

Caller's Name \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by MEP Date 06/12/97

Reply Received T

See attached correspondence regarding customer's concerns with a switch in her long distance service from Touch One to Minimum Rate Pricing which the customer states is unauthorized and unrequested. Customer has returned to carrier of choice. Please investigate this matter, contact the customer, and provide me with a detailed written report including LOA/TAPE and applicable credits for switching fees, memory call service, paging service, calling card service as well as an adjustment of rates to that of the customer's preferred carrier by the date below.

05/23/97 Received report with explanation and \$88.28 credit.

05/28/97 FAX TO CO. PLEASE PROVIDE A COPY OF THE VERIFICATION TAPE TO THE COMMISSION AS PER REQUEST IN THE ABOVE ORIGINAL INQUIRY BY FRIDAY, JUNE 13, 1997.

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100

06/12/97 Received taped LOA from Minimum Rate Pricing.

PLEASE RETURN THIS FORM  
WITH REPORT OF ACTION TO:

06/12/97 Reviewed tape with customer. Taped LOA does not indicated that the name of the company is Minimum Rate Pricing. The verifier only refers to the discount plan. The customer insists that she is a Touch One customer and requests to remain a Touch One customer. Verifier continues to discuss the discount plan. Verifier does not state that the customer will make a switch in

**CONSUMER REQUEST**

**FLORIDA PUBLIC  
SERVICE  
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Name ARNOLD, RUTH C.

Company MINIMUM RATE PRICING, INC.

Request No. 171505I

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service to the Minimum Rate Pricing Company from Touch One.

06/12/97 Closed by letter.

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Name BAKER, THERESA

Company MINIMUM RATE PRICING, INC.

Request No. 171507I

Address 5826 LISA LYNN RD.

Attn. DREW KEENA 171507I

By SRG Time 8:41 AM Date 05/07/97

Consumer's Telephone # (352)-473-9109

To CO Time FAX Date 05/07/97

City/Zip KEYSTONE HEIGHTS 32656 County CLAY

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SRG Date 08/01/97

Reply Received T

Customer says the following:

Her long distance service was switched without her knowledge. The customers' PIC is AT&T.

Please provide proof of authorization, LOA/TAPE.

5/20/97 Report received.

5/21/97 FAX TO CO. I need the amount of credit that will be given on this account, in order to close this case we need a written statement with this information.

5/30/97 Fax received. Stating that this information should be **2540 SHUMARD OAK BOULEVARD  
DADE COUNTY, FL 33239-0850  
850-413-6100** weeks. I will be sending the company a fax stating that this matter must be expedited, and two to three weeks is not within the Commission's rules.

6/2/97 FAX TO CO. Report must be provided by 6/10/97, and it is not the responsibility of the customer to provide all of the information to resolve a case. If the customer cannot provide this information in an expeditious manner, then it is your responsibility to make arrangements that will speed-up the resolution.

**PLEASE RETURN THIS FORM  
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DUE: 05/22/97

6/10/97 Company called me and stated that Ms. Baker has not responded to them, even after numerous attempts she has not responded to their calls. I also instructed the company to re-send a letter stating to customer that in order to resolve this case she must cooperate.

7/1/97 I have tried to contact this customer but all attempts have been unsuccessful.

7/10/97 This customer has still not cooperated with this case, so I called the company to find out whether they had received any information. They say that they tried to contact her by phone on 6/23/97, but she did not respond. The company says that they will try and contact this customer again, and also try to attain her PIC's rates in order to credit her.

7/28/97 I called the company and asked them if they had received any information from Ms. Baker, and they said they had not received anything as of yet. I called Ms. Baker and told her that in order to resolve this matter the company needed to know her preferred carrier's rates.

7/29/97 Report received. Customer will receive a \$30.00 credit.

7/29/97 Report and letter to customer with credit explanation.

Name MCHUGH, TOM

Company MINIMUM RATE PRICING, INC.

Request No. 173131I

Address 3904 GREENWOOD DRIVE

Attn. DREW KEENA 173131

By JRD Time 8:46 AM Date 05/21/97

Consumer's Telephone # (813)-839-4223

To CO Time FAX Date 05/21/97

City/Zip TAMPA 33611 County HILL

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by JRD Date 12/18/97

Reply Received L

Customer says his PIC was switched from AT&T to MRP without his authorization. Please provide proof of authorization.

6/6/97 Report received.

10/6/97 FAX TO MRP: PLEASE PROVIDE A COPY OF THE ACTUAL AUDIO TAPED VERIFICATION.

10/14/97 Tape received

10/15/97 Left message for Jim Gattuso to call me. Customer specifically asked the verifier if he would get the lowest AT&T, Sprint, or MCI rate plus 25%. She assured him he would.

12/18/97 Closed with letter.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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DUE: 06/05/97

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Name RODRIQUEZ, CARMEN

Company MINIMUM RATE PRICING, INC.

Request No. 173136I

Address 9235 RAMBLEWOOD DRIVE

Attn. DREW KEENA 173136

By RWM Time 10:01 AM Date 05/21/97

APT. 1131

Consumer's Telephone # (954)-752-3826

To CO Time FAX Date 05/21/97

City/Zip CORAL SPRINGS 33071 County BRO

Can Be Reached (954)-423-5501

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13A

Closed by RWM Date 12/11/97

Reply Received T

Customer said her service was switched on Feb. 9 from AT&T without her authorization. Customer said prior to her service being switched she received a phone call offering her a discount. Customer said she informed the caller she was with AT&T and wanted to remain with AT&T. However as a result of this call her service was switched. Customer said she was billed higher rates by MRP. She contacted the company who agreed to bill her at AT&T rates and refund \$98.48 which was the difference in the rates. Customer said she had not received the refund and now BellSouth is demanding payment. Please investigate, contact customer and provide a response by the date below.

6-2 Reply received - company said Ms. Rodruquez is not their customer.

6-11 Spoke with Ms. Rodriquez. She said she has spoke with Minimun Rate Pricing many times. She said she has also received bills from the company. I requested she send me copies of the bills. She said she would.

Received copies of bills from customer.

ATTENTION MINIMUM RATE PRICING: JIM GATTUSO

6-16 Please see attached correspondence which includes copies of customer's bills. Customer has been billed by Minimum Rate Pricing for calls. Please investigate this matter further and provide a report by June 23. Thanks, Ruth McHargue.

6-25 Reply received. Company switched customer's service. A credit of \$120.75

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Name RODRIQUEZ, CARMEN

Company MINIMUM RATE PRICING, INC.

Request No. 173136I

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was issued to the customer.

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Name ALLEN, JAMES (MRS)

Company MINIMUM RATE PRICING, INC.

Request No. 174176I

Address 4011 WEST 27TH CT.

Attn. DREW KEENA 174176

By RWM Time 11:28 AM Date 05/30/97

City/Zip PANAMA CITY 32405 County BAY

Consumer's Telephone # (904)-769-8378

To CO Time FAX Date 06/02/97

Account Number \_\_\_\_\_

Can Be Reached \_\_\_\_\_

Type S Form FAX

Caller's Name \_\_\_\_\_

Note 0

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Please see attached correspondence concerning slamming of long distance service.  
Please investigate, contact customer and provide a response by the date below.

Closed by RWM Date 09/25/97

Reply Received T

6-17 reply received  
file closed by letter, sent customer copy of file for review.

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DUE: 06/17/97

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Name AVERA, JULIE

Company MINIMUM RATE PRICING, INC.

Request No. 174696I

Address 412 7TH AVE NE

Attn. DREW KEENA 174696

By JRD Time 9:57 AM Date 06/04/97

Consumer's Telephone # (813)-581-0279

To CO Time FAX Date 06/04/97

City/zip LARGO 33770 County PIN

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by JRD Date 12/16/97

Reply Received L

Customer says her PIC was switched from AT&T several times this year without her authorization. Please provide proof of authorization and rerate calls.

June 18, 1997 Report received.

10/15/97 FAX TO MRP: PLEASE PROVIDE A COPY OF THE AUDIO TAPED VERIFICATION.

11/18/97 Tape received.

12/16/97 Closed with letter.

**CONSUMER REQUEST**

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Name TROPE, SYLVIA

Company MINIMUM RATE PRICING, INC.

Request No. 176703I

Address 2851 NE 183 STREET, #209

Attn. DREW KEENA 176703I

By KES Time 9:03 AM Date 06/23/97

Consumer's Telephone # (305)-932-3733

To CO Time FAX Date 06/23/97

City/Zip NORTH MIAMI BEACH 33160 County DADE

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 09/19/97

Reply Received L

Customer said that she discovered that her service had been changed when she received her bill. She is with AT&T and wishes to remain with them. She said that this happened twice, once in April and once again this month. The customer also mentined that she has been billed twice for the same call to the same number made at the same time. Ms. Trope did not authorize a change of carriers and is requesting a full refund of all charges and that the double billing be corrected. Please investigate, provide a copy of the LOA and/or VERIRICATION TAPE with your report, follow up with customer and send a report.

7/10/97 Report with explanation; copy of welcome package; NO VERIFICATION TAPE. Customer given instructions on how to obtain rerate.

9/05/97 NOTE TO COMPANY: Please furnish a copy of the verification tape by September 12, 1997.  
**2540 SHUMARD OAK BOULEYARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100**

9/19/97 I called company and was unable to speak with Mr. Keena. I left a voice message explaining that as I have been unable to get a copy of the verification tape on this case since June, I am closing it as an infraction based on the customer's statement that she did not authorize a change. File closed  
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3:18 Mr. Gatuso called. There is no tape available for this customer.

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Name TROPE, SYLVIA

Company MINIMUM RATE PRICING, INC.

Request No. 176703I

PAGE: 2

Mr. Gatuso, please issue the appropriate rerates and credit to this customer and send supplemental report indicating the amount of the credit by September 30, 1997.

10/1/97 Supplemental report. Company has contacted Ms. Trope and is working on the amount of the credit with the customer.

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Name MOTHER'S MILK, INC.

Company MINIMUM RATE PRICING, INC.

Request No. 1767201

Address JOHN ROBICHAUD

Attn. DREW KEENA 1767201

By KES Time 11:04 AM Date 06/23/97

1900 S ANDREWS AVENUE

Consumer's Telephone # (954)-527-1222

To CO Time FAX Date 06/23/97

City/Zip FT. LAUDERDALE 33316 County BRO

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 09/13/97

Reply Received L

Customer said that an agent from the company contacted his secretary at work and promised her free service. She agreed to the free service without understanding that her service was going to be changed. The customer discovered this when he received his phone bill. He agreed to pay for the \$8.00 in charges and asked to have the account cancelled. However, instead of cancelling, his service was again switched for the next month. Customer is requesting a full refund of all charges and that his account be cancelled. Please investigate, follow up with customer and send a report.

7/10/97 Report without verification tape, rerate offered.

9/13/97 File closed.

**CONSUMER REQUEST**

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DUE: 07/09/97

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Name BEAUFORT, BARRY WAYNE

Company MINIMUM RATE PRICING, INC.

Request No. 176749I

Address 3505 STURBRIDGE CIRCLE WEST

Attn. DREW KEENA 176749I

By MEP Time 2:15 PM Date 06/23/97

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

To CO Time FAX Date 06/24/97

City/Zip JACKSONVILLE 32244-6187 County DUV

Can Be Reached (904)-269-9550

Type S Form Phone

Account Number \_\_\_\_\_

Note tele

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by MEP Date 08/22/97

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 stated 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 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

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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.

Name VINTU, PETER

Company MINIMUM RATE PRICING, INC.

Request No. 178454I

Address 4827 MAXWOOD RD.

Attn. DREW KEENA 178454

By DBM Time 5:15 PM Date 07/07/97

Consumer's Telephone # (904)-260-9816

To CO. Time FAX Date 07/08/97

City/zip JACKSONVILLE 32257 County DUV

Can Be Reached \_\_\_\_\_

Type S Form MAIL

Account Number \_\_\_\_\_

Note tele

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by MEP Date 10/16/97

Reply Received L

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.

07/24/97 Received report with explanation, taped LOA and \$111.35 credit.

10/16/97 Closed by letter.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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Name SACHS, BARBARA

Company MINIMUM RATE PRICING, INC.

Request No. 178463I

Address 6301 N. UNIVERSITY DR. APT. 116

Attn. DREW KEENA 178463I

By SRG Time 9:17 AM Date 07/08/97

Consumer's Telephone # (954)-721-6793

To CO Time FAX Date 07/08/97

City/Zip TAMARAC 33068 County BRO

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SRG Date 07/25/97

Reply Received L

Customer says the following:

Her long distance service was switched without her knowledge.  
The customers' PIC is MCI.

Please provide proof of authorization, LOA/TAPE.

7/24/97 Report received. Customer given a credit of \$47.66.

7/25/97 Report and letter to customer with credit explanation.

**CONSUMER REQUEST**

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Name DIXON, JOY

Company MINIMUM RATE PRICING, INC.

Request No. 179443I

Address 5119 JOHNSON STREET

Attn. DREW KEENA 179443

By JRD Time 12:09 PM Date 07/16/97

Consumer's Telephone # (954)-987-2247

To CO Time FAX Date 07/16/97

City/zip HOLLYWOOD HILLS 33021 County BRO

Can Be Reached (954)-313-3927

Type S Form Phone

Account Number \_\_\_\_\_

Note 179443I

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by JRD Date 09/18/97

Reply Received T

Customer says her PIC was switched from AT&T by Minimum Rate Pricing without her authorization. Please provide proof of authorization and rerate calls.

8/4/97 Report received.

9/17/97 Tried to call customer. Closed with letter

**CONSUMER REQUEST**

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DUE: 07/31/97

Name MORRELL, JOSEPH & GAIL

Company MINIMUM RATE PRICING, INC.

Request No. 181493I

Address 216 HOLYDAY LANE

Attn. DREW KEENA 181493

By DBM Time 11:11 AM Date 07/31/97

Consumer's Telephone # (407)-327-3924

To CO Time FAX Date 07/31/97

City/Zip WINTER SPRINGS 32708 County SEM

Can Be Reached (407)-423-4882

Type S Form Phone

Account Number \_\_\_\_\_

Note ifp

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by DBM Date 10/16/97

Reply Received T

The customer said her service was switched to Minemum Rate Pricing from AT&T without authorization. She would like her calls rerated and credit for any switching fees. Please, provide proof of authorization LOA/TAPE, follow up with the customer, send the PSC a detailed written report, and respond by the date below.

Inquiry taken by JOHN PLESCOW.

08/15/97 Received report with explanation and taped LOA.

10/16/97 Closed.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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DUE: 08/15/97

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Name LETTS, OSCAR R.

Company MINIMUM RATE PRICING, INC.

Request No. 181976I

Address 65 FEDERAL LANE

Attn. DREW KEENA 181976

By DBM Time 4:00 PM Date 08/04/97

City/zip PALM COAST 32137 County FLA

Consumer's Telephone # (904)-445-3302

To CO. Time FAX Date 08/05/97

Account Number \_\_\_\_\_

Can Be Reached \_\_\_\_\_

Type S Form MAIL

Caller's Name \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

See attached correspondence regarding disputed billing/ 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

08/19/97 Received report with explanation and \$40.70 credit.

**CONSUMER REQUEST**

10/16/97 Closed by letter.

**FLORIDA PUBLIC SERVICE COMMISSION**

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Name BUTLER, TOM (JR) MRS.

Company MINIMUM RATE PRICING, INC.

Request No. 182543I

Address 9699 SE 70TH AVE.

Attn. DREW KEENA 182543

By RWM Time 2:34 PM Date 08/08/97

Consumer's Telephone # (352)-472-6092

To CO Time FAX Date 08/08/97

City/Zip TRENTON 32693 County GIL

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13C

Closed by RWM Date 12/18/97

Reply Received T

Customer said she agreed to switch her service from AT&T to Minimum Rate Pricing in May. However she never signed the LOA card which Minimum Rate Pricing sent her. On June 4 she had her service switched back to AT&T. Customer received a bill in July in which she had been billed by Minimum Rate Pricing from June 18 - July 15 and by AT&T from June 27 - July 20. Please investigate this matter and provide a response by the date below. Customer is requesting the calls made after July 4 be rerated to AT&T rates of 10 cents a mintue.

8-25 Reply received - Customer issued a credit of \$60. Company did not cancel service when customer switched carriers.  
File close by letter.

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DUE: 08/25/97

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Name OLSEN, KURT

Company MINIMUM RATE PRICING, INC.

Request No. 183362I

Address 1820 MASSACHUSETTS AVE NE

Attn. DREW KEENA 183362

By JRD Time 3:40 PM Date 08/15/97

Consumer's Telephone # (813)-522-7229

To CO Time FAX Date 08/18/97

City/Zip ST. PETERSBURG 33703 County PIN

Can Be Reached (813)-579-4222

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by JRD Date 12/16/97

Reply Received L

Customer says his PIC was switched without authorization. Please provide proof of authorization and rerate calls.  
9/9/97 Report received.

10/15/97 FAX TO MRP: YOUR REPORT DOES NOT CONTAIN THE TAPE OF THE VERIFICATION CALL. PLEASE PROVIDE THE TAPE ON ALL PSC INQUIRIES.

11/14/97 Received response from company. No tape available.  
12/16/97 Closed with letter.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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DUE: 09/02/97

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Name TESTERMAN, LAURA

Company MINIMUM RATE PRICING, INC.

Request No. 185165I

Address 9090 BRYANT RD.

Attn. DREW KEENA 185165

By SRG Time 1:45 PM Date 09/02/97

City/Zip LAKELAND 33809 County POLK

Consumer's Telephone # (941)-984-9404

To CO Time FAX Date 09/02/97

Account Number \_\_\_\_\_

Can Be Reached \_\_\_\_\_

Type S Form Phone

Caller's Name \_\_\_\_\_

Note ifp

Category \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SRG Date 11/04/97

Reply Received L

The customer said that her service was switched to Minimum Rate Pricing without authorization. The customer said she has been with Minimum Rate Pricing, but she switched her service to GTE. She would like her calls rerated and credit for any switching fees. Please, provide proof of authorization LOA/TAPE, follow up with the customer, send the PSC a detailed written report, and respond by the date below.

Inquiry taken by JOHNN PLESCOW.

10/6/97 FAX TO CO. Report was due on 9/17/97. Response is due no later than 10/14/97.

10/14/97 Report received. Company says that they will give customer credit, as soon as they receive her rate information for her preferred carrier's rates.

10/15/97 FAX TO CO. Report has to be received by 10/24/97, which will include the credit information. Customer has to give you verification of a request to switch, and if verification is not received then customer should be switched.

10/28/97 Report received. Customer will receive a credit of \$57.85, for the charges incurred. Customer has been contacted with the results of the investigation.

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL. 32399-0850  
850-413-6100

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DUE: 09/17/97

Name MCKANNA, THOMAS

Company MINIMUM RATE PRICING, INC.

Request No. 186002I

Address 2552 69 AVE SOUTH

Attn. DREW KEENA 186002

By RWM Time 10:49 AM Date 09/10/97

Consumer's Telephone # (813)-866-6441

To CO Time FAX Date 09/10/97

City/Zip ST. PETERSBURG 33712 County PIN

Can Be Reached (813)-893-1691

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13C

Closed by RWM Date 12/18/97

Reply Received T

Customer said his service has been switched twice by Minimum Rate Pricing without authorization. Customer said he has contacted MRP however the company has not responded to his calls. Customer said he was billed higher rates because of the switch. Please investigate, contact customer and provide a response by the date below. Include a copy of the LOA and apply appropriate credits.

9-23 Reply received - Company provided no proof of authorization. Customer informed by letter from the company he can receive a credit by sending Minimum Rate Pricing copies of his bill.  
File closed by letter.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
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Name KAY, LEONA

Company MINIMUM RATE PRICING, INC.

Request No. 186099I

Address 6819 WINONA ST.

Attn. DREW KEENA 186099I

By SRG Time 3:41 PM Date 09/10/97

Consumer's Telephone # (904)-871-2685

To CO Time FAX Date 09/11/97

City/Zip PANAMA CITY 32404 County BAY

Can Be Reached \_\_\_\_\_

Type S Form MAIL

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13C

Closed by MEP Date 10/09/97

Reply Received T

Please investigate the following information in the attached correspondence, and provide me with a detailed written report along with an LOA/TAPE, and credit customer with any switching fees and calls billed after your contact with the customer.

09/25/97 Received report with explanation and \$7.58 credit.

10/09/97 Closed by letter.

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Name BROOKS, DOUGLAS (MRS)

Company MINIMUM RATE PRICING, INC.

Request No. 186134I

Address 1285 NW 63RD WAY

Attn. DREW KEENA 186134

By JRD Time 9:53 AM Date 09/11/97

Consumer's Telephone # (954)-970-3207

To CO Time FAX Date 09/11/97

City/zip MARGATE 33063 County BRO

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by JRD Date 12/17/97

Reply Received L

Customer says her PIC was switched from AT&T without authorization. She switched back to AT&T and MRP switched her back. Please provide proof of authorization and rerate all calls.

9/30/97 Report received.

10/16/97 FAX TO MRP: PLEASE SEND ME A COPY OF THE AUDIO TAPED VERIFICATION ON THIS ACCOUNT.

10/24/97 Tape received.

12/17/97 Closed with letter.

**CONSUMER REQUEST**

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Name TURNER CARPIT AND UPHOLSTERY

Company MINIMUM RATE PRICING, INC.

Request No. 186161I

Address JACK TURNER

Attn. DREW KEENA 186161

By SRG Time 11:26 AM Date 09/11/97

232 SW PAAR DRIVE

Consumer's Telephone # (561)-336-9365

To CO Time FAX Date 09/11/97

City/Zip PORT ST. LUCY 34953 County STL

Can Be Reached (561)-336-9859

Type S Form Phone

Account Number \_\_\_\_\_

Note jfp

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SRG Date 10/01/97

Reply Received T

The customer said his service was switched to Minimum Rate Pricing from AT&T without authorization. The customer said he would like his calls rerated and credit for any switching fees. Please provide proof of authorization (LOA/TAPE), follow up with the customer, send the PSC a detailed written report, and respond by the date below.  
Inquiry taken by JOHN PLESCOW.

9/26/97 Report received. Company will be giving the customer a credit of \$163.65 for the charges incurred.

10/2/97 Report and letter to customer with credit explanation.

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DUE: 09/26/97

Name STUART, RICHARD C. JR. (MRS)

Company MINIMUM RATE PRICING, INC.

Request No. 186967I

Address 184 AZALEA ROAD

Attn. DREW KEENA 186967

By JRD Time 5:29 PM Date 09/16/97

Consumer's Telephone # (904)-427-2956

To CO Time FAX Date 09/16/97

City/Zip EDGEWATER 32141-7202 County VOL

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Customer's PIC was switched by MRP without her authorization. Please provide proof of authorization and rerate all calls.  
10/1/97 Report received.

Closed by JRD Date 12/17/97

Reply Received T

10/16/97 FAX TO MRP: PLEASE PROVIDE A COPY OF THE VERIFICATION TAPE ON THIS CASE.  
10/24/97 Tape received.  
12/17/97 Closed with letter.

**CONSUMER REQUEST**

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DUE: 10/01/97

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Name SIESTA KEY VILLAGE HARDWARE, INC.

Company MINIMUM RATE PRICING, INC.

Request No. 190084I

Address CHERYL DULEY

Attn. DREW KEENA 190084I

By SAS Time 11:41 AM Date 10/14/97

215 CANAL ROAD

Consumer's Telephone # (941)-349-0332

To CO Time FAX Date 10/15/97

City/Zip SARASOTA 34242 County SAR

Can Be Reached \_\_\_\_\_

Type S Form MAIL

Account Number \_\_\_\_\_

Note SH/DIR/CHAIRMAN

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SAS Date 12/10/97

Reply Received T

PLEASE INVESTIGATE THE INFORMATION OUTLINED IN THE ATTACHED CORRESPONDENCE AND PROVIDE ME WITH A DETAILED WRITTEN REPORT INCLUDING LOA/TAPE AND APPLICABLE CREDITS AFTER YOUR CONTACT WITH THE CUSTOMER AND BY THE DATE LISTED AT THE LOWER RIGHT.

ECTS 01080

10-15 Acknowledgment letter to Ms. Duley with Chairman Johnson's signature and copies to Representative Shirley Brown and Bev DeMello, Director, Division of Consumer Affairs. FAX FILE TO CO.

10-29 Final report with tape recorded verification (The representative is talking rapidly. She says as a last procedure for the verification requirements for Minimum Rate Pricing, Incorporated (very fast). I will be call to facilitate the accuracy order of the data. The reason why we are speaking is to reconfirm the details that you discussed with me, Tami Holt, to receive the minimum rate pricing 25 percent interstate and inter discount plan. She asked Ms. Duley to respond to three questions. Do you have the authority to approve the discounted service change to Minimum Rate Pricing. She said yes I do. Do you understand that Minimum Rate Pricing will be selecting underlying carriers either AT&T, MCI, Sprint...for a 25 percent discount. She said yes. Do you understand that Minimum Rate Pricing,

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**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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Incorporated long distance is not affiliated with your local phone company. She said yes. Ms. Duley verified that she is the manager, and the representative verified the date as Thursday, May 8, 1997. Ms. Duley also verified the business name and address. She also provided the fax telephone number as 941/346-8958. She gave her home telephone number and address has the main billing address under the name of John Dudley, 4059 Tonga Drive, Sarasota, and the residential telephone number is 941/378-2201. When she was verifying the address and telephone numbers she spoke at a normal pace. She started talking rapidly again when she was telling Ms. Duley about the calling cards. It appears that the fast talking verification process was deceptive. Also, the representative referred to the minimum rate pricing discount; therefore, the company's name itself could have been confusing to the customer.

11-12 Closed by letter (canceled)

11-23 I received the attached November 4 letter to Commissioner Clark from Ms. Duley, and she stated that she received a letter from MRP stating that the tape recorded message verified the switch. However, she states that the recorded message was not taped in its entirety; therefore, the message was a misrepresentation.

11-25 FAXED TO CO. The report states that MRP offered to reimburse the customer the pic fees and the rate difference, but the customer refused the offer and stated the problem was resolved. IT DOES NOT APPEAR THAT THE PROBLEM WAS RESOLVED SATISFACTORILY WITH THE CUSTOMER. ALSO, I HAVE A CONCERN ABOUT TAPE RECORDED VERIFICATION AS EXPLAINED ABOVE. PLEASE MAKE THE PROPER ADJUSTMENTS ON THE CUSTOMER'S ACCOUNT, AND SEND ME A SUPPLEMENTAL REPORT WITH THE AMOUNT OF CREDIT BY DECEMBER 4, 1997. MY FAX TELEPHONE NUMBER IS 1/850-413-6362.

12-03 Supplemental report received

Name SIESTA KEY VILLAGE HARDWARE, INC.

Company MINIMUM RATE PRICING, INC.

Request No. 190084I

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12-10 Closed by letter with Chairman Johnson's signature with copies to Representative Shirley Brown and Mrs. Beverlee DeMello, Director, Division of Consumer Affairs

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Name SIR SPEEDY

Company MINIMUM RATE PRICING, INC.

Request No. 190800I

Address B. KAY GRIFFIN

Attn. DREW KEENA 190800I

By KES Time 11:04 AM Date 10/21/97

218 SOUTH PALAFOX

Consumer's Telephone # (850)-434-9371

To CO Time FAX Date 10/21/97

City/zip PENACOLA 32501 County ESC

Can Be Reached (850)-438-3308

Type S Form MAIL

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by KES Date 12/11/97

Reply Received T

Customer writes that her service was changed without her authorization. I called customer to obtain additional information. She stated that she did remember talking to the company, but insisted that she did not want to change service and that she did not want pager service as she is quite happy with her present arrangements for telephone service. Customer is requesting a full refund of all the charges, especially pager and voice mail. Please investigate, follow up with customer, and include a copy of the verification tape with your detailed report.

11/3/97 Report with explanation; full credit for voice mail and pager; customer contacted and given written instructions on how to obtain a rerate.

11/4/97 Copy of customer's letter to Mr. Butterworth received. Customer also mentioned charges from OAN for voice mail and pager. **2540 SHUMARD OAK BOULEVARD  
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12/11/97 Verification tape reviewed. Tape very clear. Customer gave additional information on extra lines; her modem and fax line; and her home address. Customer stated she was the president of the company and did have authorization to change the telephone service. She answered yes to the question did she understand that MRP would select the underlying carrier to give the discount of 35%. Customer ordered 3 calling cards. Case closed as an infraction because at the very end of the tape, customer asked "Now, what

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company is this?" The verifier told her it was Minimum Rate Pricing and it was affiliated with AT&T, MCI, and WilTel and that's how the customer would get her discount. Customer did not understand the change of carriers but thought it was a change in programs. Customer said, "Oh, you're with AT&T?" Verifier, "Yes."

I tried to reach the customer but she had left for the day. I left a detailed message with the receptionist and asked for a call back.

12/12/97 I spoke with customer. I explained that the company had been charged with an infraction. I also mentioned that she should have received a refund for the pagers of \$305. She said she had really been upset about the pager. She knew she was changing service, but did not order the pagers and wanted a full refund. She thanked me for my help and said she would keep my number for future reference. Closed by phone with customer.



Name STORY, STEVEN

Company MINIMUM RATE PRICING

Request No. 191641I

Address SUZANNE STORY

Attn. DREW KEENA 191641

By MEP Time 8:24 AM Date 10/28/97

4345 BOEING LANE

Consumer's Telephone # (941)-426-8886

To CO Time \_\_\_\_\_ Date 10/28/97

City/Zip NORTH PORT 34287 County SAR

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13A

To record savings for inquiry #179831I.

08/07/97 Received report with explanation and \$42.50 credit.

10/28/97 Closed by letter.

Closed by MEP Date 10/28/97

Reply Received T

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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Name MEYER, MABEL

Company MINIMUM RATE PRICING, INC.

Request No. 192297I

Address P.O. BOX 626

Attn. DREW KEENA 192297

By JRD Time 8:00 AM Date 10/31/97

Consumer's Telephone # (850)-535-4476

To CO Time FAX Date 10/31/97

City/Zip VERNON 32462 County WASH

Can Be Reached \_\_\_\_\_

Type S Form Phone

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by JRD Date 01/06/98

Reply Received T

Customer says her PIC was switched from AT&T without her authorization. Please provide proof of authorization and rerate calls.

11/18/97 Report received.

1/5/98 Closed with letter.

**CONSUMER REQUEST**

**FLORIDA PUBLIC SERVICE COMMISSION**

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DUE: 11/18/97

Name WOHL, STUART

Company MINIMUM RATE PRICING, INC.

Request No. 194129I

Address 1255 FAIRFAX COURT

Attn. DREW KEENA 194129I

By SRG Time 4:47 PM Date 11/14/97

Consumer's Telephone # (954)-389-9435

To CO Time FAX Date 11/17/97

City/Zip WESTON 33326 County BRO

Can Be Reached \_\_\_\_\_

Type S Form FAX

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. N

Infraction LS-13B

Closed by SRG Date 12/04/97

Reply Received T

Please investigate the following information in the attached correspondence, and provide me with a detailed written report along with an LOA/TAPE, and credit customer for all switching fees and re-rate calls billed after your contact with the customer.

12/2/97 Report received. Company will give the customer a credit of \$9.55, for the charges incurred. The report was not satisfactory, because company's report did not have the necessary information that is required by the rules. The customer will be contacted with the results of the investigation.

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Name MELLOY, JULIA

Company MINIMUM RATE PRICING, INC.

Request No. 198082I

Address 1574 NE 174 STREET

Attn. DREW KEENA 198082I

By MEP Time 9:05 AM Date 12/18/97

Consumer's Telephone # (305)-945-6687

To CO Time FAX Date 12/18/97

City/Zip NORTH MIAMI BEACH 33162 County DADE

Can Be Reached (305)-945-6687

Type S Form INTERNET

Account Number \_\_\_\_\_

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name \_\_\_\_\_

Informal Conf. \_\_\_\_\_

Infraction LS-13B

Closed by MEP Date 01/15/98

Reply Received T

Customer states that they were switched from Sprint Long Distance to Wiltel without authorization or request. Customer has returned to carrier of choice. Wiltel has informed the Commission that Minimum Rate Pricing is the carrier that initiated the change in service. Please investigate this matter, contact the customer and provide me with a detailed written report including LOA/Tape and applicable credits for switching fees, as well as an adjustment of rates to that of the customer's preferred carrier by the date below.

Customer states, "They advised me that I would be receiving a bill and that if I did not pay, they would disconnect my service."

12/17/97 Received bills from customer.

12/24/97 Received report with explanation. Company cannot provide explanation. Company states that the switch resulted from a human data entry typing error. Company requested bills be submitted for an adjustment equal to the customer's preferred carrier, Sprint.

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12/29/97 FAX TO CO. See attached bills to adjust customer's bill equal to her preferred carrier by Thursday, January 15, 1998.

01/14/98 Received report with \$6.27 credit.

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Name MELLOY, JULIA

Company MINIMUM RATE PRICING, INC.

Request No. 198082I

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01/15/98 Closed by letter.

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Name KRAJEWSKI, ANTHONY  
Address 66149 TUDOR RD.  
  
City/Zip PINELLAS PARK 33782 County PIN  
Account Number   
Caller's Name

Company MINIMUM RATE PRICING, INC.  
Attn. DREW KEENA 200805  
Consumer's Telephone # (813)-544-0701  
Can Be Reached   
Note ifp  
Informal Conf.

Request No. 2008051  
By JRD Time 9:24 AM Date 01/16/98  
To CO Time FAX Date 01/16/98  
Type S Form Phone  
Category   
Infraction LS-13B  
Closed by JRD Date 02/02/98  
Reply Received T

The customer said his service was switched to Minimum Rate Pricing from AT&T without authorization. Please, provide proof of authorization LOA/TAPE, follow up with the customer, provide appropriate credit, send the PSC a detailed written report, and respond by the date below.  
Inquiry taken by JOHN PLESCOW.

1/30/98 Report and tape received.  
2/2/98 Closed with letter.

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