



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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RECEIVED-FPSC
AUG -5 AM 11:51
REQUESTS AND
REPORTING

DATE: AUGUST 5, 1999

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

FROM: DIVISION OF LEGAL SERVICES (FORDHAM) C.F.F. CB
DIVISION OF COMMUNICATIONS (WATTS) RW

RE: DOCKET NO. 990332-TP - REQUEST FOR ARBITRATION CONCERNING COMPLAINT OF WORLDBLINK LONG DISTANCE CORPORATION AGAINST BELL SOUTH TELECOMMUNICATIONS, INC. REGARDING RESALE AGREEMENT.

AGENDA: AUGUST 17, 1999 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\990332.RCM

CASE BACKGROUND

Worldlink Long Distance Corporation (Worldlink) is a CLEC, reselling BellSouth Telecommunications, Inc. (BellSouth) local services in Florida. On March 15, 1999, the Commission received a letter from Worldlink, enumerating several customer complaints about the service received from BellSouth. (Attachment A)

On March 23, 1999, staff forwarded a copy of the Worldlink complaint letter to BellSouth and requested a response to the allegations contained therein. On April 8, 1999, BellSouth filed a Motion for a More Definite Statement, and provided a copy of the motion to Worldlink. As of this date, no response from Worldlink has been filed.

DOCUMENT NUMBER-DATE

09326 AUG-5 99

FPSC-RECORDS/REPORTING

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant BellSouth's Motion for More Definite Statement?

RECOMMENDATION: Yes. The Commission should grant the Motion for More Definite Statement, and allow Worldlink 30 days from the issuance of an Order to provide such response. If Worldlink does not file a more definite statement within 30 days, the Commission, on its own motion, should dismiss the complaint without prejudice.
(FORDHAM)

STAFF ANALYSIS:

The Complaint by Worldlink is of a general nature, expressing dissatisfaction with the performance of BellSouth in regards to its service to Worldlink customers. BellSouth, in its Motion For More Definite Statement, points out that Worldlink has not identified the duty owed Worldlink under the agreement, or the specific breaches of that duty. It is basic to our system of law that one accused of inappropriate conduct is entitled to be put on notice as to the specific conduct that is deemed inappropriate by the accuser.

Staff agrees with BellSouth that the Complaint is not sufficiently specific for BellSouth to adequately address the issues therein. Staff recommends that Worldlink be given 30 days to provide a more definite statement. In the event such statement is not received within the specified time period, this complaint should be dismissed, without prejudice, on the Commission's own motion. Staff counsel has had several telephonic conversations with Worldlink and its purported attorneys, but Worldlink has taken no action in this docket other than its initial letter of complaint. Worldlink would have the option of filing a new complaint if the complaint is dismissed.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. If the Commission approves staff's recommendation on Issue 1, this docket should remain open pending receipt of Worldlink's response. If the response is not received within 30 days from the issuance of an order, the complaint should be dismissed without prejudice and the docket should be closed.
(FORDHAM)

STAFF ANALYSIS: If the Commission approves staff's recommendation on Issue 1, this docket should remain open pending receipt of Worldlink's response. If the response is not received within 30 days from the issuance of an order, the complaint should be dismissed without prejudice and the docket should be closed.
(FORDHAM)

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ATTACHMENT A

WORLDLINK LONG DISTANCE CORP.

600 Brickell Avenue
Suite 503
Miami, FL 33131
USA

Phone 1-800-621-2422 EXT 203
Fax 305-373-3370
Email ibias@hotmail.com

Florida Public Service Commission
MAR 12 1999
LEGAL DIVISION

March 12, 1999

Office of Records and Recordings
Ms. Blanca Bayo, Director
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Bayo,

I wish to register a formal complaint with the office of records and recordings on behalf of Worldlink Long Distance Corp. against Bellsouth.

We are currently a CLEC, re-selling Bellsouth local services in Florida. During the process of becoming a CLEC, Bellsouth was very co-operative. However, more recently, during the actual process and operations of our company as a CLEC we've encountered several problems that have proved detrimental to the reputation of our company. We blame Bellsouth for these problems due to its negligence and lack of sensitivity towards our end user's and our Company's request for service.

When a customer is with Bellsouth and requests any changes or additions to their services, Bellsouth complies within 24-48 hours. Unfortunately, we do not receive the same consideration.

First of all, the process is tedious and ridiculous. When we submit orders through the LENS program provided by Bellsouth to CLECs to submit orders through the web, orders get kicked out of the system and are not successfully carried out.

Secondly, when the orders are submitted through paper work/fax, it takes Bellsouth at least two hours to simply confirm whether they've received the order. The problem with this is that frequently the orders are not even received by the Bellsouth processing center. Then when we call to verify if the order has been received and we are informed that it hasn't, we have to re-submit the order and wait at least two hours before we even know if the order has been received. In turn, this causes a major delay in processing of a request.

Furthermore, there is the issue of "clarifications". These are notifications sent back to us when an order is submitted and there is an error. When we received the clarification we are supposed to re-submit the paperwork with the corrections and a new "version number" (number used to identify a change was made to original purchase order). The problem with this is that the Bellsouth Service Center Processor only looks at the order up to the point of finding an error and then clarifies the order. On most occasions when the order is re-submitted the next processor clarifies it again for another error, and again, etc. If the first processor would clarify the order for all errors then we wouldn't have to re-submit, and re-submit, and re-submit the order so many times, causing extreme delays and frustration for our employees and more importantly for our end users.

Then there is also the issue of the remarks section in the order forms. All our employees are instructed to write down as much helpful detail explaining the nature of the request. These remarks are written in every page of the order in bold and including please and thank you. When taking the CLBC course we were all instructed to make use of the remarks section in order to ensure that the orders are successfully completed. However, we find that the remarks are always ignored and the order is not carried out as specified by our Company. This is a huge problem.

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because in many cases our end users are not getting what they request. In some cases the end users service is even mistakenly being turned off, leaving them without service, and leading them to rightfully blame Worldlink. This is unacceptable when we have done what we were supposed to do and Bellsouth should be the one's taking the blame. Consequently, we've lost several customers, who at the sign of such trouble simply call Bellsouth to be switched back to them, and then Bellsouth switches them and restores their service within minutes. How can any Company compete with that.

And competition aside, this is seriously damaging the credibility of our Company. It is also causing a great loss in current revenues, and future revenues. When we entered into agreement with Bellsouth for the CLEC program we were assured quality service, in turn, we promise our end users quality service, and due to Bellsouth negligence we are not coming through with our promise. I have personally spoken to several representatives of Bellsouth in reference to our issues with their service but have been ignored. Several letters of complaint have been sent as well as phone calls from other representatives of our Company to no avail.

Sincerely,



Ibis Lezcano