

ORIGINAL

DOCKET NO. 981488-TI

WITNESS: **Direct Testimony Of Thomas E. Williams, III,**  
Appearing On Behalf Of Staff

DATE FILED: February 4, 2000

DOCUMENT NUMBER-DATE

**016214** FEB-48

FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION  
DIVISION OF COMMUNICATIONS

DOCKET NO. 981488-TI

DIRECT TESTIMONY OF THOMAS E. WILLIAMS, III  
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

JANUARY 24, 2000

Q. PLEASE STATE YOUR NAME, AND BUSINESS ADDRESS.

A. My name is Thomas E. Williams, III and my business address is Florida Public Service Commission, Division of Communications, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Q. IN WHAT CAPACITY ARE YOU EMPLOYED?

A. I am employed by the Florida Public Service Commission as an Engineer IV in the Division of Communications.

Q. HOW LONG HAVE YOU BEEN EMPLOYED BY THE COMMISSION?

A. Since January 6, 1977.

Q. WOULD YOU PLEASE EXPLAIN YOUR POSITION RESPONSIBILITIES?

A. I regularly review applications for certification as interexchange

1 telecommunication company providers, alternative access vendor  
2 providers, shared tenant service providers, alternative local  
3 exchange company providers for compliance with Commission rules and  
4 regulations, and engineering and service standards. I coordinate  
5 the Bureau's recommendations with the Division of Auditing and  
6 Financial Analysis and the Division of Legal Services and I make  
7 appropriate recommendations to the Division for disposition of such  
8 dockets. I periodically assist in the preparation and revision of  
9 rules, regulations, and standards of service and the interpretation  
10 and implementation of Commission rules and policies relative to the  
11 telephone industry.

12

13 Q. HAVE YOU EVER TESTIFIED BEFORE THE FLORIDA PUBLIC SERVICE  
14 COMMISSION?

15 A. Yes, I have testified many times before the Commission at Water and  
16 Wastewater hearing's when I was employed with that Division.

17

18 Q. ARE YOU FAMILIAR WITH THE INITIATION OF SHOW CAUSE PROCEEDINGS  
19 AGAINST ACCUTEL COMMUNICATIONS, INC. FOR UNLAWFUL BILLING PRACTICES  
20 IN VIOLATION OF SECTION 364.10(1) AND SECTION 364.604(2), F.S., AND  
21 INSUFFICIENT MANAGEMENT CAPABILITY PURSUANT TO SECTION 364.337(3),  
22 F.S.?

23 A. Yes, I am. I have attached my recommendation to my testimony as  
24 Exhibit TEW-1.

25

1 Q. WHAT HAS BEEN YOUR ROLE IN PROCESSING ACCUTEL'S SHOW CAUSE  
2 PROCEEDINGS?

3 A. I reviewed Docket No. 981488-TI. The initiation of show cause  
4 proceeding against Accutel Communications, Inc. for unlawful  
5 billing practices in violation of Section 364.10(1) AND Section  
6 364.604(2), F.S., and insufficient management capability pursuant  
7 to Section 364.337(3), F.S. and wrote a recommendation that was  
8 presented to Commissioners at the July 15, 1999, agenda conference.  
9 I have attached this recommendation as exhibit TEW-1..

10

11 Q. PLEASE DESCRIBE WHAT YOU FOUND UPON STUDY OF ACCUTEL  
12 COMMUNICATIONS, INC.'S FILE?

13 A. Accutel Communications, Inc. was certificated on May 13, 1997, to  
14 provide intrastate interexchange telecommunications service.  
15 Thereafter, from September 30, 1997, through May 6, 1999, 171  
16 complaints were received by the Commission's Division of Consumer  
17 Affairs against Accutel Communications, Inc.

18

19 Q. WHAT DID THE COMPLAINTS CONSIST OF?

20 A. The complaints were due to unauthorized charges that appeared on the  
21 customers' telephone bills as \$4.95 charges for services rendered  
22 by Accutel Communications, Inc. Further, Accutel Communications,  
23 Inc. has offered little to no explanation as to the genesis and  
24 nature of the charges. I have attached some of these complaints to  
25 my testimony as Exhibit TEW-2.

1 Q. PLEASE RELATE WHEN AND THE MANNER IN WHICH THE COMPANY WAS INFORMED  
2 OF THE INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST ACCUTEL  
3 COMMUNICATIONS, INC. FOR UNLAWFUL BILLING PRACTICES IN VIOLATION OF  
4 SECTION 364.10(1) AND SECTION 364.604(2), F.S., AND INSUFFICIENT  
5 MANAGEMENT CAPABILITY PURSUANT TO SECTION 364.337(3), F.S.?

6 A. The company was notified of these complaints in a letter dated  
7 November 20, 1998. I have attached this letter to my testimony as  
8 Exhibit TEW-3.

9

10 Q. DESCRIBE THE COMPANY'S RESPONSE?

11 A. The company forwarded a response on January 7, 1999, indicating  
12 admission to 87 cramming complaints. I have attached this response  
13 to my testimony as Exhibit TEW-4.

14

15

16 Q: HOW AND WHEN DID THE COMMISSION ORDER ITS APPROVAL OF STAFF'S  
17 RECOMMENDATION?

18 A: The Commission unanimously approved Staff's recommendation at the  
19 July 27, 1999, regular agenda conference and memorialized its  
20 decision in Proposed Agency Action Order No. PSC-99-1619-SC-TI,  
21 issued August 18, 1999.

22

23 Q: DESCRIBE THE COMPANY'S ACTION UPON ISSUANCE OF THE COMMISSION'S  
24 ORDER?

25 A: The company filed a Petition for Formal Proceeding in accordance

1 with Rule 25-22.029, Florida Administrative Code, on September 8,  
2 1999. I have attached this petition to my testimony as Exhibit No.  
3 TEW-5

4.

5 Q: DOES COMMISSION STAFF POSSESS TODAY ANY FURTHER INFORMATION THAT  
6 WOULD CAUSE IT TO MAKE A DIFFERENT RECOMMENDATION CONCERNING  
7 ACUTEL.

8 A: No.

9

10 Q: WOULD YOU SUMMARIZE YOUR TESTIMONY?

11 A: Although the Commission granted Accutel Corporation a certificate  
12 to conduct intrastate telecommunications services in Florida  
13 however, Accutel Corporation apparently provided some of these  
14 services without the proper authorization. As a result, the  
15 Commission ordered to Accutel Corportaion to show cause in writing  
16 why it should not be fined \$1,710,000 for violation of Section  
17 364.10(1) and Section 364.604(2), Florida Statute, and insufficient  
18 management capability pursuant to Section 364.337(3), Florida  
19 Statutes.

20

21 Q: DOES THAT CONCLUDE YOUR TESTIMONY?

22 A: Yes.

EXHIBIT NO. 1

DOCKET NO.: 981488-TI

WITNESS: Thomas E. Williams, III

PARTY: Florida Public Service Commission

DESCRIPTION: Staff Recommendation filed  
in Docket No. 981488-TI

PROFFERING PARTY: STAFF

I.D.# TEW-1

State of Florida



Talbott  
Vandiver

*YIAB*  
*R*

## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** JULY 15, 1999

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

**FROM:** DIVISION OF LEGAL SERVICES (COX) *WR*  
DIVISION OF COMMUNICATIONS (WILLIAMS) *CB*

**RE:** **DOCKET NO. 981488-TI** - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST ACCUTEL COMMUNICATIONS, INC. FOR UNLAWFUL BILLING PRACTICES IN VIOLATION OF SECTION 364.10 (1) AND SECTION 364.604 (2), FLORIDA STATUTES, AND FOR INSUFFICIENT MANAGEMENT CAPABILITY PURSUANT TO SECTION 364.337(3), FLORIDA STATUTES

**AGENDA:** 06/29/99 - ISSUE 1, 2 - SHOW CAUSE - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\981488TI.RCM

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#### CASE BACKGROUND

Accutel Communications, Inc. (Accutel) received certificate number 4854 on May 13, 1997, to provide intrastate interexchange telecommunications service. As a certificated telecommunications company, Accutel is subject to the regulations of this Commission.

Thereafter, from September 30, 1997, through May 6, 1999, the Commission's Division of Consumer Affairs has received 171 consumer complaints against Accutel. These complaints were closed by the Division of Consumer Affairs, with the concurrence of

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telecommunications staff, as unauthorized charges (cramming) in apparent violation of Sections 364.10 (1) and 364.604 (2), Florida Statutes. Accutel has offered little to no explanation as to the genesis and nature of the \$4.95 charges that appear on the customers' telephone bills as a service rendered by Accutel. Accutel, however, has provided refunds or credits in the amount of \$2,440.81 for 155 apparent cramming violations closed by the Division of Consumer Affairs. Attached are a list of these complaints. (See Attachment A.)

Therefore, it appears that Accutel is subjecting hardship and prejudice to its Florida customers. Further, indications are that it is knowingly and willfully submitting unauthorized charges (cramming) to consumer telephone bills. These apparent violations indicate that Accutel has not established sufficient safeguards to protect consumers from unauthorized charges; therefore, staff believes the following recommendations are appropriate.

#### DISCUSSION OF ISSUES

ISSUE 1: Should the Commission order Accutel to show cause why it should not be fined \$10,000 per violation for a total of \$1,710,000 for apparent failure to comply with Sections 364.10 (1) and 364.604 (2), Florida Statutes, Undue Advantage to Person or Locality Prohibited, and Billing Practices?

RECOMMENDATION: Yes. The Commission should order Accutel to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$10,000 per violation for a total of \$1,710,000 for apparent failure to comply with Sections 364.10 (1) and 364.604 (2), Florida Statutes. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the state General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. (Williams)

STAFF ANALYSIS: The Division of Consumer Affairs received its first cramming complaint against Accutel on September 30, 1997, just four months after Accutel received its certificate. Since that time, the Division of Consumer Affairs has closed a total of 171 consumer complaints against Accutel as apparent unauthorized charges (cramming) infractions through May 6, 1999.

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All 171 complaints received from consumers identified in Attachment A include the following:

Unauthorized telephone charges from Accutel.

Accutel can give no explanation how the charges originated.

Accutel failed to properly explain its actions that resulted in the customer charges.

Section 364.10 (1), Florida Statutes, states:

(1) A telecommunications company may not make or give any undue or unreasonable preference or advantage to any person or locality or subject any particular person or locality to any undue or unreasonable disadvantage in any respect whatsoever.

By Accutel's actions, Florida customers stand in harm's way since it seems Accutel selects a telephone number at random, and "crams" charges to the consumer's bill. Staff believes that Accutel's operation seizes the opportunity that the consumer will not realize the charges are on their bills.

Section 364.604 (2), states:

(2) A customer shall not be liable for any charges for telecommunications or information services that the customer did not order or that were not provided to the customer.

The Division of Consumer Affairs requested proof of authorization on each of these complaints. In every case, no proof of authorization or origination of those charges was provided. It appears Accutel is charging customers for service not ordered or solicited. Therefore, staff concludes that Accutel has apparently violated both Sections 364.10 (1) and 364.604, (2), Florida Statutes.

Therefore, based on this information, staff believes that Accutel's conduct in providing telecommunications services is in apparent violation of Sections 364.10 (1) and 364.604 (2), Florida Statutes.

By Section 364.285, Florida Statutes, the Commission is authorized to impose a penalty of not more than \$25,000 for each day a violation continues, if such entity is found to have refused

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day a violation continues, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of the Commission's rules and statutes. Additionally, "[i]t is a common maxim, familiar to all minds, that 'ignorance of the law' will not excuse any person, either civilly or criminally." Barlow v. United States, 32 U.S. 404, 411 (1833).

Staff believes that Accutel's apparent conduct in submitting unauthorized charges to consumer telephone bills has been "willful" in the sense intended by Section 364.285, Florida Statutes. In Order No. 24306, issued April 1, 1991, in Docket No. 890216-TL titled In re: Investigation Into The Proper Application of Rule 25-14.003, F.A.C., Relating To Tax Savings Refund for 1988 and 1989 For GTE Florida, Inc., having found that the company had not intended to violate the rule, the Commission nevertheless found it appropriate to order it to show cause why it should not be fined, stating that "In our view, willful implies intent to do an act, and this is distinct from intent to violate a rule." Thus, any intentional act, such as Accutel's conduct at issue here, would meet the standard for a "willful violation."

Based on the 171 complaints closed by the Division of Consumer Affairs as unauthorized charges (cramming), staff believes there is sufficient cause to order Accutel to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$10,000 per infraction for a total of \$1,710,000 or have its certificate canceled for its apparent violations of Sections 364.10 (1) and 364.604(2), Florida Statutes.

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**ISSUE 2:** Should the Commission order Accutel to show cause why it should not have Certificate Number 4854 revoked for apparent failure to demonstrate adequate management capability under the provisions of Section 364.337(3), Florida Statutes?

**RECOMMENDATION:** Yes. The Commission should order Accutel to show cause in writing within 21 days of the issuance date of the order why it should not have its certificate revoked for failure to comply with Section 364.337(3), Florida Statutes. (Williams)

**STAFF ANALYSIS:** Section 364.337 (3), Florida Statutes states:

(3) The commission shall grant a certificate of authority to provide intrastate interexchange telecommunications service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served.

As shown in Issue 1, in its response to all consumer complaints, Accutel failed to explain why and how charges appeared on each customer's bill, and Accutel has made no effort to correct the cause of the cramming complaints. It appears Accutel lacks managerial control and is disregarding Commission rules and regulations regarding its current operations. This pattern of conduct indicates Accutel has not established sufficient safeguards to protect consumers from unauthorized charges.

In light of the numerous complaints received from consumers on cramming and the apparent lack of management control within Accutel, it appears that Accutel has willfully violated Florida Statutes and Commission policy.

Pursuant to Section 364.285 (1), Florida Statutes, the Commission may impose a fine or revoke a certificate if a company fails to comply with Florida Statutes or Commission Rules and Orders. Accordingly, staff recommends that the Commission revoke certificate No. 4854.

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ISSUE 3: Should this docket be closed?

RECOMMENDATION: If staff's recommendation in Issue 1 is approved, then Accutel will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed. If staff's recommendation in Issue 2 is approved, then Accutel will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not have its certificate revoked. If Accutel timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If Accutel does not respond to the Show Cause Order, the fines should be deemed assessed. Staff recommends that if Accutel fails to respond to the Order to Show Cause, and the fines are not received within five business days after the expiration of the show cause response period then Accutel's certificate should be revoked as a result of Issue 2 and the fine assessed in Issue 1. This docket can then be closed administratively. If after reasonable efforts the Commission is unable to collect the fine, then it should be forwarded to the Comptroller's Office for collection. (Cox)

STAFF ANALYSIS: If staff's recommendation in Issue 1 is approved, then Accutel will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed. If staff's recommendation in Issue 2 is approved, then Accutel will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not have its certificate revoked. If Accutel timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If Accutel does not respond to the Show Cause Order, the fines should be deemed assessed. Staff recommends that if Accutel fails to respond to the Order to Show Cause, and the fines are not received within five business days after the expiration of the show cause response period then Accutel's certificate should be revoked as a result of Issue 2 and the fine assessed in Issue 1. This docket can then be closed administratively. If after reasonable efforts the Commission is unable to collect the fine, then it should be forwarded to the Comptroller's Office for collection.

SPECIAL REQUEST REPORT

REPORT # 7 PRINTED ON: 07/02/1999

UTILITY	COMPLAINANT	TYPE	RECD	SB T	CLOSE	STAFF	COUNTY	COMPLAINT NO.	SAVINGS	CODE	DIV	PHONE
CUTEL COMMUNICATIONS, INC	SIMON, BLAINE	IS-09	09/30/1997	T	07/20/1998RNM	IMR		1886501	15.42	T1622		(561) 589 0925
CUTEL COMMUNICATIONS, INC	CHAPMAN, SHARON	IS-09	05/04/1998	T	05/12/1998RBP	BRE		212196R	5.22	T1622		(407) 453 8516
CUTEL COMMUNICATIONS, INC	JONES, ROBIN	IS-00	06/11/1998	T	10/27/1998RNM	PLB		213080R	9.90	T1622		(561) 790 5432
CUTEL COMMUNICATIONS, INC	SUNVISTA	IS-09	05/15/1998	T	04/05/1998MJS	DADE		213714R	5.58	T1622		(305) 638 2020
CUTEL COMMUNICATIONS, INC	MOODY, MIKE	IS-09	06/15/1998	L	11/16/1998VEM	SAR		213802R	9.90	T1622		(941) 379 0895
CUTEL COMMUNICATIONS, INC	MAGOR, JOHN	IS-09	06/19/1998	T	05/28/1998RQJ	SAR		214073R	9.90	T1622		(941) 922-5058
CUTEL COMMUNICATIONS, INC	WILSON, JOHN	IS-09	06/21/1998	T	04/05/1998MIE	LEON		214449R	0.00	T1622		(950) 656 5468
CUTEL COMMUNICATIONS, INC	PELLITA, JOANN C.	IS-09	06/21/1998	L	10/22/1998MCS	HILL		214659R	0.00	T1622		(813) 251 5150
CUTEL COMMUNICATIONS, INC	TACY, JAMES	IS-09	05/22/1998	T	07/13/1998RNM	PKM		214545I	0.00	T1622		(813) 398 0067
CUTEL COMMUNICATIONS, INC	SMERMAN, FRANCINE B.	IS-09	05/23/1998	T	04/05/1998MJS	DADE		214639I	0.00	T1622		(305) 559 4420
CUTEL COMMUNICATIONS, INC	MENGEL, LAURA	IS-09	05/26/1998	T	02/03/1998MJS	DADE		214738I	14.85	T1622		(305) 682 0725
CUTEL COMMUNICATIONS, INC	MACFARLANE, JOHN	IS-09	05/27/1998	T	04/05/1998JRD	PLB		214831R	19.80	T1622		(561) 968 8878
CUTEL COMMUNICATIONS, INC	NESTWOOD, MARY ANN	IS-09	05/27/1998	T	09/18/1998RNM	PLB		214844R	10.44	T1622		(561) 968 0710
CUTEL COMMUNICATIONS, INC	MCCARTHY, EDWARD	IS-09	05/27/1998	T	04/06/1998MJS	VOL		214948R	9.90	T1622		(407) 668 0091
CUTEL COMMUNICATIONS, INC	FITZGERALD, RAYMOND	IS-09	05/28/1998	T	10/14/1998MCS	PLB		215019I	4.95	T1622		(561) 968 8868
CUTEL COMMUNICATIONS, INC	JOHNSON, DONALD	IS-09	05/28/1998	L	04/05/1998RQJ	OKL		215156I	24.80	T1622		(941) 763 1795
CUTEL COMMUNICATIONS, INC	HERNANDEZ, KERRY	IS-09	05/29/1998	T	04/17/1998RQJ	DADE		215285I	4.95	T1622		(305) 949 5889
CUTEL COMMUNICATIONS, INC	GORDON, RANDELL	IS-09	05/29/1998	L	04/05/1998JRD	BRE		215286R	22.86	T1622		(407) 253 6196
CUTEL COMMUNICATIONS, INC	BRYANT, SHIRLEY	IS-09	06/01/1998	L	07/01/1998JRD	ORM		215466R	4.95	T1622		(407) 380 3772
CUTEL COMMUNICATIONS, INC	NEWMER, FRANCIS	IS-09	06/01/1998	T	04/05/1998MJS	DADE		215478R	19.80	T1622		(305) 891 0871
CUTEL COMMUNICATIONS, INC	SUMMERS, KAREN	IS-09	06/01/1998	L	03/16/1998TVG	BAY		215492R	0.00	T1622		(850) 871 3405
CUTEL COMMUNICATIONS, INC	ROBERTS, RICHARD	IS-09	06/01/1998	T	04/05/1998CRP	VOL		215546R	4.95	T1622		(904) 677 5310
CUTEL COMMUNICATIONS, INC	SCHUTT, MARK	IS-09	06/03/1998	L	07/01/1998JRD	HILL		215755R	9.90	T1622		(813) 907 9566
CUTEL COMMUNICATIONS, INC	BANK, OLA	IS-09	06/03/1998	L	10/14/1998MCS	VOL		215818R	14.85	T1622		(904) 734 9232
CUTEL COMMUNICATIONS, INC	OSRAM, JEAN	IS-09	06/03/1998	T	04/05/1998CRP	VOL		215870R	24.75	T1622		(407) 860 4238
CUTEL COMMUNICATIONS, INC	DOUGLAS, TERRY	IS-09	06/03/1998	L	07/01/1998JRD	SEM		215872I	29.78	T1622		(407) 323 4925
CUTEL COMMUNICATIONS, INC	HOLLAND, SUSAN	IS-09	06/03/1998	T	12/12/1998TVG	MAN		215883R	29.90	T1622		(941) 792 1681
CUTEL COMMUNICATIONS, INC	LYONS, A. M.	IS-09	06/04/1998	T	07/23/1998KES	HILL		215952R	0.00	T1622		(813) 872 8752
CUTEL COMMUNICATIONS, INC	BRETTSCHNEIDER, MYRON	IS-09	06/05/1998	T	10/15/1998MCS	PLB		216235I	4.95	T1622		(561) 642 0483
CUTEL COMMUNICATIONS, INC	VANZUIDEN, ANN	IS-09	06/09/1998	T	04/05/1998TVG	HILL		216547I	5.10	T1622		(813) 989 8037
CUTEL COMMUNICATIONS, INC	REYER, LOUISA	IS-09	06/09/1998	T	10/16/1998RNM	DADE		216550R	19.80	T1622		(305) 214 1111
CUTEL COMMUNICATIONS, INC	ASHEN, KRISTEN	IS-09	06/09/1998	T	04/06/1998CRP	BAY		216625I	19.80	T1622		(850) 747 8935
CUTEL COMMUNICATIONS, INC	TETERMAN, CY	IS-09	06/10/1998	T	04/06/1998JRD	DADE		216832I	118.48	T1622		(305) 274 1956
CUTEL COMMUNICATIONS, INC	URKUNIAN, MYRA	IS-09	06/11/1998	T	08/11/1998CRP	PLB		216860I	14.85	T1622		(561) 687 9675
CUTEL COMMUNICATIONS, INC	TUELE, ROBERT	IS-09	06/12/1998	T	07/01/1998JRD	OKA		217001I	14.95	T1622		(850) 892 8808
CUTEL COMMUNICATIONS, INC	HARRILL, ANTHONY & SHEW	IS-09	06/12/1998	T	08/21/1998SKG	OSG		217061R	9.90	T1622		(407) 957 9422

ATTACHMENT A  
DOCKET NO. 981488-T1  
JULY 15, 1999

FLORIDA PUBLIC SERVICE COMMISSION  
DIVISION OF CONSUMER AFFAIRS

PAGE: 2

SPECIAL REQUEST REPORT  
REPORT # 7 PRINTED ON: 07/02/1999

UTILITY	COMPLAINANT	TYPE	RCVD	SB T	CLOSE	STAFF	COUNTY	COMPLAINT NO:	SAVINGS	CODE	DIV	PHONE
ACCUTEL COMMUNICATIONS, INC	PINCUS, SHARI	18-09	06/12/1998	L	10/13/1998	CRP	BRO	217056R	4.95	T1622		(954) 455 4725
ACCUTEL COMMUNICATIONS, INC	STEPHENS, A. L.	18-09	06/12/1998	T	08/31/1998	MM	MM	217894R	4.95	T1622		(941) 981 8041
ACCUTEL COMMUNICATIONS, INC	DUNNORS, KENNETH	18-09	06/12/1998	T	08/26/1998	MM	BRO	217136R	9.90	T1622		(954) 421 8905
ACCUTEL COMMUNICATIONS, INC	MCCALL, VERA	18-09	06/15/1998	T	08/10/1998	CRP	BRO	217189R	19.80	T1622		(954) 584 5655
ACCUTEL COMMUNICATIONS, INC	MORRIS, WILLIAM	18-09	06/15/1998	T	10/14/1998	CRP	PLA	217202R	14.85	T1622		(561) 776 0040
ACCUTEL COMMUNICATIONS, INC	VAN HOOVER, BARBARA	18-09	06/15/1998	T	04/05/1999	TVG	OMH	217236I	0.00	T1622		(407) 277 8044
ACCUTEL COMMUNICATIONS, INC	PATTERSON, BRIAN	18-09	06/16/1998	T	06/22/1998	MEP	LEDM	217342R	4.95	T1622		(850) 513 1170
ACCUTEL COMMUNICATIONS, INC	PATTERSON, JAMICE	18-09	06/16/1998	T	04/22/1998	MEP	PLA	217306R	14.85	T1622		(561) 795 8874
ACCUTEL COMMUNICATIONS, INC	BERRY, DAVID	18-09	06/18/1998	T	08/10/1998	CRP	PLA	217614R	29.70	T1622		(561) 508 7573
ACCUTEL COMMUNICATIONS, INC	DIXIE LODGE	18-09	06/18/1998	T	08/11/1998	CRP	VOL	217677R	9.90	T1622		(904) 738 4830
ACCUTEL COMMUNICATIONS, INC	ROLAND, VERNA	18-09	06/18/1998	T	10/29/1998	MM	PLA	217712R	24.75	T1622		(561) 622 5010
ACCUTEL COMMUNICATIONS, INC	HAVANI, HIRO	18-09	06/19/1998	T	08/11/1998	CRP	PLA	217762R	19.80	T1622		(561) 964 1666
ACCUTEL COMMUNICATIONS, INC	BRANTLEY-BROWN, BARBARA	18-09	06/19/1998	T	10/14/1998	CRP	BAY	217789R	14.85	T1622		(850) 913 0663
ACCUTEL COMMUNICATIONS, INC	MARTINEZ, ANTONIO	18-09	06/19/1998	T	10/14/1998	CRP	BRO	217812I	9.90	T1622		(954) 525 8461
ACCUTEL COMMUNICATIONS, INC	DARBAU, BERNETT	18-09	06/19/1998	T	08/10/1998	CRP	DADE	217833R	9.90	T1622		(305) 235 9176
ACCUTEL COMMUNICATIONS, INC	NICKS, WILLIAM	18-09	06/22/1998	T	04/05/1999	CRP	PLA	217899R	5.22	T1622		(561) 798 2109
ACCUTEL COMMUNICATIONS, INC	BUCK, JERRY	18-09	06/22/1998	T	10/14/1998	CRP	PIH	217976I	17.68	T1622		(813) 526 7198
ACCUTEL COMMUNICATIONS, INC	PAYTON, KYMBERLY	18-09	06/23/1998	T	07/01/1998	MEP	STL	218043R	19.80	T1622		(561) 785 8960
ACCUTEL COMMUNICATIONS, INC	GAUTE, MARIEL	18-09	06/23/1998	T	09/19/1998	CRP	DADE	218121R	9.90	T1622		(305) 325 0876
ACCUTEL COMMUNICATIONS, INC	LOPEZ JR., NELSON	18-09	06/23/1998	L	08/24/1998	MEP	DADE	218123R	19.80	T1622		(305) 253 4842
ACCUTEL COMMUNICATIONS, INC	HAMES, RICHARD	18-09	06/23/1998	T	04/05/1999	CRP	SEM	218127R	4.95	T1622		(407) 349 5776
ACCUTEL COMMUNICATIONS, INC	HAGNER, JOSEPH	18-09	06/24/1998	T	08/28/1998	CRP	DADE	218188R	14.85	T1622		(305) 251 8703
ACCUTEL COMMUNICATIONS, INC	MONL, MARIE	18-09	06/25/1998	T	08/28/1998	CRP	MM	218340R	14.85	T1622		(352) 796 6484
ACCUTEL COMMUNICATIONS, INC	MIRANDA, LENO	18-09	06/25/1998	T	10/14/1998	CRP	DADE	218370R	14.85	T1622		(305) 252 4726
ACCUTEL COMMUNICATIONS, INC	SUTHERIN, WILLIAM	18-09	06/25/1998	T	08/10/1998	CRP	PLA	218449R	1.80	T1622		(561) 627 4558
ACCUTEL COMMUNICATIONS, INC	MCLAULIN, MERRY	18-09	06/26/1998	T	07/13/1998	MM	SEM	218473R	9.90	T1622		(407) 322 4427
ACCUTEL COMMUNICATIONS, INC	SHON, JEAN	18-09	06/29/1998	T	08/28/1998	CRP	PLA	218637R	4.95	T1622		(561) 369 0693
ACCUTEL COMMUNICATIONS, INC	MINDICH, PAUL	18-09	06/29/1998	T	08/11/1998	CRP	VOL	218674R	14.85	T1622		(407) 574 7372
ACCUTEL COMMUNICATIONS, INC	HILLER, MARYLOUISE	18-09	06/29/1998	T	08/11/1998	CRP	BRE	218676R	4.95	T1622		(407) 267 3217
ACCUTEL COMMUNICATIONS, INC	MARTIN, THOMAS	18-09	06/29/1998	T	08/28/1998	CRP	VOL	218691R	9.90	T1622		(407) 860 3602
ACCUTEL COMMUNICATIONS, INC	FLETCHER, NICHELLE	18-09	06/29/1998	T	07/21/1998	MEP	BAY	218699R	14.85	T1622		(850) 273 9555
ACCUTEL COMMUNICATIONS, INC	CUESTA, ANTONIO	18-09	06/29/1998	T	08/28/1998	CRP	DADE	218722R	19.10	T1622		(305) 553 2628
ACCUTEL COMMUNICATIONS, INC	LYTER, RICK	18-09	06/29/1998	T	10/14/1998	CRP	VOL	218730R	19.80	T1622		(407) 574 5120
ACCUTEL COMMUNICATIONS, INC	ANDERSON, JANET	18-09	06/30/1998	T	04/04/1999	CRP	SEM	218803R	4.95	T1622		(407) 121 5177
ACCUTEL COMMUNICATIONS, INC	SMITH, CHESTER	18-09	07/01/1998	L	04/05/1999	CRP	PLA	218900R	4.95	T1622		(561) 743 2972
ACCUTEL COMMUNICATIONS, INC	MALIZER, LORA MAE	18-09	07/02/1998	T	02/16/1999	CRP	WASH	219030R	4.95	T1622		(850) 638 3809

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CUTEL COMMUNICATIONS, INC	JAMES FRANK & MARIETTA WILLIAMS	IS-09	07/06/1998	T	04/05/1999CRP	LAKE		219212R	14.85	T1622	(352)	429 4688
CUTEL COMMUNICATIONS, INC	PAGER, BRIAN	IS-09	07/06/1998	T	04/02/1999KES	LEON		219222R	0.00	T1622		
CUTEL COMMUNICATIONS, INC	ORBI JR., JOHN	IS-09	07/06/1998	T	08/18/1998SRG	FLB		219248R	29.00	T1622	(561)	791 6755
CUTEL COMMUNICATIONS, INC	BRENDOLAN, PIERIMA	IS-09	07/06/1998	T	08/18/1998SRG	FLB		219252R	4.95	T1622	(561)	626 5900
CUTEL COMMUNICATIONS, INC	JOHNSON, WILLEIE	IS-09	07/06/1998	T	10/14/1998SRG	FLB		219259R	14.05	T1622	(561)	840 1036
CUTEL COMMUNICATIONS, INC	SNAM, BILLY	IS-09	07/07/1998	T	04/05/1999TVG	COLU		219344R	14.05	T1622	(904)	752 6313
CUTEL COMMUNICATIONS, INC	MCCORRIGOR, JOHN	IS-09	07/07/1998	T	12/21/1998SRG	STL		219409R	14.85	T1622	(561)	465 4726
CUTEL COMMUNICATIONS, INC	DINGER, JOHN E.	IS-09	07/07/1998	T	08/10/1998CRP	POLK		219446R	24.75	T1622	(941)	424 0433
CUTEL COMMUNICATIONS, INC	MADARON, ANMAN	IS-09	07/08/1998	T	01/26/1999CRP	DADE		219479R	0.00	T1622	(305)	387 4998
CUTEL COMMUNICATIONS, INC	GOMES, MARIA	IS-09	07/08/1998	T	04/10/1998CRP	DADE		219484R	24.75	T1622	(305)	889 1762
CUTEL COMMUNICATIONS, INC	HIMMICHS, WALTER D.	IS-09	07/08/1998	T	08/21/1998SRG	VOL		219598R	15.66	T1622	(904)	441 1367
CUTEL COMMUNICATIONS, INC	WILSON, RICHARD K.	IS-09	07/08/1998	T	02/16/1998SRG	DADE		219601R	5.22	T1622	(305)	233 1777
CUTEL COMMUNICATIONS, INC	MCDANIEL, NEAL	IS-09	07/09/1998	T	03/12/1998SRG	FLB		219652R	15.30	T1622	(561)	967 9961
CUTEL COMMUNICATIONS, INC	WAMPLFLOT, JOHN	IS-09	07/10/1998	T	07/16/1998SRG	CHA		219759R	14.85	T1622	(941)	637 8666
CUTEL COMMUNICATIONS, INC	ROBINSON, JACALYN	IS-09	07/10/1998	T	04/05/1998SRG	BRO		219828R	19.80	T1622	(954)	680 6102
CUTEL COMMUNICATIONS, INC	JONES, RANDALL S.	IS-09	07/10/1998	T	04/05/1998SRG	BRO		219846R	10.44	T1622	(954)	431 7384
CUTEL COMMUNICATIONS, INC	SCHULTZ, PAUL	IS-09	07/13/1998	T	08/10/1998CRP	FLB		219971R	9.90	T1622	(561)	966 9799
CUTEL COMMUNICATIONS, INC	CLENDENING, ALAN	IS-09	07/13/1998	T	07/15/1998MSP	HILL		219984R	9.90	T1622	(813)	719 7153
CUTEL COMMUNICATIONS, INC	BROWN, CARRIE	IS-09	07/14/1998	T	07/16/1998SRG	DUV		220171R	14.85	T1622	(904)	355 4887
CUTEL COMMUNICATIONS, INC	CARR, LOUIS	IS-09	07/14/1998	T	07/16/1998SRG	FLAG		220192R	14.85	T1622	(904)	445 1902
CUTEL COMMUNICATIONS, INC	MCCRAE, GILDA	IS-09	07/15/1998	T	07/16/1998SRG	DADE		220252R	14.85	T1622	(305)	233 8772
CUTEL COMMUNICATIONS, INC	BOZA, JAVIER	IS-09	07/15/1998	T	07/16/1998SRG	BRO		220258R	24.75	T1622	(954)	704 0351
CUTEL COMMUNICATIONS, INC	MARCUSO, NANCY A.	IS-09	07/16/1998	T	04/05/1999CRP	CIT		220406R	14.85	T1622	(352)	860 1623
CUTEL COMMUNICATIONS, INC	VARGAS, ADRIANA	IS-09	07/16/1998	T	04/05/1999SRG	VOL		220411R	9.90	T1622	(904)	774 5083
CUTEL COMMUNICATIONS, INC	RODRIGUEZ, ORLANDO	IS-09	07/16/1998	T	04/05/1999CRP	DADE		220434R	34.65	T1622	(305)	858 7292
CUTEL COMMUNICATIONS, INC	SEPE, KATHERINE	IS-09	07/16/1998	T	02/11/1999SRG	FLA		220474R	9.90	T1622	(904)	445 9417
CUTEL COMMUNICATIONS, INC	JEFFERSON, IRENE C.	IS-09	07/20/1998	T	02/10/1999SRG	LEON		220661R	19.80	T1622	(850)	542 0012
CUTEL COMMUNICATIONS, INC	ROBERTS, ALAN	IS-09	07/21/1998	T	07/23/1998CRP	BRE		220826R	14.85	T1622	(807)	952 1837
CUTEL COMMUNICATIONS, INC	BILLS, RICHARD	IS-09	07/21/1998	T	02/08/1999SRG	FIN		220849R	4.95	T1622	(727)	526 9559
CUTEL COMMUNICATIONS, INC	OVERMANN, PHYLLIS	IS-09	07/21/1998	T	07/23/1998MSP	VOL		2208761	20.88	T1622	(904)	477 8575
CUTEL COMMUNICATIONS, INC	SMITH, DERAL	IS-09	07/21/1998	T	07/23/1998CRP	BRO		220904R	19.80	T1622	(954)	997 6775
CUTEL COMMUNICATIONS, INC	HIMMICHS, WALTER D.	IS-09	07/23/1998	T	07/23/1998MSP	VOL		2210781	20.88	T1622	(904)	441 1367
CUTEL COMMUNICATIONS, INC	HICKS, DEBRA	IS-09	07/23/1998	T	07/23/1998CRP	FLB		221080R	29.70	T1622	(561)	966 9524
CUTEL COMMUNICATIONS, INC	KELLY, MARGUERITE	IS-09	07/23/1998	T	10/22/1998HB	MA		221090R	4.95	T1622	(941)	732 7731
CUTEL COMMUNICATIONS, INC	ONGOVAN, MADEL	IS-09	07/23/1998	L	08/20/1998MSP	SUN		221144R	9.90	T1622	(352)	748 0813
CUTEL COMMUNICATIONS, INC	WAKKEN, NATHAN	IS-09	07/23/1998	L	09/15/1998SRG	DADE		221461R	5.22	T1622	(305)	949 6267

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UTEL COMMUNICATIONS, INC	FRAZELL, DANIEL	IS-09	07/30/1998	T	04/06/1999CRP	PIB		221719R	65.61	T1622	(813)	525 2324
UTEL COMMUNICATIONS, INC	STYLES, JUDITH	IS-09	08/03/1998	L	11/24/1998BRG	PLB		221940R	4.95	T1622	(561)	689 4994
UTEL COMMUNICATIONS, INC	POST, BUCKLEY, SCHUM & JERNIGAN	IS-09	08/04/1998	L	01/21/1999BRG	SAR		222109R	0.00	T1622	(941)	954 4036
UTEL COMMUNICATIONS, INC	PINE, ROBERT	IS-09	08/04/1998	L	11/05/1998CAM	ORN		222152R	0.00	T1622	(407)	823 8020
UTEL COMMUNICATIONS, INC	ROGERS, SUSAN	IS-09	08/04/1998	T	08/21/1998BAS	BRO		222199R	5.20	T1622	(954)	722 3514
UTEL COMMUNICATIONS, INC	WARRER, DORIS	IS-09	08/05/1998	T	08/13/1998CRP	BRO		222214R	15.30	T1622	(954)	983 3325
UTEL COMMUNICATIONS, INC	JONES, KATHLEEN	IS-09	08/05/1998	T	12/17/1998BRG	ALA		222221R	10.20	T1622	(352)	331 4837
UTEL COMMUNICATIONS, INC	MARSHY-YARDLEY CHRYSLER-DODGE	IS-09	08/06/1998	T	12/18/1998KES	STL		222396R	19.80	T1622	(561)	879 0177
UTEL COMMUNICATIONS, INC	CURELLO, JO	IS-09	08/06/1998	T	12/29/1998KES	STL		222427R	5.44	T1622	(561)	879 0030
UTEL COMMUNICATIONS, INC	GALE INDUSTRIES	IS-09	08/06/1998	T	12/14/1998BRG	VOL		222485I	0.00	T1622	(904)	304 2224
UTEL COMMUNICATIONS, INC	PERLIAT, JOANN C.	IS-09	08/06/1998	T	12/14/1998BRG	HILL		222504R	0.00	T1622	(813)	251 5150
UTEL COMMUNICATIONS, INC	FERNANDES, JUAN	IS-09	08/06/1998	T	09/10/1998MEP	ORN		222523I	2.70	T1622	(407)	238 0803
UTEL COMMUNICATIONS, INC	CHENS, ROBERT	IS-09	08/07/1998	T	12/14/1998BRG	VOL		222561R	14.85	T1622	(407)	860 2500
UTEL COMMUNICATIONS, INC	ENGINEERING CONCEPTS	IS-09	08/07/1998	L	01/21/1999BRG	PIB		222576R	0.00	T1622	(813)	866 8877
UTEL COMMUNICATIONS, INC	FUSSELL, JODEE	IS-09	08/07/1998	T	09/10/1998MEP	ORN		222598I	9.90	T1622	(407)	898 5705
UTEL COMMUNICATIONS, INC	FROST, JACK	IS-09	08/10/1998	T	08/10/1998CRP	ORN		222719R	19.80	T1622	(407)	671 3190
UTEL COMMUNICATIONS, INC	MANGANELLA, DAN	IS-09	08/10/1998	T	04/05/1999KES	MART		222813R	4.95	T1622	(561)	287 1192
UTEL COMMUNICATIONS, INC	MARTZOG, RUFUS C.	IS-09	08/11/1998	L	11/30/1998KES	BAY		223052R	34.65	T1622	(850)	271 1748
UTEL COMMUNICATIONS, INC	DELGADO, RIGOBERTO	IS-09	08/12/1998	L	10/12/1998MEP	PLB		223099R	24.75	T1622	(561)	547 2494
UTEL COMMUNICATIONS, INC	MANSFIELD, NYRON	IS-09	08/12/1998	T	12/15/1998BRG	PLB		223130R	26.10	T1622	(561)	471 1074
UTEL COMMUNICATIONS, INC	LONGHURST, GREGORY K.	IS-09	08/13/1998	T	08/20/1998MEP	PLB		223337R	9.90	T1622	(561)	793 3274
UTEL COMMUNICATIONS, INC	VILLAR, ALEX	IS-09	08/14/1998	T	12/15/1998KES	IMR		223440R	19.80	T1622	(561)	564 0764
UTEL COMMUNICATIONS, INC	PETERSON, JANICE	IS-09	08/14/1998	T	09/16/1998MEP	PLB		223465R	5.22	T1622	(561)	795 8874
UTEL COMMUNICATIONS, INC	VOLLERTSEN, EDWARD	IS-09	08/18/1998	T	09/10/1998BAS	JEP		223756I	4.95	T1622	(850)	997 1935
UTEL COMMUNICATIONS, INC	DEBOTO MACHINE SHOP	IS-09	08/18/1998	T	08/20/1998MEP	DEBO		223806R	41.55	T1622	(941)	993 4111
UTEL COMMUNICATIONS, INC	HOFFMAN, EILEEN	IS-09	08/20/1998	T	12/10/1998KES	PLB		224079R	9.90	T1622	(561)	478 1366
UTEL COMMUNICATIONS, INC	SIM, STACEY	IS-09	08/21/1998	T	08/25/1998MEP	NER		224207I	4.95	T1622	(352)	683 1129
UTEL COMMUNICATIONS, INC	MERNADES, ENRIQUETA	IS-09	08/21/1998	T	02/01/1999KES	HILL		224266I	5.10	T1622	(813)	978 9491
UTEL COMMUNICATIONS, INC	ACE BEAUTY CO. (ORRGG BERRY)	IS-09	08/25/1998	L	04/05/1999BRG	PIB		224666I	54.45	T1622	(813)	544 8861
UTEL COMMUNICATIONS, INC	CALAMAN, DANNY	IS-09	08/25/1998	T	10/01/1998MB	LEE		224728I	14.85	T1622	(941)	482 8015
UTEL COMMUNICATIONS, INC	HAMILTON, BETTYE H.	IS-09	08/25/1998	T	02/01/1999KES	DADE		224857I	19.80	T1622	(105)	770 1717
UTEL COMMUNICATIONS, INC	OWENS, CHERYL	IS-09	08/26/1998	T	04/06/1999KES	BRO		224991I	5.54	T1622	(954)	739 4378
UTEL COMMUNICATIONS, INC	FIMBERTY, ROGER	IS-09	08/27/1998	T	09/04/1998CAM	BRE		225084R	9.90	T1622	(407)	722 2546
UTEL COMMUNICATIONS, INC	STEWART, JEFFREY D.	IS-09	09/11/1998	T	09/23/1998MCS	ORN		226868R	4.95	T1622	(407)	889 2120
UTEL COMMUNICATIONS, INC	LOPEZ FARFANH	IS-09	09/16/1998	L	02/19/1999MAB	DADE		227387R	9.90	T1622	(105)	571 9676
UTEL COMMUNICATIONS, INC	FOREST, MARK	IS-09	09/21/1998	T	09/22/1999MEP	PLB		227864R	19.80	T1622	(561)	790 4639

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ACCUTEL COMMUNICATIONS, INC	NEED, DEBRA	18-09	09/22/1998	T		09/24/1998EAA	PLB		228214R	9.90	T1622		(561) 733-4672
ACCUTEL COMMUNICATIONS, INC	WHITE, EARL	18-09	09/23/1998	T		09/23/1998MCS	OKA		228385R	4.95	T1622		(850) 868-2162
ACCUTEL COMMUNICATIONS, INC	VANQUES, EATNY	18-09	09/24/1998	T		09/29/1998EAA	SEM		228653R	14.85	T1622		(407) 699-9610
ACCUTEL COMMUNICATIONS, INC	WHITE, EARL	18-09	09/24/1998	T		09/25/1998EAA	OKA		228465R	0.00	T1622		(850) 862-2162
ACCUTEL COMMUNICATIONS, INC	NEED, TAMMY	18-09	10/09/1998	T		12/15/1998KES	LEON		230717I	9.90	T1622		(850) 580-5635
ACCUTEL COMMUNICATIONS, INC	WELCH, JACK	18-09	10/09/1998	T		10/20/1998CAB	HILL		230819R	0.00	T1622		(813) 752-8378
ACCUTEL COMMUNICATIONS, INC	MORAN, TOM	18-09	10/13/1998	T		10/15/1998HEP	HIG		231049I	14.85	T1622		(941) 453-0996
ACCUTEL COMMUNICATIONS, INC	JET SERVICE	18-09	10/13/1998	T		10/20/1998CAB	MAN		231149I	10.94	T1622		(941) 355-5245
ACCUTEL COMMUNICATIONS, INC	JONES, KATHLEEN	18-09	10/15/1998	T		12/10/1998KES	PLB		231373I	24.75	T1622		(561) 833-9698
ACCUTEL COMMUNICATIONS, INC	SHUN, LARRY	18-09	10/16/1998	T		11/30/1998TVG	MAN		231542I	14.85	T1622		(941) 729-9617
ACCUTEL COMMUNICATIONS, INC	MENYHERT, OLEO	18-09	10/19/1998	T		04/05/1998MCS	HILL		231671R	10.20	T1622		(813) 970-1346
ACCUTEL COMMUNICATIONS, INC	JORDON, VANESSA	18-09	10/26/1998	T		10/26/1998HEP	DADE		232643I	9.90	T1622		(325) 326-2571
ACCUTEL COMMUNICATIONS, INC	MANDEL, MAX	18-09	11/05/1998	T		04/05/1998MCS	PLB		234015R	24.75	T1622		(561) 967-7246
ACCUTEL COMMUNICATIONS, INC	BROWN, DAVID	18-09	11/12/1998	T		12/10/1998KES	LEON		234761R	9.90	T1622		(209) 439-2231
ACCUTEL COMMUNICATIONS, INC	LASSETER, MARY MARSH	18-09	11/19/1998	T		12/10/1998KES	MAN		235673I	14.85	T1622		(941) 746-4560
ACCUTEL COMMUNICATIONS, INC	ROYAL, THOMAS S.	18-09	12/03/1998	T		04/05/1998MCS	SEM		236887I	5.10	T1622		(407) 323-8959
ACCUTEL COMMUNICATIONS, INC	ENLAPP, GEORGE	18-09	12/03/1998	T		12/07/1998MCS	BRO		236903I	24.75	T1622		(954) 763-5024
ACCUTEL COMMUNICATIONS, INC	RICHARDSON, SHELLEN	18-09	01/25/1999	T		02/11/1998MCS	BRE		241520I	0.00	T1622		(407) 268-8278
ACCUTEL COMMUNICATIONS, INC	DANSKY, MICHAEL	18-09	01/26/1999	T		02/09/1998HEP	BRO		241667I	10.20	T1622		(954) 985-6270
ACCUTEL COMMUNICATIONS, INC	FISHER, CAROL	18-09	01/28/1999	T		02/11/1998EAA	PLB		241951I	30.60	T1622		(561) 793-2038
ACCUTEL COMMUNICATIONS, INC	LYTER, RICK	18-09	02/02/1999	T		02/11/1998EAA	VOL		242431R	30.60	T1622		(407) 574-5120
ACCUTEL COMMUNICATIONS, INC	DANNY, MICHAEL	18-09	02/03/1999	T		03/05/1998CAB	BRO		242540R	16.76	T1622		(561) 684-3993
ACCUTEL COMMUNICATIONS, INC	WOML, MARIE	18-09	02/25/1999	T		03/12/1998HEP	NER		245849I	4.95	T1622		(352) 796-6484
ACCUTEL COMMUNICATIONS, INC	KERRAN, ALAN	18-09	02/25/1999	T		02/25/1998HEP	BRO		245974I	14.85	T1622		(954) 475-2559
ACCUTEL COMMUNICATIONS, INC	MOORE, DONALD	18-09	03/01/1999	L		03/30/1998HEP	COLL		246229I	9.90	T1622		(941) 352-1849
ACCUTEL COMMUNICATIONS, INC	GEORGE, MORRIS	18-09	03/12/1999	L		04/05/1998HEP	PLB		248142I	19.80	T1622		(561) 746-2809
ACCUTEL COMMUNICATIONS, INC	POLO INSURANCE AGENCY	18-09	05/06/1999	L		05/26/1998MCS	PLB		257100I	15.30	T1622		(561) 798-5443

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City/Zip HERRITT ISLAND 32952 County BRE Consumer's Telephone # (407)-453-8516  
Account Number \_\_\_\_\_ Can Be Reached (407)-455-1508  
Date \_\_\_\_\_ Informal Conf. \_\_\_\_\_  
Caller's Name SHARON CHAPMAN

Request No. 212196R  
By MEP Time 9:33 AM Date 05/04/98  
To CO Time MAIL Date 05/04/98  
Type B Form Phone  
Category IS-09  
Infraction \_\_\_\_\_  
Closed by MEP Date 05/12/98  
Reply Received I

Customer states that she is being billed for unauthorized services and/or unknown charges added to her phone bill. Specifically at issue is a charge appearing on her 04/22/98 Bell South bill for \$4.95. Customer states that she has made previous contact with the company to try to resolve this matter.

Please investigate this issue, contact the customer and provide the senior analyst, assigned to this case, with a detailed written report to include the following information: any applicable credits as well as any LOA and/or tape authorization you have on record for this customer regarding the use of the services in dispute.

Inquiry taken by C. Broome.

Customer has been instructed to send a copy of the bill in dispute. Upon receipt, a copy will be forwarded to the company.

05/04/98 Received bills from the customer.

05/04/98 FAX TO CO. See attached bills regarding the above issue.

05/12/98 Received report as letter to customer with explanation and \$5.22 credit.

### 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:

ELLEN PLENDL

DUE: 05/19/98

ATTACHMENT A  
DOCKET NO. 981488-TI  
JULY 15, 1999

Name JONES, ROBIN Company ACCUTEL COMMUNICATIONS, INC.  
Address 12301 BOTH LANE NORTH Attn. Lynn Soreide 2130808  
City/Zip NEST PALM BEACH 33412 County PLB Consumer's Telephone # (561)-790-5432  
Account Number \_\_\_\_\_ Can Be Reached (561)-790-5432  
Caller's Name JOHN FELTON Note \_\_\_\_\_  
Informal Conf. \_\_\_\_\_

Request No. 2130808  
By RMM Time 1:36 PM Date 05/11/98  
To CO Time MAIL Date 05/11/98  
Type B Form Phone  
Category IS-09  
Infraction \_\_\_\_\_  
Closed by MEP Date 10/27/98  
Reply Received I

Customer states that he is being billed for unauthorized services and/or unknown charges added to his phone bill. Specifically at issue are charges on their bill for a monthly service charge of \$4.95. Customer states that he has made previous contact with the company to try to resolve this matter.

Please investigate this issue, contact the customer and provide the senior analyst, assigned to this case, with a detailed written report to include the following information: any applicable credits as well as any LOA and/or tape authorization you have on record for this customer regarding the use of the services in dispute.

Inquiry taken by C. Broome.

Customer has been instructed to send a copy of the bill in dispute. Upon receipt, a copy will be forwarded to the company.

05/28/98 Received report with explanation and full credit.

10/27/98 Closed by letter.

10/28/98 Received report with explanation and additional credit of \$9.90.

### 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:

RUTH MCHARGUE

DUE: 05/27/98

ATTACHMENT A  
DOCKET NO. 981488-T1  
JULY 15, 1999

DOCKET NO. 981488-T1  
EXHIBIT TEM-1  
PAGE 13 OF 14

Name HAGER, JOHN Company ACCUTEL COMMUNICATIONS, INC.  
Address 3123 ESPANOLA DRIVE Attn. Lynn Soreide 214073R  
City/Zip SARASOTA 34239 County SAR Consumer's Telephone # (941)-922-5050  
Account Number \_\_\_\_\_ Can Be Reached \_\_\_\_\_  
Caller's Name ANGELA HAGER Note NJS  
Informal Conf. \_\_\_\_\_

Request No. 214073R  
By SRG Time 1:24 PM Date 05/19/98  
To CO Time MAIL Date 05/19/98  
Type B Form Phone  
Category IS-09  
Infraction \_\_\_\_\_  
Closed by SRG Date 05/28/98  
Reply Received I

Customer says the following:

He received a bill for additional charges that he never requested.

Customer is disputing the charges for the amount of \$4.95 plus taxes.

Customer is requesting the termination of these services.

Please provide the PSC with a copy of an answer given to the customer and a solution to this matter.

5/28/98 Report received. The company stated that this customer was connected to their system incorrectly, and because of that it is going to issue a credit to this customer for two service fees which equal to \$9.90. The customer has been contacted, but he should contact the company or the FPSC if there are any further problems concerning this matter.

**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:

SAM GONZALEZ

DUE: 06/04/98

ATTACHMENT A  
DOCKET NO. 981488-TI  
JULY 15, 1999

DOCKET NO. 981488-TI  
EXHIBIT TEW-1  
PAGE 14 OF 14

EXHIBIT NO. 2

DOCKET NO.: 981488-TI

WITNESS: Thomas E. Williams, III

PARTY: Florida Public Service Commission

DESCRIPTION: Sample of complaints which  
initiated inquiry into  
this matter

PROFFERING PARTY: STAFF

I.D.# TEW-2

Name CHAPMAN, SHARON

Company ACCUTEL COMMUNICATIONS, INC.

Request No. 212196R

Address 432 MONITOR COURT

Attn. Lynn Soreide212196R

By MEP Time 9:33 AM Date 05/04/98

Consumer's Telephone # (407)-453-8516

To CO Time MAIL Date 05/04/98

City/Zip MERRITT ISLAND 32952 County BRE

Can Be Reached (407)-455-1508

Type B Form Phone

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

Note \_\_\_\_\_

Category IS-09

Caller's Name SHARON CHAPMAN

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

Infraction \_\_\_\_\_

Closed by MEP Date 05/12/98

Reply Received T

Customer states that she is being billed for unauthorized services and/or unknown charges added to her phone bill. Specifically at issue is as charge appearing on her 04/22/98 Bell South bill for \$4.95. Customer states that she has made previous contact with the company to try to resolve this matter.

Please investigate this issue, contact the customer and provide the senior analyst, assigned to this case, with a detailed written report to include the following information: any applicable credits as well as any LOA and/or tape authorization you have on record for this customer regarding the use of the services in dispute.

Inquiry taken by C. Broome.

Customer has been instructed to send a copy of the bill in dispute. Upon receipt, a copy will be forwarded to the company.

05/04/98 Received bills from the customer.

05/04/98 FAX TO CO. See attached bills regarding the above issue.

05/12/98 Received report as letter to customer with explanation and \$5.22 credit.

**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:

ELLEN PLENDL

DUE: 05/19/98



*Mrs. Smith.*

Page

SHARON CHAPMAN  
Account Number: 407 453-8515 256 31  
Bill Period Date: Apr 22, 1998

For OAN Services, Inc. Billing Questions, Call 1 800 926-7514 -212196R

**Detailed Statement of Charges**

<u>Miscellaneous Charges and Credits</u>		<u>Amount</u>
<u>Service Provider - ACCUTEL</u>		
<u>Date</u>		
1. 03/19 SERVICE CHARGE .....	**	4.95
Total Miscellaneous Charges and Credits .....		4.95
<u>Taxes</u>		<u>Amount</u>
<u>Taxes on Unregulated Services</u>		
2. Federal Tax .....	**	.15
3. Florida Gross Receipts Surcharge .....	**	.12
Total Taxes on Unregulated Services .....		.27
Total Taxes .....		.27

~~Essential Services and Current Charges~~

*No late charges  
Deduct. 5.22  
Willie 2 to 3  
Billing cycles*

*Florida Public Service*

-1-800-342-3552

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

AC E027854

Name JONES, ROBIN

Company ACCUTEL COMMUNICATIONS, INC.

Request No. 213080R

Address 12401 BOTH LANE NORTH

Attn. Lynn Soreide213080R

By RWM Time 1:36 PM Date 05/11/98

Consumer's Telephone # (561)-790-5432

To CO Time MAIL Date 05/11/98

City/Zip WEST PALM BEACH 33412 County PLB

Can Be Reached (561)-790-5432

Type B Form Phone

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

Note \_\_\_\_\_

Category IS-09

Caller's Name JOHN FELTON

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

Infraction \_\_\_\_\_

Closed by MEP Date 10/27/98

Reply Received T

**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:

RUTH MCHARGUE

DUE: 05/27/98

Customer states that he is being billed for unauthorized services and/or unknown charges added to his phone bill. Specifically at issue are charges on their bill for a monthly service charge of \$4.95. Customer states that he has made previous contact with the company to try to resolve this matter.

Please investigate this issue, contact the customer and provide the senior analyst, assigned to this case, with a detailed written report to include the following information: any applicable credits as well as any LOA and/or tape authorization you have on record for this customer regarding the use of the services in dispute.

Inquiry taken by C. Broome.

Customer has been instructed to send a copy of the bill in dispute. Upon receipt, a copy will be forwarded to the company.

05/28/98 Received report with explanation and full credit.

10/27/98 Closed by letter.

10/28/98 Received report with explanation and additional credit of \$9.90.

Name HAGER, JOHN

Company ACCUTEL COMMUNICATIONS, INC.

Request No. 214073R

Address 3123 ESPANOLA DRIVE

Attn. Lynn Soreide214073R

By SRG Time 1:24 PM Date 05/19/98

Consumer's Telephone # (941)-922-5058

To CO Time MAIL Date 05/19/98

City/Zip SARASOTA 34239 County SAR

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

Type B Form Phone

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

Note NJS

Category IS-09

Caller's Name ANGELA HAGER

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

Infraction \_\_\_\_\_

Closed by SRG Date 05/28/98

Reply Received T

Customer says the following:

He received a bill for additional charges that he never requested.

Customer is disputing the charges for the amount of \$4.95 plus taxes.

Customer is requesting the termination of these services.

Please provide the PSC with a copy of an answer given to the customer and a solution to this matter.

5/28/98 Report received. The company stated that this customer was connected to their system incorrectly, and because of that it is going to issue a credit to this customer for two service fees which equal to \$9.90. The customer has been contacted, but he should contact the company or the FPSC if there are any further problems concerning this matter.

**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:

SAM GONZALEZ

DUE: 06/04/98

Name BANG, OLA

Company ACCUTEL COMMUNICATIONS, INC.

Request No. 215818R

Address 1019 HAZEN RD.

Attn. Lynn Soreide215818R

By NCS Time 1:05 PM Date 06/03/98

City/Zip Deland 32720 County VOL

Consumer's Telephone # (904)-734-9232

To CO Time MAIL Date 06/04/98

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

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

Type B Form Phone

Caller's Name OLA BANG

Note NJS

Category IS-09

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

Infraction \_\_\_\_\_

Closed by NCS Date 10/14/98

Reply Received L

Customer says the following:

Customer was bill for an additional charge that he never requested. Customer is disputing the amount of \$4.95. He is requesting the termination of this service.

Please provide the PSC with a copy of an answer given to the customer and a solution to this matter.

6/30/98 Report received. AccuTel issued a credit for the amount of \$ 14.85. hb

10/14/98 Closed by letter.

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**CONSUMER REQUEST**

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**FLORIDA PUBLIC  
SERVICE  
COMMISSION**

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

PLEASE RETURN THIS FORM  
WITH REPORT OF ACTION TO:

NANCY CORTIJO-SIMMON

DUE: 06/19/98

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



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

## Public Service Commission

October 21, 1998

Ms. Ola Bang  
1019 Hazen Road  
Deland, FL 32720

Dear Ms. Bang:

This is a follow-up to your recent inquiry concerning unauthorized charges on your telephone bill. I certainly understand your concerns.

Documentation provided by Accutel Communications, Inc. indicates that a credit of \$14.85 has been issued. This should appear on your bill within the next two to three billing cycles.

The Florida Public Service Commission (PSC) has issued a warning about an emerging telephone service scam known as "cramming" -- when charges for telephone services are added or "crammed" on to phone bills without the subscriber's knowledge or consent.

*"We must be on the lookout for and take action against cramming,"* said PSC Chairman Julia L. Johnson. *"We have heard from consumers about all kinds of phone charges mysteriously popping up on their bills."*

Similar to slamming (when a company changes a consumer's telephone company without permission), cramming occurs when consumers are charged for optional phone services without prior agreement. These services (like voice mail, pagers, personal '800' numbers, information and entertainment calls) are offered by unregulated third-party providers and are frequently billed through local phone companies.

The PSC has recently proposed the nation's strictest rule amendments designed to reduce slamming. The Commission will also consider rule amendments which will provide additional safeguards to subscribers by making a "billing block" option available to prevent unauthorized cramming charges on their local phone bills.

Ms. Ola Bang  
Page 2  
October 20, 1998

Here are some quick tips consumers should use to avoid being crammed:

- ***Carefully read the fine print before filling out a contest form or coupon offer. You may be agreeing to new or additional phone services.***
- ***Carefully review your phone bill each month. Look for company names you do not recognize, charges for calls you did not make and charges for services you did not authorize.***
- ***Educate your children and other individuals who make phone calls from your telephone that calls placed to information and entertainment services may result in a charge to your telephone account even if the caller does not dial a '900' number.***

I hope this has been of some assistance to you. If you have any questions or need further assistance, please contact me toll free at 1-800-342-3552, by fax toll free at 1-800-511-0809, or by E-mail at [ncortijo@psc.state.fl.us](mailto:ncortijo@psc.state.fl.us).

Sincerely,



Nancy Cortijo-Simmonds  
Regulatory Specialist I  
Division of Consumer Affairs

NCS:ewe

30-98 01:01P 561 243 8913

561 243 8913

P.03

### The credits are follows:

Michelle Fletcher	\$14.85
Leno Miranda	\$14.85
Nelson Lopez Jr.	\$14.85
Manuel Gaute	\$9.90
Terry Douglas	\$29.70
Mark Schutt	\$9.90
Jean Omran	\$19.80
Raymond Fitzgerald	\$4.95
Barbara Van Hoover	\$19.80
Rick Lyter	\$19.80
Ola Bang	\$14.85
✓ Robert Tuele	\$14.85
✓ Francis Mosher	\$19.80
✓ Richard Roberts	\$0.00 (No calls billed)
✓ Carl Zimmerman	\$14.85
✓ Shirley Bryant	\$4.95
✓ John Parish	\$9.90
✓ Karen Summers	\$9.90
? John McFarlene	\$14.85
✓ William Hicks	\$0.00(No calls billed)

Jun-30-98 01:00P 561 243 8913

561 243 8913

P.02

**AccuTel  
Communications Inc.**

P.O. Box 1610  
Boca Raton, FL 33429  
(561) 243-1793  
(561) 243-8913 Fax

June 29, 1998

Carmen Pena, Dick Durbin, Kate Smith, Sam Gonzalez  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Re: William Hicks, John McFarlane, Karen Summers, John Parish, Shirley Bryant, Carl Zimmennan, Richard Roberts, Francis Mosher, Robert Tuele, **Ola Bang**, Rick Lyter, Harbar Van Hoover, Raymond Fitzgerald, Jean Omran, Mark Schutt, Terry Douglas, Manuel Gaute, Nelson Lopez Jr., Leno Miranda, and Michelle Fletcher

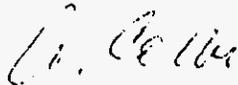
Dear Sir or Madam:

I am in receipt of the above referenced complaints, in researching these accounts. I found that these number were no where in our customer database. During the months of November 1997 to May 15, 1998, Accutel Communications Inc., outsourced its billing and rating to a company called TSC in Tampa, Florida.

Ever since we utilized this firm, we have had numerous problems. We have found that TSC sent files to OAN, that are not even are files or customers, which I believe is the case with the above referenced customers. I have requested full credits on all of the accounts mentioned above. (See Attached for amounts)

AccuTel Communications Inc. does not, and will not tolerate "slamming Of telephone lines, and I sincerely apologize for any inconvenience this may have caused the above referenced customers. Should you have any questions please feel free to contact Donna Kim, Vice President or myself at 877-AccuTel.

Sincerely,



Akisha Collier  
Assistant To Vice President

B 9847349467 BANGS / INTEREX 06/05/98 13153 P. 01



Page 6

OLA BANG  
 Account Number: 904 734-9232 940 0567  
 Bill Period Date: May 20, 1998

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

**Detailed Statement of Charges**

<u>Miscellaneous Charges and Credits</u>	<u>Amount</u>
904 734-9232	
Service Provider - ACCUTEL	
Date	
1. 05/14 SERVICE CHARGE .....	4.95
Total Miscellaneous Charges and Credits .....	4.95

The above total does not include the following taxes:

Federal Tax .....	\$0.15
Florida Gross Receipts Surcharge .....	\$0.12

<u>Taxes</u>	<u>Amount</u>
<u>Taxes on Unregulated Services</u>	
2. Federal Tax .....	.15
3. Florida Gross Receipts Surcharge .....	.12
Total Taxes on Unregulated Services .....	.27
Total Taxes .....	.27

Total OAN Services, Inc. Current Charges ..... 5.22

ATT: MR. SAM GONZALEZ  
 RE: COMPLAINT # 215818R  
 THE MAY BILL HAS ARRIVED WITH  
 THE SAME CHARGES FROM OAN.

\*\* Unregulated Charge

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

AV EQ46785





OLA BANG  
 Account Number: 904 734-9232 940 0567  
 Bill Period Date: Apr 20, 1998

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

**Detailed Statement of Charges**

<u>Account Charges and Credits</u>	<u>Amount</u>
9232	
Provider - ACCUTEL	
/U2 SERVICE CHARGE .....	4.95
miscellaneous Charges and Credits .....	4.95

The total does not include the following taxes:

Federal Tax .....	\$0.15
Florida Gross Receipts Surcharge .....	\$0.12

<u>Unregulated Services</u>	<u>Amount</u>
Federal Tax .....	.15
Florida Gross Receipts Surcharge .....	.12
Taxes on Unregulated Services .....	.27
	.27
OAN Services, Inc. Current Charges .....	5.22

COMPLAINT # 215818 R  
 ATT: MR. SAM GONZALEZ

**Unregulated Charge**

Your bill is provided as a service to OAN Services, Inc.  
 transaction between BellSouth and OAN Services, Inc.

Name BRETTSCHNEIDER, MYRON

Company ACCUTEL COMMUNICATIONS, INC.

Request No. 2162551

Address 3512 MILL BROOK WAY CIR.

Attn. Lynn Soreide2162351

By SRG Time 4:41 PM Date 06/05/1998

Consumer's Telephone # (561)-642-0483

To CO Time MAIL Date 06/08/1998

City/Zip GREEN ACRES 33463 County PLB

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

Type S Form Phone

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

Note \_\_\_\_\_

Category \_\_\_\_\_

Caller's Name MYRON BRETTSCHNEIDER

Informal Conf. \_\_\_\_\_ Outreach REF. BY UTILITY

Infraction \_\_\_\_\_

Closed by \_\_\_\_\_ Date  / /

Reply Received \_\_\_\_\_

Inquiry taken by N.Cortijo-Simmonds

Customer states that he was billed by Accutel without authorization or request. Customer states he has returned to his 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, as well as an adjustment of rates to that of the customer's preferred carrier by the date below.

6/9/98 Report received. The company stated that it does not have this customer in their database.

6/10/98 The customer provided me with a copy of his bill, so I am going to forward a copy to Accutel.

## 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:

SAM GONZALEZ

DUE: 06/23/1998

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



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

**Public Service Commission**

October 21, 1998

Mr. Myron Brettschneider  
3512 Mill Brook Way Circle  
Green Acres, FL 33463

Dear Mr. Brettschneider:

This is a follow-up to your recent inquiry concerning unauthorized charges on your telephone bill. I certainly understand your concerns.

Documentation provided by Accutel Communications, Inc. indicates that a credit of \$4.95 has been issued. This should appear on your bill within the next two to three billing cycles.

The Florida Public Service Commission (PSC) has issued a warning about an emerging telephone service scam known as "cramming" -- when charges for telephone services are added or "crammed" on to phone bills without the subscriber's knowledge or consent.

*"We must be on the lookout for and take action against cramming,"* said PSC Chairman Julia L. Johnson. *"We have heard from consumers about all kinds of phone charges mysteriously popping up on their bills."*

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Mr. Myron Brettschneider  
Page 2  
October 20, 1998

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I hope this has been of some assistance to you. If you have any questions or need further assistance, please contact me toll free at 1-800-342-3552, by fax toll free at 1-800-511-0809, or by E-mail at [ncortijo@psc.state.fl.us](mailto:ncortijo@psc.state.fl.us).

Sincerely,



Nancy Cortijo-Simmonds  
Regulatory Specialist I  
Division of Consumer Affairs

NCS:ewe

HP OfficeJet  
Personal Printer/Fax/Copier

**Fax Log Report**

Jun-22-98 10:15 AM

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<b>Identification</b>	<b>Result</b>	<b>Pages</b>	<b>Type</b>	<b>Date</b>	<b>Time</b>	<b>Duration</b>	<b>Diagnostic</b>
615612438913	OK	07	Sent	Jun-22	10:13A	00:01:53	002582030022

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06/09/98 TUE 13:08 FAX

JVI COMPANY

001

**AccuTel  
Communications Inc.**

P.O. Box 1610  
Boca Raton, FL 33429  
(561) 243-1793  
(561) 243-8913 Fax

June 9, 1998

Mr. Sam Gonzalez  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

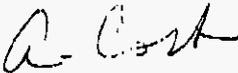
Re: Myron Brettschneider (561-642-0483)

Dear Mr. Gonzalez:

I am in receipt of the complaint dated 6/1/98. I have researched the above referenced customer and found that this customer was not in our database. I apologize for any inconvenience this may have caused Mr. Myron Brettschneider.

AccuTel Communications Inc. does not, will not tolerate "slamming and adheres to the guidelines governing our industry. Should you wish to discuss the matter further, please do not hesitate to contact me.

Sincerely,



Akisha Collier  
Assistant Vice President

HP OfficeJet  
Personal Printer/Fax/Copier

Fax Log Report

Jun-08-98 11:09 AM

---

<b>Identification</b>	<b>Result</b>	<b>Pages</b>	<b>Type</b>	<b>Date</b>	<b>Time</b>	<b>Duration</b>	<b>Diagnostic</b>
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case # 216235F

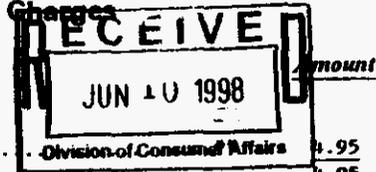
MYRON BRETTSCHEIDER  
Account Number: 561 642-0489 009 0452  
Bill Period Date: May 23, 1998

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

Detailed Statement of Charges

Miscellaneous Charges and Credits  
Service Provider - ACCUTEL

Date	Amount
1. 05/14 SERVICE CHARGE .....	4.95
<b>Total Miscellaneous Charges and Credits .....</b>	<b>4.95</b>



Taxes	Amount
<b>Taxes on Unregulated Services</b>	
2. Federal Tax .....	.15
3. Florida Gross Receipts Surcharge .....	.12
<b>Total Taxes on Unregulated Services .....</b>	<b>.27</b>
<b>Total Taxes .....</b>	<b>.27</b>

~~TOTAL OAN SERVICES INC CURRENT CHARGE 5.22~~

As Per Telephone conversation here  
are copies of my bill with case #

MAIL ROOM  
98 JUN 10 AM 8 06

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

AV E044415

**BELLSOUTH**

case # 216 226 I

Page 3

MYRON BRETTSCHEIDER  
 Account Number: 561 642-0489 009 0452  
 Bill Period Date: May 23, 1998

**Detailed Statement of Charges**

Other Charges and Credits (continued) Amount

Work Completed On May 16, 1998	
6. One time charge for changing your Local Toll company to AT&T .....	.45
7. One time charge for changing your InterLATA Long Distance Company to AT&T .....	1.49
<b>Total Other Charges and Credits .....</b>	<b>3.43</b>

Taxes Amount

<u>Taxes on Regulated Services</u>	
8. Federal Tax .....	.42
9. Florida Gross Receipts Surcharge .....	.18
10. City Tax .....	.72
11. Franchise Charge .....	.10
<b>Total Taxes on Regulated Services .....</b>	<b>1.42</b>
<b>Total Taxes .....</b>	<b>1.42</b>

**TOTAL BELL SOUTH SERVICE CHARGES 18.02**

Messages

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



MYRON BRETTSCHEIDER  
 Account Number: 561 642-0489 009 0452  
 Bill Period Date: May 23, 1998

**Helpful Numbers (continued)**

BellSouth Telecommunications, Inc. (BST)

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

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

If calling from within the Florida BellSouth service area ..... 780-2355  
 If calling from outside Florida or outside the Florida BellSouth service area ..... 1-800-753-0710

**Repair:**

If calling from within the Florida BellSouth service area ..... 611

**Text Telephone (TTY) Users 7:00 AM - 7:00 PM (CST) Monday - Friday:**

If calling from within the Florida BellSouth service area ..... 780-2274  
 If calling from outside Florida or outside the Florida BellSouth service area ..... 1 800 251-5325

**Detailed Statement of Charges**

<u>Monthly Service Charges</u>		<u>Amount.</u>
<i>Monthly Service - May 23 thru Jun 22</i>		
<i>Basic Services</i>		
	<i>Quantity</i>	
1. Residential Line	1 ...	10.05
2. Emergency 911 Charge. This charge is billed on behalf of Palm Beach County.	1 ... **	.30
3. FCC Charge for Interstate Toll Access	1 ...	3.50
4. Telecommunications Access System Act Surcharge	1 ... **	.12
Total Basic Services .....		13.97
Total Monthly Service Charges .....		13.97

Other Charges and Credits Amount

Work Completed On May 6, 1998

5. One time charge for changing your InterLATA Long Distance Company to WILTEL ..... 1.49

EXHIBIT NO. 3

DOCKET NO.: 981488-TI

WITNESS: Thomas E. Williams, III

PARTY: Florida Public Service Commission

DESCRIPTION: Certified letter from  
FPSC to Accutel  
requesting response  
regarding complaints

PROFFERING PARTY: STAFF

I.D.# TEW-3

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
SUSAN F. CLARK  
J. TERRY DEASON  
JOE GARCIA  
E. LEON JACOBS, JR.



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

**Public Service Commission**

November 20, 1998

Certified Mail

Ms. Donna Kim, VP of Operations  
Accutel Communications, Inc.  
P.O. Box 1610  
Boca Raton, FL 33429

Dear Ms. Kim:

In regard to your company's pending show cause, and to further my investigation for valid conclusions, please furnish the following by December 7, 1998:

- Enclosed is a list of 193 customer complaints. Please respond and indicate which of these were not authorized or transmitted to TSC for billing.
- Since you now do in house billing, please provide a list of all billed customers for July, August and September of 1998.
- A copy of your tariff in effect that authorizes you to charge activation and surcharges for outbound services.

Your complete cooperation will be appreciated. If you have any questions or need further assistance, I can be reached at (850) 413-6530.

Sincerely,

A handwritten signature in black ink, appearing to read "L. J. Yambor".

Louis J. Yambor  
Regulatory Analyst  
Bureau of Service Evaluation

Ref: 223385L  
Attachments

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 1. Article Number

Ms. Donna Kim, VP of Operations  
Accutel Communications Inc.  
P. O. Box 1610  
Boca Raton, FL 33429

425 J 28 727

Certified  
 Insured  
ndise  COD

11-28-95

5. *Sonia* (Only if requested and fee is paid)

6. Signature (Addressee or Agent)  
X *[Signature]*

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



Print your name, address, and ZIP Code in this box.

**RECEIVED**  
DEC 0 1 1995

Lou Yambour  
Division of Communications  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850



EXHIBIT NO. 4

DOCKET NO.: 981488-TI

WITNESS: Thomas E. Williams, III

PARTY: Florida Public Service Commission

DESCRIPTION: Accutel response to  
Exhibit TEW-3

PROFFERING PARTY: STAFF

I.D.# TEW-4

Jan-07-99 04:56P 561 243 8913

561 243 8913

P.01

P.O. Box 1610, Boca Raton, Florida 33429-1610  
Telephone: 954-946-3390 xt.208  
Facsimile: 954-785-3714

**AccuTel  
Communications, Inc.**

# Fax

<b>To:</b> Lou Yarnbor @ FLPSC	<b>From:</b> Donna Kim
<b>Fax:</b> 850-413-6531	<b>Pages:</b> 4
<b>Phone:</b> 850-413-6530	<b>Date:</b> 01/07/99
<b>Re:</b> Information request dated 11/20/98	<b>CC:</b> M. Salazar, Esq.

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

• **Comments:**

Dear Mr. Yarnbor:

Attached is my spreadsheet responding to all the complaints we have received from your office. I realize that you requested information from OAN, however, even though the response is that the data came from AccuTel Communications, Inc., they cannot determine whether or not the file was generated from our office or TSC.

As I stated before, we utilized TSC to do our billing and rating, and had no access to our own CDR's or factored funds during that period. TSC submitted electronic orders to OAN for outclearing on our behalf there is no way OAN can determine if it came from our office or TSC's. Because we utilized the same password. There were many times as I stated before, that we did not have the customer in our data base and had to create a file for the customer, however, we did credit all customers in full regardless of the issue or situation.

Regarding the tariff issue, as you know Pat Crocker from Early Lennon Peters and Crocker informed me that the revised tariff was forwarded directly from his office. AccuTel Communications, Inc. relies on the expertise of Mr. Crocker, he did inform us that AccuTel Communications, Inc. did file the MRC on the FCC-1 filing.

I will send via US Mail a list of customers per your request. If you have any questions please do not hesitate to call me.

Sincerely, Donna Kim

Florida Complaints							CDR
Company Name	Date	Date	Resolved	BTN	Complaint	Total Credit	Submitted by
Royes, Louisa	6/10/98	6/11/98	Yes	(305) 231-8889	Slamming	IN FULL	T
Wilson, Richard K.	7/9/98	7/9/98	Yes	(305) 233-1777	Slamming	\$ 5.22	T
McGraw, Gilda	7/16/98	7/16/98	Yes	(305) 233-8772	Slamming	\$ 14.85	T
Derbeau, Benett	6/22/98	6/22/98	Yes	(305) 235-9378	Slamming	\$ 9.90	T
Miranda, Lene	8/29/98	8/29/98	Yes	(305) 252-4726	Slamming	\$ 14.85	T
Lopez, Nelson, Jr.	8/7/98	8/22/98	Yes	(305) 253-4842	Slamming	\$ 19.80	A
Wagner, Joseph	6/24/98	8/24/98	Yes	(305) 254-8703	Slamming	\$ 14.85	T
Gauts, Manuel	6/23/98	6/29/98	Yes	(305) 325-0876	Slamming	\$ 9.90	T
Hadaegh, Aman	8/18/98	8/18/98	Yes	(305) 387-4998	Slamming	IN FULL	A
Cuesta, Antonio	7/1/98	7/1/98	Yes	(305) 553-2628	Slamming	\$ 19.80	T
Sherman, Francine	5/8/98	5/10/98	Yes	(305) 558-4420	Slamming	IN FULL	T
Lopez, Farfahn	9/16/98	9/16/98	Yes	(305) 571-8676	Slamming	\$ 9.90	A
Mengel, Laura	8/1/98	8/12/98	Yes	(305) 582-0725	Slamming	\$ 20.34	A
Hamilton, Bettye H.	8/26/98	8/27/98	Yes	(305) 770-1717	Slamming	\$ 19.80	A
Rodriguez, Orlando	7/17/98	7/17/98	Yes	(305) 858-7292	Slamming	\$ 34.95	T
Gomez, Maria	7/9/98	7/9/98	Yes	(305) 889-1762	Slamming	\$ 24.75	T
Mosher, Francis	6/1/98	6/29/98	Yes	(305) 891-0871	Slamming	\$ 19.80	T
Hernandez, Kerry	6/12/98	6/12/98	Yes	(305) 949-5889	Slamming	\$ 5.10	T
Johnson, Vanessa	10/18/98	10/20/98	Yes	(352) 326-2571	Slamming	\$ 9.90	A
Jones, Kathleen	8/5/98	8/6/98	Yes	(352) 331-4837	Slamming	\$ 10.20	A
Sandler, Arlene	7/10/98	7/20/98	Yes	(352) 371-7974	Slamming	\$ 27.42	T
Flaxman, Jonathan	9/27/98	10/12/98	Yes	(352) 377-0579	Slamming	\$ 9.90	T
Williams, James Frank	7/8/98	8/8/98	Yes	(352) 429-4688	Slamming	\$ 14.85	T
Hart, Virginia	8/26/98	8/29/98	Yes	(352) 620-2649	Slamming	\$ 14.85	T
Sim, Stacy	8/21/98	8/21/98	Yes	(352) 683-1129	Slamming	\$ 4.95	A
Brewer, Christopher	7/3/98	7/7/98	Yes	(352) 732-6142	Slamming	\$ 9.90	T
Orgovan, Mabel	8/19/98	8/19/98	Yes	(352) 748-0633	Slamming	\$ 9.90	A
Wohl, Marie	6/26/98	6/27/98	Yes	(352) 796-6484	Slamming	\$ 14.85	T
Mancuso, Nancy	7/17/98	7/17/98	Yes	(352) 860-1823	Slamming	\$ 9.90	T
Fernandes, Juan	8/18/98	8/19/98	Yes	(407) 238-0603	Slamming	\$ 29.70	A
Miller, Mary Louise	7/1/98	7/2/98	Yes	(407) 267-3217	Slamming	\$ 4.95	T
VanHoover, Barbara	8/1/98	8/11/98	Yes	(407) 277-8044	Slamming	\$ 18.80	A
Anderson, Janet	9/30/98	9/30/98	Yes	(407) 321-5177	Slamming	\$ 4.95	A

"T" indicates that the CDR was submitted by TSCA who was our billing and Rating Company

"A" INDICATES THE FILE WAS SUBMITTED BY OUR IN HOUSE BILLING AND RATING TAPE VERIFICATION AVAILABLE

"CC" INDICATES THAT WAS A COMPANY WE HAD AN AGREEMENT WITH TO DO BILLING FOR

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McLaurin, Henry	6/25/98	7/1/98	Yes	(407) 322-6427	Slamming	\$ 9.90	T
Douglas, Terry	6/3/98	6/29/98	Yes	(407) 323-4925	Slamming	\$ 29.70	T
Hewes, Richard	6/4/98	6/4/98	Yes	(407) 349-5778	Slamming	IN FULL	T
Bryant, Shirley	6/2/98	6/29/98	Yes	(407) 380-1772	Slamming	\$ 4.95	T
Chapman, Sharon	5/8/98	5/10/98	Yes	(407) 453-8516	Slamming	IN FULL	T
Pramir, Drew J.	9/24/98	9/24/98	Yes	(407) 522-4994	Slamming	\$ 14.85	A
Zimmerman, Carl	8/11/98	8/12/98	Yes	(407) 571-2964	Slamming	\$ 45.60	A
Zimmerman, Ruth	7/22/98	7/27/98	Yes	(407) 574-2967	Slamming	\$ 4.95	T
Lyler, Rick	6/30/98	6/30/98	Yes	(407) 574-5120	Slamming	\$ 19.80	T
Windisch, Paul	7/1/98	7/2/98	Yes	(407) 574-7372	Slamming	\$ 14.85	T
McElroy, Graham	10/7/98	10/9/98	Yes	(407) 668-4941	Slamming	\$ 9.90	A
Frest, Jack	6/26/98	6/29/98	Yes	(407) 671-3190	Slamming	\$ 19.80	T
Litt, Harold	9/28/98	9/29/98	Yes	(407) 685-1068	Slamming	\$ 14.85	A
Vasquez, Kathy	9/24/98	9/24/98	Yes	(407) 688-9610	Slamming	\$ 14.85	A
Finnerty, Roger	8/27/98	8/28/98	Yes	(407) 722-2546	Slamming	\$ 9.90	A
Fisk, Robert	9/10/98	9/10/98	Yes	(407) 823-8020	Slamming	\$ 24.75	A
Ketcham, Marie	5/19/98	5/21/98	Yes	(407) 860-1976	Slamming	\$ 4.95	T
Crews, Robert	8/7/98	8/10/98	Yes	(407) 860-2500	Slamming	\$ 14.85	A
Crews, Robert	8/7/98	12/22/98	Yes	(407) 860-2500	Slamming	\$ 36.36	A
Merlin, Thomas	7/1/98	7/1/98	Yes	(407) 860-3602	Slamming	\$ 9.90	T
Omran, Jean	5/3/98	6/29/98	Yes	(407) 860-4238	Slamming	\$ 19.80	T
Brooks, Greg	6/11/98	6/11/98	Yes	(407) 886-8611	Slamming	IN FULL	T
Stewart, Jeffery D.	9/11/98	9/11/98	Yes	(407) 889-2320	Slamming	\$ 9.90	A
Fussell, JoDee	8/18/98	8/19/98	Yes	(407) 898-3763	Slamming	\$ 9.90	A
Roberts, Alan	7/23/98	7/23/98	Yes	(407) 952-1837	Slamming	\$ 14.85	T
Keye, Jan	9/7/98	9/11/98	Yes	(407) 956-1622	Slamming	\$ 4.95	A
Harrell, Anthony & Sheri	6/12/98	6/19/98	Yes	(407) 957-9422	Slamming	\$ 9.90	T
Verdun, Oscar	8/3/98	8/4/98	Yes	(504) 447-7335	Slamming	\$ 4.95	A
Mammetta, Dan	8/10/98	8/14/98	Yes	(561) 287-1192	Slamming	\$ 4.95	A
Miller, Sharon	6/24/98	8/27/98	Yes	(561) 336-2854	Slamming	\$ 20.64	A
Snow, Jean	7/1/98	7/1/98	Yes	(561) 369-0693	Slamming	\$ 4.95	T
MacGregor, John	7/8/98	7/9/98	Yes	(561) 465-4726	Slamming	\$ 14.85	T
Cloyd, Michael D.	9/7/98	9/11/98	Yes	(561) 466-9529	Slamming	\$ 19.80	A
Mansfield, Myron	8/12/98	8/13/98	Yes	(561) 471-1074	Slamming	\$ 26.10	A
Hoffman, Eileen	8/20/98	8/20/98	Yes	(561) 478-1366	Slamming	\$ 9.90	A

JAN-07-99 04:57P 561 243 8913

561 243 8913

P. 03

DOCKET NO. 981488-TT  
EXHIBIT TFW-4  
PAGE 3 OF 9

Delgado, Rigoberto	10/7/98	10/8/98	Yes	(561) 547-2494	Slamming	\$ 24.75	A
Villar, Alex	8/14/98	8/19/98	Yes	(561) 564-0764	Slamming	\$ 19.80	A
Berry, David	6/18/98	6/19/98	yes	(561) 588-7573	Slamming	\$ 29.70	T
Simon, Elaine	7/16/98	7/17/98	Yes	(561) 589-0825	Slamming	\$ 35.42	T
Burke, Eric A.	9/16/98	9/16/98	Yes	(561) 622-4001	Slamming	\$ 24.75	A
Roland Verma	10/22/98	10/23/98	Yes	(561) 622-5014	Slamming	\$ 24.75	A
Brandolan, Pierina	7/7/98	7/8/98	Yes	(561) 626-5900	Slamming	\$ 4.95	T
Sutham, William	6/26/98	6/29/98	Yes	(561) 627-4556	Slamming	\$ 19.80	T
Bretschneider, Myron	6/8/98	6/9/98	Yes	(561) 642-0483	Slamming	\$ 4.95	T
Dubosa, Orlie	6/22/98	6/22/98	Yes	(561) 686-7039	Slamming	\$ 19.80	T
Myers, Dennis	8/10/98	8/12/98	Yes	(561) 687-3736	Slamming	\$ 15.66	T
Myers, Dennis	8/10/98	12/21/98	Yes	(561) 687-3736	Slamming	\$ 46.17	A
Uberman, Myra	6/15/98	6/23/98	Yes	(561) 687-9675	Slamming	\$ 14.85	T
Styles, Judith	11/19/98	11/23/98	Yes	(561) 689-4994	Slamming	\$ 4.95	A
Pisarski, James	9/22/98	9/23/98	Yes	(561) 732-8267	Slamming	\$ 34.65	A
Webb, Debra	9/22/98	9/24/98	Yes	(561) 733-4672	Slamming	\$ 9.90	A
Moreland, John R.	8/21/98	8/21/98	Yes	(561) 744-5111	Slamming	\$ 36.54	A
Wright, Mary T.	8/19/98	8/25/98	Yes	(561) 745-6472	Slamming	\$ 29.70	A
Grubbs & Grubbs, Inc.	6/19/98	6/19/98	Yes	(561) 746-4788	Slamming	\$ 9.90	T
Morgan, William	6/15/98	6/19/98	Yes	(561) 776-0040	Slamming	\$ 14.85	T
Payton, Kimberly	6/28/98	6/29/98	Yes	(561) 785-8960	Slamming	\$ 19.80	T
Forest, Mark	5/28/98	5/28/98	Yes	(561) 790-4639	Slamming	\$ 19.80	T
Jones, Robin	5/20/98	5/21/98	Yes	(561) 790-5432	Slamming	IN FULL	T
Jones, Robin	10/22/98	10/23/98	Yes	(561) 790-5432	Slamming	\$ 19.80	A
Doifer, Amelia	6/10/98	6/19/98	Yes	(561) 791-1522	Slamming	\$ 14.85	T
Longhurst, Gregory K.	8/14/98	8/14/98	Yes	(561) 793-3274	Slamming	\$ 9.90	A
Orsi, John, Jr.	7/7/98	7/8/98	Yes	(561) 793-6755	Slamming	\$ 29.80	T
Molina, Roy	8/18/98	8/18/98	Yes	(561) 795-4198	Slamming	\$ 24.75	A
West, Sherry	5/12/98	5/21/98	Yes	(561) 795-4286	Slamming	IN FULL	T
Patterson, Janice	8/14/98	8/14/98	Yes	(561) 795-8874	Slamming	\$ 5.22	T
Hicks, William	6/23/98	6/29/98	Yes	(561) 798-2109	Slamming	IN FULL	T
Garcia, Eugene Michael	11/6/98	11/11/98	Yes	(561) 798-2668	Slamming	\$ 34.65	A
Jones, Kathleen	10/16/98	10/20/98	Yes	(561) 833-9998	Slamming	\$ 24.75	A
Johnson, Wilke	7/7/98	7/8/98	Yes	(561) 840-1036	Slamming	\$ 14.85	T
Curello, Jo	8/6/98	8/10/98	Yes	(561) 879-0030	Slamming	\$ 5.44	A

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Dannenhauer, Dawn	8/6/98	8/6/98	Yes	(561) 879-0177	Slamming	\$ 19.80	A
Navari, Hiro	6/22/98	6/1/98	Yes	(561) 964-1666	Slamming	\$ 19.80	T
Brandenburg, Clement	8/17/98	8/18/98	Yes	(561) 985-4702	Slamming	\$ 9.90	A
Hicks, Debra	8/19/98	8/19/98	Yes	(561) 966-9524	Slamming	\$ 6.86	A
Schutz, Paul	7/15/98	7/16/98	Yes	(561) 968-9799	Slamming	\$ 9.90	T
Mendel, Max	6/25/98	6/29/98	Yes	(561) 967-7244	Slamming	\$ 24.75	T
McDaniel, Neal	7/13/98	7/15/98	yes	(561) 987-9961	Slamming	\$ 19.80	T
Westwood, Mary Ann	6/9/98	6/9/98	Yes	(561) 968-0710	Slamming	IN FULL	T
Fitzgerald, Raymond	6/2/98	6/29/98	Yes	(561) 968-8088	Slamming	\$ 4.95	T
MacFarlane, John	5/27/98	6/28/98	Yes	(561) 968-8878	Slamming	\$ 14.85	T
Russell, Douglas	7/27/98	7/27/98	Yes	(619) 278-6505	Slamming	\$ 9.90	T
Schichtel, Joseph	4/2/98	4/15/98	Yes	(718) 674-3042	Slamming		T
Bills, Richard	7/21/98	7/22/98	Yes	(727) 526-9568	Slamming	\$ 4.95	T
Fariat, Joan	6/1/98	6/4/98	Yes	(813) 251-5150	Slamming	IN FULL	T
Tacy, James	5/26/98	5/26/98	Yes	(813) 388-0067	Slamming	IN FULL	T
Cleanwater Bagels	8/8/98	8/14/98	Yes	(813) 448-7631	Slamming	\$ 44.86	A
Feezell, Daniel	7/28/98	7/28/98	Yes	(813) 525-2324	Slamming	\$ 23.10	T
Beckett, Scott	6/15/98	6/12/98	Yes	(813) 526-0522	Slamming	\$ 78.73	T
Favara, Joe	8/18/98	8/18/98	Yes	(813) 526-5811	Slamming	\$ 9.90	T
Buck, Jerry	6/23/98	6/23/98	Yes	(813) 526-7188	Slamming	\$ 17.68	T
Demott, Robert	10/19/98	10/21/98	Yes	(813) 853-4553	Slamming	\$ 32.50	A
Sebole, William A.	12/1/97	12/1/97	Yes	(813) 677-0294	Slamming	\$ 6.04	T
Clendening, Alan	7/13/98	7/14/98	Yes	(813) 719-7153	Slamming	\$ 9.90	T
Welch, Jack	10/12/98	10/20/98	Yes	(813) 752-8378	Slamming	IN FULL	A
Engineering Concept	8/7/98	8/10/98	Yes	(813) 866-8877	Slamming	\$ 9.90	T
Engineering Concepts	8/7/98	12/12/98	Yes	(813) 866-8877	Slamming	\$ 11.80	T
Lyons, A.M.	6/18/98	6/19/98	Yes	(813) 872-8752	Slamming	\$ 14.85	T
Wood, Robert	8/17/98	8/18/98	Yes	(813) 894-6434	Slamming	\$ 5.10	T
Schutt, Mark	6/3/98	6/28/98	Yes	(813) 907-8568	Slamming	\$ 9.90	T
Hoyord, Robert J.	9/4/98	9/9/98	Yes	(813) 961-2707	Slamming	\$ 24.75	A
Hernandez, Enriqueta	8/24/98	8/27/98	Yes	(813) 978-8491	Slamming	\$ 5.10	T
Vanzuiden	6/18/98	6/11/98	Yes	(813) 989-8037	Slamming	IN FULL	T
Hertzog, Rufus C.	10/13/98	10/15/98	Yes	(850) 271-1748	Slamming	\$ 34.85	A
Fletcher, Michelle	6/30/98	6/30/98	Yes	(850) 271-9555	Slamming	\$ 14.85	T
Parah, John	5/27/98	6/29/98	Yes	(850) 432-8063	Slamming	\$ 9.90	T

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Nolen, Charles	6/26/98	6/29/98	Yes	(850) 482-3813	Slamming	\$ 19.80	T
Patterson, Brian	8/18/98	8/19/98	Yes	(850) 513-3178	Slamming	\$ 4.95	T
Jefferson, Irene	7/23/98	7/23/98	Yes	(850) 562-0012	Slamming	\$ 19.80	T
Wise, Tammy	10/8/98	10/13/98	Yes	(850) 580-1346	Slamming	\$ 9.90	A
Lauer, Rex	8/27/98	8/28/98	Yes	(850) 580-8317	Slamming	\$ 4.95	A
Walizer, Lora Mae	7/7/98	7/9/98	Yes	(850) 638-3889	Slamming	\$ 14.85	T
Askew, Kristen	6/10/98	6/19/98	Yes	(850) 747-8935	Slamming	\$ 14.85	T
White, Earl	9/10/98	9/11/98	Yes	(850) 862-2182	Slamming	\$ 9.90	A
Tuole, Robert	6/12/98	6/29/98	Yes	(850) 862-8808	Slamming	\$ 14.85	T
Summers, Karen	6/1/98	6/29/98	Yes	(850) 871-3609	Slamming	\$ 9.90	T
Summers, Karen	6/8/98	12/18/98	Yes	(850) 871-3608	Slamming	\$ 9.90	A
Brandley-Brown, Barbara	6/23/98	6/23/98	Yes	(850) 813-0683	Slamming	\$ 14.85	T
Brinson, Samuel	11/4/98	11/19/98	Yes	(850) 826-2750	Slamming	\$ 4.95	A
Flanders, Farrell	6/8/98	6/10/98	Yes	(850) 826-4859	Slamming	IN FULL	T
Voltersten, Edward	6/29/98	7/7/98	Yes	(850) 947-1933	Slamming	\$ 4.95	T
Roberts, Dave	9/3/98	9/9/98	Yes	(904) 228-3283	Slamming	\$ 19.80	A
Gale Industries	8/7/98	8/10/98	Yes	(904) 304-2222	Slamming	IN FULL	A
Brown, Carrie	7/15/98	7/16/98	Yes	(904) 355-4887	Slamming	\$ 14.85	T
McKinsey Service Co	11/23/98	12/3/98	Yes	(904) 355-5586	Slamming	\$ 11.51	A
Gover, John B.	8/10/98	8/13/98	Yes	(904) 383-0167	Slamming	\$ 14.85	A
Hinrichs, Walter D.	7/23/98	7/23/98	Yes	(904) 441-1387	Slamming	\$ 19.80	T
Carr, Louis	7/15/98	7/16/98	Yes	(904) 445-3902	Slamming	\$ 14.85	T
Sepe, Joseph	7/17/98	7/17/98	Yes	(904) 445-9417	Slamming	\$ 9.90	T
Roberts, Richard	6/1/98	6/29/98	Yes	(904) 677-5310	Slamming	IN FULL	T
Overman Phyllis	7/21/98	7/22/98	Yes	(904) 677-8575	Slamming	\$ 19.80	T
Dixie Lodge	6/23/98	6/23/98	Yes	(904) 734-4830	Slamming	\$ 9.90	T
Bang, Ola	6/10/98	6/29/98	Yes	(904) 734-8232	Slamming	\$ 14.85	T
McKee, Donnie	7/31/98	8/3/98	Yes	(904) 736-0549	Slamming	\$ 19.80	A
Staw, Bily	7/8/98	7/9/98	Yes	(904) 752-6313	Slamming	\$ 14.85	T
Scholl, Ruth	7/13/98	7/15/98	Yes	(904) 756-7896	Slamming	\$ 15.82	T
Vargas, Adriana	7/17/98	7/17/98	Yes	(904) 774-5083	Slamming	\$ 4.95	T
Dove, Gary L.	7/15/98	7/15/98	Yes	(904) 775-5322	Slamming	\$ 19.80	T
McCarry, Louise	7/17/98	7/17/98	Yes	(904) 788-5782	Slamming	\$ 4.95	T
Friday, William	7/27/98	7/27/98	Yes	(914) 358-1733	Slamming	\$ 19.90	T
Post, Buckley, Schuh	8/4/98	12/22/98	Yes	(914) 954-4036	Slamming	\$ 17.39	A

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Stetson, John	8/5/98	8/6/98	Yes	(941) 267-0704	Slamming	\$ 9.90	T
Jel Service	10/13/98	10/15/98	Yes	(941) 355-4341	Slamming	\$ 10.94	A
Swanberg, Carl	7/8/98	7/9/98	Yes	(941) 369-8862	Slamming	\$ 14.85	T
Mooty, Mike	10/30/98	11/3/98	Yes	(941) 379-0895	Slamming	\$ 9.90	A
Dinger, John	7/8/98	7/8/98	Yes	(941) 424-0433	Slamming	\$ 24.75	T
Moran, Tom	7/8/98	7/10/98	Yes	(941) 453-0996	Slamming	\$ 14.85	T
Lyons, Geraldine	8/11/98	8/12/98	Yes	(941) 475-9796	Slamming	\$ 9.90	A
Calahan, Danny	8/25/98	8/27/98	Yes	(941) 482-8015	Slamming	\$ 14.85	A
Desoto Machine Shop	8/18/98	8/18/98	Yes	(941) 494-0335	Slamming	\$ 16.53	A
Desoto Machine Shop	8/18/98	8/18/98	Yes	(941) 494-0703	Slamming	\$ 9.90	A
Wahlfeldt, John	7/16/98	7/16/98	Yes	(941) 637-8646	Slamming	\$ 14.85	T
Shrum, Larry	0/15/98	10/21/98	Yes	(941) 729-8437	Slamming	\$ 14.85	A
Kelly, Marguerite	7/17/98	7/22/98	Yes	(941) 732-7737	Slamming	\$ 4.95	T
Lasseler, Mary M.	1/19/98	11/23/98	Yes	(941) 746-4560	Slamming	\$ 14.85	A
Hager, John	5/19/98	5/21/98	Yes	(941) 822-5058	Slamming	IN FULL	T
Post, Buckley, Schuh	8/7/98	8/11/98	Yes	(941) 954-4038	Slamming	\$ 15.30	A
Stephens, A.L.	6/15/98	6/23/98	Yes	(941) 983-8041	Slamming	\$ 4.95	T
Desoto Machine Shop	8/18/98	8/18/98	Yes	(941) 993-4111	Slamming	\$ 15.12	A
Dugmore, Kenneth	6/15/98	6/23/98	Yes	(954) 421-8905	Slamming	\$ 9.90	T
Genst, Kimberly	9/21/98	9/22/98	Yes	(954) 431-5022	Slamming	\$ 19.80	A
Jones, Randall S.	7/14/98	7/15/98	Yes	(954) 431-7384	Slamming	IN FULL	T
Farrell, Emily	7/31/98	8/3/98	Yes	(954) 436-2076	Slamming	\$ 19.80	T
Pincus, Sheri	6/15/98	6/19/98	Yes	(954) 455-4725	Slamming	\$ 4.95	T
Dyal, Judy	8/10/98	8/13/98	Yes	(954) 473-8228	Slamming	\$ 9.90	T
Khurram, Alarn	7/9/98	7/10/98	Yes	(954) 475-2559	Slamming	\$ 14.85	T
Martinez, Antonio	6/22/98	6/22/98	Yes	(954) 525-8463	Slamming	\$ 9.90	T
Antiques & Country Pine	5/20/98	5/21/98	Yes	(954) 566-8898	Slamming	IN FULL	T
Antiques & Country Pine	5/20/98	5/21/98	Yes	(954) 566-9797	Slamming	IN FULL	T
McCall, Vera	5/15/98	6/19/98	Yes	(954) 584-5655	Slamming	\$ 19.80	T
Fouls, Sandra	6/8/98	6/9/98	Yes	(954) 584-7429	Slamming	\$ 9.90	T
Robinson, Jacquelyn	7/13/98	7/15/98	Yes	(954) 680-6102	Slamming	\$ 9.90	T
Boza, Javier	7/15/98	7/16/98	Yes	(954) 704-0351	Slamming	\$ 24.75	T
Rogers, Susan & Gary	3/10/98	8/11/98	Yes	(954) 722-3514	Slamming	\$ 5.20	T
Owens, Cheryl	3/26/98	8/24/98	Yes	(954) 739-4378	Slamming	\$ 9.90	T
Knapp, George	12/1/98	12/2/98	Yes	(954) 763-5024	Slamming	\$ 24.75	A

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Bethel, Felice	8/11/98	8/12/98	Yes	(954) 791-2975	Slamming	\$ 25.50	A
Maaner, Donna	8/5/98	8/6/98	Yes	(954) 983-3325	Slamming	\$ 15.30	T
Smith, Daral	7/23/98	7/23/98	Yes	(954) 987-6775	Slamming	\$ 19.80	T
Brown, David	11/12/98	11/12/98	Yes	(209) 439-2231	Slamming	\$ -	A
Ohme, Herman	7/14/97	7/14/97	Yes	(210) 344-0215	Slamming	\$ -	CCI
Morgan, Gilda	7/15/98	7/15/98	Yes	(305) 233-8772	Slamming	\$ 14.85	T
Wagner, Joseph	6/24/98	6/24/98	Yes	(305) 251-8703	Slamming	\$ 14.85	T
Miranda Leno	6/25/98	6/25/98	Yes	(305) 252-4728	Slamming	\$ 14.85	T
Teterman, Cy	6/10/98	6/10/98	Yes	(305) 274-1956	Slamming	\$ -	T
Survista	5/15/98	5/15/98	Yes	(305) 638-2020	Slamming	\$ -	T
Rodriguez, Orlando	7/18/98	7/18/98	Yes	(305) 858-7282	Slamming	\$ -	T
Mosher, Francis	6/1/98	6/1/98	Yes	(305) 891-0871	Slamming	\$ -	T
Warren, Mathen	7/27/98	7/27/98	Yes	(305) 949-6267	Slamming	\$ 5.22	T
Johnson, Vanessa	10/26/98	10/26/98	Yes	(352) 326-2571	Slamming	\$ 9.90	A
James Frank & Marietta Wl	7/6/98	7/6/98	Yes	(352) 429-4688	Slamming	\$ -	T
Orgovan, Mabel	7/23/98	7/23/98	Yes	(352) 748-0833	Slamming	\$ 9.90	T
Mancuso, Nancy A	7/16/98	7/16/98	Yes	(352) 860-1623	Slamming	\$ -	T
Oorgot, Randell	5/29/98	5/29/98	Yes	(407) 253-6196	Slamming	\$ -	T
Miller, Marylouise	6/29/98	6/29/98	Yes	(407) 267-3217	Slamming	\$ 4.95	T
Bryant, Shirley	6/1/98	6/1/98	Yes	(407) 380-1772	Slamming	\$ 4.95	T
Chapman, Sharon	5/4/98	5/4/98	Yes	(407) 453-8518	Slamming	\$ 5.22	T
Windlech, Paul	6/29/98	6/29/98	Yes	(407) 574-7372	Slamming	\$ 14.85	T
McCarthy, Edward	5/27/98	5/27/98	Yes	(407) 688-0091	Slamming	\$ -	T
Frost, Jack	8/1/98	8/1/98	Yes	(407) 671-3190	Slamming	\$ 19.80	A
Vasquez, Kathy	9/29/98	9/29/98	Yes	(407) 699-9610	Slamming	\$ 14.85	A
Marin, Thomas	6/28/98	6/28/98	Yes	(407) 860-3602	Slamming	\$ 9.90	T
Brooks, Greg	6/10/98	6/10/98	Yes	(407) 886-8611	Slamming	\$ -	T
Russell, Jodee	8/7/98	8/7/98	Yes	(407) 896-5705	Slamming	\$ 9.90	T
Roberts, Alan	7/21/98	7/21/98	Yes	(407) 952-1837	Slamming	\$ 14.85	T
Johnson, David	7/2/98	7/2/98	Yes	(503) 725-4953	Slamming	\$ -	T
Macgregor, John	7/7/98	7/7/98	Yes	(561) 465-4726	Slamming	\$ -	T
Brendolan, Pibrina	7/6/98	7/6/98	Yes	(561) 626-5900	Slamming	\$ 4.95	T
Sutherin, William	6/25/98	6/25/98	Yes	(561) 627-4558	Slamming	\$ 1.80	T
Brettschneider, Myron	6/5/98	6/5/98	Yes	(561) 642-0483	Slamming	\$ 4.95	T
Uberman, Myra	8/11/98	8/11/98	Yes	(561) 687-9675	Slamming	\$ 14.85	T

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Styler, Judith	8/3/98	8/3/98	Yes	(561) 689-4994	Slamming	\$ 4.95	T
Smith, Chester	7/1/98	7/1/98	Yes	(561) 743-2972	Slamming	\$ -	T
Morland III, John R	8/21/98	8/21/98	Yes	(561) 744-5111	Slamming	\$ 36.54	T
Payton, Kimberly	7/1/98	7/1/98	Yes	(561) 785-8860	Slamming	\$ 19.80	T
Oral Jr., John	7/6/98	7/6/98	Yes	(561) 793-6755	Slamming	\$ 29.80	T
Johnson, Willie	7/6/98	7/6/98	Yes	(561) 840-1030	Slamming	\$ 14.85	T
Mandel, Max	11/4/98	11/4/98	Yes	(561) 967-7244	Slamming	\$ -	T
Westwood, Mary Ann	5/27/98	5/27/98	Yes	(561) 968-0710	Slamming	\$ 10.44	T
Macfarlane, John	5/27/98	5/27/98	Yes	(561) 968-8878	Slamming	\$ -	T
Lopez, Farfahn	9/16/98	9/16/98	Yes	(608) 362-7777	Slamming	\$ -	A
Dills, Ricardo	7/21/98	7/21/98	Yes	(727) 526-9558	Slamming	\$ -	T
Ace Beauty Co.	8/25/98	8/25/98	Yes	(813) 544-8861	Slamming	\$ -	A
Snyder, Steve	3/16/98	3/16/98	Yes	(813) 960-1274	Slamming	\$ 26.64	T
Manyhert, Oleg	10/19/98	10/19/98	Yes	(813) 978-1346	Slamming	\$ -	A
Jefferson, Irene C	7/20/98	7/20/98	Yes	(850) 562-0012	Slamming	\$ -	T
Wise, Tammy	10/9/98	10/9/98	Yes	(850) 580-5835	Slamming	\$ -	A
Wilson, John	5/21/98	5/21/98	Yes	(850) 658-5468	Slamming	\$ -	T
White, Earl	9/23/98	9/23/98	Yes	(850) 868-2162	Slamming	\$ 4.95	T
Volertsen, Edward	8/18/98	8/18/98	Yes	(850) 997-1935	Slamming	\$ 4.95	A
East Coast Metal Dist.	11/13/97	11/13/97	Yes	(864) 235-4827	Slamming	\$ -	T
Anchor Fire & Safety Eq.	11/17/97	11/17/97	Yes	(864) 269-0403	Slamming	\$ -	T
Seps, Katherine	7/16/98	7/16/98	Yes	(904) 445-9417	Slamming	\$ -	T
Nays, James	6/2/98	6/2/98	Yes	(904) 743-9635	Slamming	\$ -	T
Stevenson, Robert	12/2/98	12/4/98	Yes	(941) 731-2881	Slamming	\$ 14.85	A
Laseler, Mary Marsh	11/19/98	11/19/98	Yes	(941) 746-4560	Slamming	\$ -	T
Johnson, Donald	5/28/98	5/28/98	Yes	(941) 783-1795	Slamming	\$ -	T
Holland, Susan	6/3/98	6/3/98	Yes	(941) 782-3681	Slamming	\$ -	T

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EXHIBIT NO. 5

DOCKET NO.: 981488-TI

WITNESS: Thomas E. Williams, III

PARTY: Florida Public Service Commission

DESCRIPTION: Accutel response to Order  
to Show Cause

PROFFERING PARTY: STAFF

I.D.# TEW-5

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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In Re: Order to Show Cause  
Proceedings Against Accutel  
Communications for Unlawful  
Billing Practices in Violation  
of Section 365.10(1) and  
Section 364.604(2), F.S. and  
Insufficient Management  
Capability pursuant to Section  
364.337(3), F.S.

Docket No. 981488 TI  
Order No. PSC-00-1619-SC-TI

Response of Accutel Communications, Inc.  
To Order to Show Cause Issued August 18, 1999

NOW COMES Accutel Communications, Inc., ("Accutel") and, in Response to the Order to Show Cause issued August 18, 1999, respectfully represents as follows:

1. In December, 1997, Accutel entered into an Agreement with Telecommunications Service Center, a Florida corporation, ("TSC"), which provided that TSC would assume all billing and collection functions on behalf of Accutel. As part of that Agreement, a Third Party Payment Agreement was executed by Accutel, TSC and OAN Services, Inc. A copy of the Third Party Payment Agreement is attached as Exhibit 1.

2. By virtue of the terms of Exhibit 1, TSC received all the billing proceeds from Accutel's billings from OAN.

3. The terms of Exhibit 1 continued in effect until Accutel and TSC entered into Amendment Number One to the Third Party Agreement on or about May 7, 1998. Amendment Number One is attached as Exhibit 2.

4. Although Accutel and TSC executed Exhibit 2 on or about May 7, 1998, OAN did not execute the Amendment at that time and the Amendment did not become effective until signed by OAN.

5. Under the initial arrangement between Accutel and TSC, TSC was given access to Accutel's data as contained in the data bank of OAN.

6. TSC was not cut off from the OAN data bank until about mid-June, 1998.

7. With access to Accutel's data in the OAN data banks, TSC was able to enter billing information to OAN without the knowledge of Accutel.

8. Accutel did not learn of the continued access to its data in the OAN data base

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REGISTRATION/REPORTING

until mid-June, 1998, at which time it caused OAN to stop allowing TSC access.

9. In the Spring of 1998, Accutel entered into agreements with certain calling card companies to bill their charges and to provide carrier service when the calling cards were used.

10. Among the calling card companies for which Accutel became the billing agent in the Spring of 1998 were Estate Planning Services, Inc., d/b/a EPS Telecom, Public Communications, Inc., and American Network, Inc.

11. Copies of the calling card billing agreements between Accutel and Public Communications, Inc., and Accutel and American Network, Inc., are attached as Exhibits 3 and 4, respectively.

12. The calling cards distributed by EPS and Public Communications ("PT") and American Network, Inc., ("AmerNet") contained a monthly recurring fee of \$4.95 and a one time activation fee of \$4.95. Usage charges for the long distance charges incurred by use of the card were to be billed monthly by Accutel.

13. All of the billing for the foregoing, including activation fees, monthly recurring charges and usage charges was to be done for Accutel by TSC through OAN Services.

14. At the same time as it was acting as a billing agent for the calling card companies, Accutel continued to be a reseller of long distance services to customers who designated Accutel as their primary interexchange carrier.

15. With respect to the calling card companies, Accutel was a billing agent, billing the card companies' charges to their customers, and in such cases the customers did not change their long distance carriers and no PIC charges were made or contemplated.

16. In the following cases as set forth in the list by the Division of Consumer Affairs in the 171 complaints alleging cramming against Accutel, Accutel was acting as a billing agent for a calling card company.

<u>Billing Number</u>	<u>Calling Card Company</u>
407 453 8516	EPS
561 790 5432	EPS
561 795 4286	EPS
407 860 1976	PT
941 379 0895	EPS
941 922 5058	EPS
850 656 5468	PT
561 791 1522	EPS
305 682-0725	EPS

561 968 8878	EPS
561 968 0710	EPS
407 668 4941	PT
407 668 8068	PT
941 763-1795	EPS
305 949 5889	PT
407 253 6196	EPS
407 380 1772	PT
305 891 0871	EPS
407 574 2967	EPS
850 871 3609	PT
904 743 9835	EPS
813 907 9566	EPS
904 734 9232	EPS
407 860 4238	EPS
407 323 4925	EPS
813 872 8752	EPS
954 797 7726	PT
850 926 4659	PT
813 989 8037	EPS
305 231 8689	EPS
850 747 8935	EPS
407 886 8611	PT
561 687 9675	EPS
850 862 8808	EPS
407 957 9422	EPS
941 983 8041	PT
954 584 5655	EPS
561 776 0040	EPS
407 277 8044	EPS
850 513 3178	PT
561 795 8874	PT
561 746 4788	EPS
561 588 7573	EPS
904 734 4830	PT
561 686 7039	EPS
561 964 1666	EPS
850 913 0663	EPS
954 525 8463	PT
305 235 9376	PT
561 798 2109	EPS
561 785 8960	EPS
305 325 0876	PT
305 253 4842	EPS
407 349 5776	PT

305 251 8703	PT
352 796-6484	EPS
305 252 4726	EPS
561 627 4558	EPS
407 322 6427	EPS
561 369 0693	EPS
407 574 7372	EPS
407 860 3602	PT
850 271 9555	EPS
305 553 2628	EPS
407 574 5120	EPS
407 321 5177	EPS
561 743 2972	EPS
850 638 3889	EPS
352 429 4688	EPS
561 793 6755	EPS
561 626 5900	PT
904 752 6313	EPS
561 465 4726	EPS
941 424 0433	EPS
305 889 1762	EPS
904 441 1367	EPS
561 967 9961	EPS
941 637 8646	EPS
954 680 6102	EPS
954 431 7384	EPS
904 756 7896	EPS
561 966 9799	EPS
813 719 7153	EPS
904 355 4887	EPS
904 455 3902	EPS
305 233 8772	EPS
954 704 0351	EPS
352 860 1623	EPS
305 858 7292	EPS
904 789 5782	EPS
904 445 9417	EPS
850 562 0012	PT
407 952 1837	EPS
904 677 8575	EPS
954 987 6775	EPS
561 966 9799	EPS
904 441 1367	EPS
561 966 9524	EPS
941 732 7737	EPS

305 949 6267	PT
561 689 4994	EPS
941 954 4036	EPS
407 823 8020	EPS
954 722 3514	EPS
954 983 3325	EPS
352 331 4837	EPS
561 879 0177	EPS
954 436 2076	EPS
561 879 0030	EPS
407 238 0803	EPS
407 860 2500	EPS
813 866 8877	EPS
407 671 3190	EPS
561 287 1192	AmerNet
561 687 3736	EPS
850 271 1748	EPS
561 547 2494	EPS
561 471 1074	EPS
561 793 3274	EPS
561 564 0764	EPS
561 795 8874	EPS
813 894 6434	EPS
941 993 4111	EPS
561 478 1366	EPS
352 683 1129	EPS
561 744 5111	EPS
941 482 8015	EPS
305 770 1717	EPS
954 7394378	PT
305 571 9676	PT
561 790 4639	EPS
561 733 4672	EPS
407 699 9610	EPS
941 453 0996	EPS
561 833 9698	EPS
941 729 9437	EPS
561 967 7244	EPS
941 746 4560	EPS
954 763 5024	EPS

17. The following cases as set forth in the list by the Division of Consumer Affairs show usage or charges by Accutel without any indication that Accutel was the billing agent for calling card companies, i.e. a switch of the customers primary interexchange carrier to Accutel and the billing of usage charges or monthly service charges in accord with Accutel's

tariffs:

Billing Number

561 589 0825  
864 235 4827  
864 269 0403  
813 677 0294  
813 525 2324  
813 960 1274  
954 566 9797  
813 398 0067  
813 653 4555  
305 274 1956  
941 355 5245

18. The following cases as set forth in the list by the Division of Consumer Affairs show no charges billed by or in behalf of Accutel:

Billing Number

305 638 2020  
608 362 7777  
813 752 8378  
813 978 1346

19. The remaining Billing Numbers not discussed above consist of accounts attributable to TSC which were inserted into the Accutel billing process without permission. TSC was having internal problems in the Spring of 1998 and this resulted in many erroneous billings being processed by TSC as the billing agent for Accutel. An example of the problems recurring at TSC at this time is set forth in Exhibit 5 attached.

20. The information utilized to establish the billing agent relationship with respect to specific Billing Numbers was taken from the information provided by OAN Services, Inc., to Louis J. Yambor, Regulatory Analyst, Florida Public Service Commission on December 17, 1998, which Accutel obtained during a deposition of Ronald Evans, OAN Services, in late August 1999.

21. Part of the evidence relied upon by the Commission in its Order to Show Cause is stated to be that Accutel has provided credits or refunds in 155 of the 171 alleged cramming violations.

22. The fact that Accutel was diligent and attempted to handle the grievances of the calling card customers is in no way evidence of cramming by Accutel who was the billing agent for the calling card companies, any more than OAN's actions in crediting all of the 155

calling card customers is evidence that OAN committed cramming violations by billing the calling card companies' charges.

23. With respect to the calling card customers Accutel performed as a billing agent just as OAN was a billing agent.

24. With respect to the customers that Accutel switched to its long distance service, the monthly service charge by Accutel was pursuant to its tariffs and required to be charged to its customers.

25. During the period in question, there was no legal requirement that billing companies require calling card companies to provide evidence or proof of authorization for the issuance of a telephone calling card.

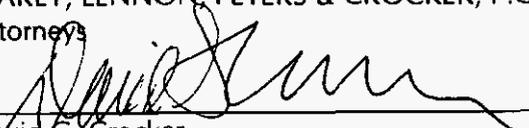
WHEREFORE, Accutel requests that the Commission find that it did not violate Section 364.10(1) or Section 364.604(2), F.S. and to further find that Accutel did not violate Section 364.337(3), F.S.; and,

Accutel further requests that the Order to Show Cause heretofore issued against it be dismissed.

Dated: September 7, 1999

ACCUTEL COMMUNICATIONS, INC.  
By: EARLY, LENNON, PETERS & CROCKER, P.C.  
Its Attorneys

By

  
\_\_\_\_\_  
David G. Crocker  
900 Comerica Building  
Kalamazoo, MI 49007  
(616) 381-8844

DUPLICATE  
CONTRACT FILE

## THIRD PARTY PAYMENT AGREEMENT

This Third Party Payment Agreement (this "Agreement") is entered into this 16<sup>th</sup> day of December, 1997 between Payee ("Telecommunications Service Center"), a Florida corporation, with offices at 412 E. Madison Street, Suite 1200, Tampa, FL 33602, OAN Services, Inc. ("OAN"), a Texas corporation whose principal business address is 9255 Corbin Avenue, Northridge, California 91324, and Customer ("Nortel, Inc."), a Florida corporation whose principal place of business is 1060 S. Federal Hwy, Suite A, Delray Beach, FL 33444.

WHEREAS, Customer has entered into an agreement with Payee or has incurred a payment obligation to Payee; and

WHEREAS, Customer and Payee desire to have OAN Services make payments directly to Payee on behalf of Customer; and

NOW THEREFORE, in consideration of the above recitals and the mutual covenants and conditions contained herein, the parties agree as follows:

1. Customer's payment obligation shall be made by the following method (subject to the conditions and limitations stated below):

(a) OAN agrees to remit directly to Payee during the term of this Agreement all of the Available Funds (as defined below). For purposes hereof, "Available Funds" means the amount of funds required to be remitted to Customer by OAN pursuant to the Billing Services Agreement; provided that any charges, fees, expenses, and other amounts payable to OAN pursuant to the Billing Services Agreement or under the Account Purchase Agreement dated January 1, 1997 between OAN and Customer shall in no event constitute Available Funds.

2. Customer agrees to indemnify and hold Payee harmless from any liability, damages or costs incurred, arising out of or relating to the lawful exercise by Payee of its rights under this Agreement.

3. Payee and Customer acknowledge and agree that OAN shall have no obligation or liability hereunder whatsoever (as a guarantor or otherwise) resulting from or arising out of the failure of any party hereto to comply with the terms of this Agreement. Customer and Payee hereby agrees to indemnify and hold harmless OAN, its employees, agents, representatives, and affiliates (collectively, the "OAN Indemnitees"), from any claim, action, lawsuit, loss, liability, damages, or costs (including, without limitation, attorney's fees and expenses) [collectively "Damages"]

12/16/97

3pty\_tsc

threatened against, or incurred by, any OAN Indemnitee relating to or arising out of such OAN Indemnitee's performance (or failure to perform) under this Agreement other than Damages relating to or arising out of OAN Indemnitee's gross negligence or willful misconduct.

4. Customer at the time of execution of this Agreement, warrants and represents to Payee, that: (a) the execution, delivery and performance of this Agreement has been duly authorized by all necessary corporate action on its part and is not in conflict with its charter or bylaws, or any statute, judgment, decree, rule or regulation binding upon it, and does not constitute a breach of or default under any indenture, contract or agreement by which it is bound; (b) no consent or approval of any trustee or holder of any indebtedness or obligation, and no consent or approval of, or taking of any other action with respect to, and governmental authority is necessary for execution, delivery, or performance of this Agreement; (c) this Agreement is legal, valid, binding, and enforceable against it in accordance with its terms, subject to enforcement limitations imposed by rules of equity or by bankruptcy or similar laws; (d) it is a corporation validly existing and in good standing under the laws of the jurisdiction of its incorporation and it has adequate corporate power to enter into and perform this Agreement; and (e) there are no actions, suits or proceedings pending or, to its knowledge threatened against or affecting it in any court or before any governmental commission, board or authority which, if adversely determined, will have a materially adverse effect on its ability to perform its obligations.

5. This Agreement shall automatically terminate on January 1, 2000, or without any action on the part of any party hereto upon the effectiveness of the termination of the Billing Services Agreement or the Account Purchase Agreement. Notwithstanding the foregoing, the provisions of paragraph 2 and 3, above, shall survive any such termination.

6. This Agreement shall inure to the benefit of the parties hereto, and their respective valid, legal representatives, successors and assigns; however, neither OAN nor Customer shall have the right to assign its obligations under this Agreement without the written consent of Payee, which consent shall not be unreasonably withheld. No assignment by Payee of its rights and obligations hereunder shall be effective until such time as notice thereof is delivered to each of OAN and Customer.

7. If legal proceedings are initiated to enforce any term or condition of this Agreement, the prevailing party, as determined by a court of competent jurisdiction, shall be entitled to reasonable attorney's fees and costs from any party which did not prevail in such proceedings. The governing law of this Agreement shall be that of California, and the jurisdiction for any proceeding hereunder shall be the state and federal courts of the metropolitan Los Angeles area.

8. Wherever one party is permitted or required to give notice to another party hereunder, such notice will be deemed given if actually delivered or on the third day after posting, if mailed by first-

class, postage prepaid, and addressed to the party receiving such notice at its address set forth in the first paragraph of this Agreement. Any party may at any time change its address for notification purposes by notifying the other party in writing as provided in this paragraph 8 setting forth the new address and the date on which it will become effective.

9. Nothing in this Agreement may be relied upon, or is intended for the benefit of, any party other than Payee, OAN, and Customer.

10. This Agreement constitutes the entire agreement among the parties with respect to the subject matter hereof and there are no understandings or agreements among the parties which are not fully expressed herein. No amendment of this Agreement shall be effective unless performed in a writing signed by the parties hereto.

This Agreement is effective as of this 16<sup>th</sup> day of December, 1997.

Customer

By:

  
Title: CEO

Payee

By:

  
Title: Pres

OAN Services, Inc.®

By:

  
Title: VICE PRES.

FROM : OAN SERVICES INC EXECUT

PHONE NO. : 8187891825

Apr. 01 1998 04:49PM P2

AMENDMENT NUMBER ONE TO THE THIRD PARTY PAYMENT AGREEMENT  
DATED DECEMBER 16, 1997  
BETWEEN  
TELECOMMUNICATIONS SERVICE CENTER,  
NORTEL, INC. AND  
OAN SERVICES INC (THE "AGREEMENT")

This Amendment to the Agreement shall become effective May 7<sup>th</sup>, 1998,  
("Amendment").

WHEREAS, Customer and Payee, as both terms are defined in the Agreement, desire  
to terminate the payment by OAN to Payee of all Available Funds, as provided in the  
Agreement.

NOW, THEREFORE, the parties agree as follows:

1. Customer and Payee hereby instruct OAN that effective with the execution of  
this Amendment, OAN shall cease the remittance of Available Funds to Payee pursuant  
to the Billing Services Agreement, Account Purchase Agreement, dated January 1,  
1997, and the Agreement.
2. All other terms and conditions of the Agreement shall remain in full force and  
effect. In the event of a conflict between this Amendment and the Agreement, the  
Amendment shall prevail.

Customer:  
By: [Signature]  
Title: CEO

Payee:  
By: [Signature]  
Title: Pres

OAN Services, Inc  
By: [Signature]  
Title: Vice President

Addendum A  
Public Communications, Inc.  
Accutel Communications, Inc.

**800 Service & Calling Card**

The end user will be billed the following:  
\$4.95 per month billing fee (MRC)  
\$4.95 one time activation fee (NRC)

The parties agree to do revenue sharing as follows:  
PCI will receive 74% of all revenue collected by OAN.  
Accutel will receive 26% of all revenue collected by OAN.

Collected revenue is defined as all revenue collected from monthly recurring fees, installation/setup fees, and usage fees for Residential Customers billed by OAN.

PCI is responsible for:  
All Customer Service costs.  
Chargebacks in excess of moneys collected.  
Bad debt, or LEC/OAN credits in excess of moneys collected.  
Cost of printing and issuing of calling cards.  
Cost of Customer Welcome Letters.

Documentation regarding actual costs to Accutel and customer information will be forwarded to PCI

Accutel agrees to factor 70% of all billable charges. Accutel will not raise the rates without thirty days written notice to PCI.

IN WITNESS WHEREOF, the parties have executed this Agreement, Addendum A to be effective as of the first day of April, 1998.

Public Communications, Inc.

By: Myron Newman  
Name: MYRON NEWMAN  
Title: PRES.  
Date: 4/17/98

Accutel Communications, Inc.

By: Henry J. Speer  
Name: Henry J. Speer  
Title: CEO  
Date: 4/22/98

Addendum A 4/10/98

Addendum A

American Network, Inc.

Calling Card

\$4.95 per month billing fee (MRC)  
\$4.95 one time activation fee (NRC)

Disbursement of MRC Fee  
\$1.65 To ACCUTEL  
\$3.30 To ANI

Disbursement of NRC Fee (Activation Charge)  
\$1.65 To ACCUTEL  
\$3.30 To ANI

ANI calling card usage buy rate: \$0.15 per minute.  
ANI calling card platform maintenance cost \$0.01 per month each customer.

ANI responsible for:  
Customer service costs, charge backs, credits.  
Customers who are credited by the billing company directly, ANI will absorb all cost of the billing company for such charges. Printing and issuing of calling cards.  
Documentation regarding the actual costs to ACCUTEL and customer information will be directly forwarded to ANI.

Schedule of disbursements:  
70% factoring is available on all billable charges. *or as paid by OAN.*  
ACCUTEL'S fee of \$1.65 will be paid from the factored funds. *66%*  
All remaining monies will be paid to ANI as they become available to ACCUTEL from the billing company. *9)*

IN WITNESS WHEREOF, the parties have executed this Agreement, Addendum A, to be effective as of the 1<sup>st</sup> day of April, 1998.

American Network, Inc.  
By: *Ron C. Donnell*  
Name: *RON C. DONNELL*  
Title: *PRESIDENT*  
Phone #: *918-428-9090*  
Date: *4/22/98*

Accutel Communications, Inc.  
By: *Henri M. Sorci DE*  
Name: *[Signature]*  
Title: *CEO*  
Phone #: *501-243-1753*  
Date: *4/22/98*

Initials:  
*RCD*

Sent by: EARLY LENNON PETERS CROCKER 6163498525; 08/19/99 15:29; Jettax #555; Page 3/4  
08/19/99 13:43 FAX 803 789 8479 803 789 8479 -> EARLY LENNON PETERS CROCKER; Page 2  
BEACH LAW FIRM P.A. 002

**BEACH LAW FIRM, P.A.**

ATTORNEYS AT LAW

1221 LADY STREET, SUITE 310  
POST OFFICE BOX 11847  
COLUMBIA, SOUTH CAROLINA 29211-1847

JOHN F. BEACH  
JOHN J. PRINGLE, JR.

May 8, 1998

AREA CODE 803  
TELEPHONE 778-0088  
FACSIMILE 789-8479

**VIA FACSIMILE AND FIRST CLASS MAIL SERVICE**

Ms. Cindi Stone  
Consumer Services Department  
South Carolina  
Public Service Commission  
PO Drawer 11649  
Columbia, SC 29211

RE: Questions from Consumer Service Department to Telecommunications  
Service Center.

Dear Cindi:

Hal Shankland from Telecommunications Service Center, Inc. ("TSCI") called today to tell me that you have asked them to respond to some questions relating to Accutel's service here in South Carolina. Because of the longstanding relationship between this law firm and TSCI, they have asked for me to provide to you their answers to the following questions:

- 1) What is the relationship between Accutel and TSCI?

**TSCI's Response:** Accutel and TSCI have a contractual relationship through which TSCI takes long distance toll calling detail provided by Accutel, and then rates and bills for the calls.

- 2) Why were certain South Carolina long distance consumers billed for interstate calls by one carrier (Accutel) and billed for intrastate calls made during the same period by another carrier (TSCI).

**TSCI's Response:** OAN and USBI are billing agents who have billing agreements with many local exchange carriers ("LECs"). TSCI bills calls for itself and other interexchange carriers such as Accutel through both OAN and USBI. TSCI received a batch file of calling detail from Accutel that it rated and sent to OAN for billing. TSCI is informed that OAN billed under Accutel's name the interstate calls placed from South Carolina, but rejected the intrastate calls. OAN sent these and other rejected calls back to TSCI in the course of their ongoing business relationship.

These calls are rejected for various, often technical, reasons. One of the reasons

(continued . . .)

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BEACH LAW FIRM P.A. 003

Ms. Cindl Stone  
May 8, 1998  
Page 2

for rejection may occasionally be that OAN cannot verify that a carrier has intrastate authority. This is apparently the reason that OAN rejected the South Carolina intrastate calls TSCI had submitted for Accutel.

Certain TSCI employees have the ongoing job to resubmit rejected calls for re-billing. One of those employees apparently submitted to USBI the intrastate Accutel calls that OAN had rejected. It is unlikely that the employee even noticed the reason OAN had rejected the calls, as it is unusual for rejections to occur because of lack of intrastate authority. The resubmission of these calls seems to have been an innocent mistake by the TSCI employee.

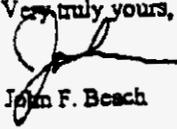
Unfortunately, the employee simultaneously made another mistake, because the intrastate calls were submitted for billing on behalf of TSCI, rather than Accutel. When these calls were submitted, TSCI was in the process of establishing in its computer system new "library codes" for several of its interexchange carrier customers, including Accutel. Instead of sending the batch to USBI for billing under Accutel's library code, the employee mistakenly sent it under TSCI's library code. Again this mistake was an innocent data-entry error by the TSCI employee.

TSCI and Accutel have been working together to resolve every customer inquiry arising out of this unfortunate set of circumstances. TSCI informs me that they have repaid or credited every inquiring customer the full amount of his or her call(s), without question. I personally believe it is important to note that these customers all legitimately used and benefitted from the long distance service. TSCI intends to continue this reimbursement process in the event that additional inquiries are received.

I hope that TSCI has fully answered each of your questions. They are committed to assisting your department in every way so that we can all fully understand how this situation occurred. TSCI has implemented internal procedures to ensure that a similar mistake will not occur in the future. TSCI regrets that these billing problems took place and will take every reasonable step within its power to ensure that the affected customers are satisfied.

With kind regards, I am

Very truly yours,

  
John F. Beach

JFB/js  
cc: Mr. Hal Shankland  
CALL CENTER W/WWW.FIDOCENTRUSTONLINE