

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) For apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection.

DOCKET NO. 990362-TI

DATED: MARCH 6, 2001

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-00-1835-PCO-TI, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

<u>Witness</u>	<u>Issue</u>
1. Ray Kennedy	1

b. All Known Exhibits

<u>Exhibit</u>	<u>Description</u>
1. RK-1	Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection, Effective Prior to December 28, 1998.
2. RK-2	Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection, Effective December 28, 1998.
3. RK-3	List of Consumer Complaints Closed as Apparent Slamming Infractions.

DOCUMENT NUMBER-DATE
02943 MAR-6 2001

c. Staff's Statement of Basic Position

Staff believes that GTE Communications Corporation n/k/a Verizon Select Services Inc. (Verizon), during the period December 15, 1997, through September 30, 1999, was in violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection, which requires that a customer's toll provider shall not be changed without the customer's authorization. During the period in question, staff has determined that Verizon committed 209 unauthorized carrier changes in violation of Rule 25-4.118, Florida Administrative Code.

d. Staff's Position on the Issues

ISSUE 1:

(a) During the time period of December 15, 1997 through September 30 1999, did GTE Communications Corporation, (n/k/a Verizon Select Services, Inc.) willfully violate Rule 25-4.118, Florida Administrative Code, which prohibits unauthorized carrier changes?

(b) If so, how many willful violations were there, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any such violations?

Position

(a) Staff believes that Verizon did willfully violated Rule 25-4.118, Florida Administrative Code.

(b) Staff closed 209 consumer complaints against Verizon as apparent infractions of Rule 25-4.118, Florida Administrative Code. Staff believes the appropriate penalty should be comparable to that imposed in similar cases.

e. Pending Motions

None

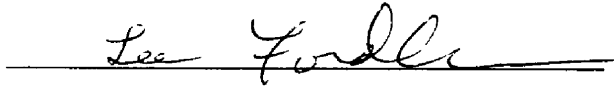
f. Pending Confidentiality Claims or Requests

None

g. Compliance with Order No. PSC-00-1835-PCO-TI

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 6th day of March, 2001.

A handwritten signature in cursive script, reading "Lee Fordham", is written over a horizontal line.

C. LEE FORDHAM

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's Prehearing Statement has been furnished by U.S. Mail this 6th day of March, 2001, to the following:

Office of Public Counsel
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c/o The Florida Legislature
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