



Public Service Commission

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RECORDS AND REPORTING

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REC'D - PSC

DATE: March 19, 2001

TO: Division of Records and Reporting (Bayo)

FROM: Division of Legal Services (Davis) *Davis*
 Division of Competitive Services (D'Haeseleer) *D'Haeseleer*

RE: Docket No. 010207-TL - Initiation of show cause proceedings against Verizon Florida Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

This docket was opened prematurely. Upon further consideration, staff believes that a show cause action against Verizon Florida Inc. is not warranted at this time. Therefore, this docket should be closed administratively.

cc: Division of Legal Services (Banks)
 Division of Consumer Affairs (Lowery)
 Division of Competitive Services (M. Watts)

*OK
SM
3/28/01*

2001 MAR 14 AM 9:56

DIVISION OF
COMPETITIVE SERVICES

Verizon Florida Inc.

Michelle A. Robinson
Regulatory Affairs
Assistant Vice President

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813-223-4888 (Facsimile)

March 9, 2001

Ms. Beverlee DeMello - Division of Consumer Affairs
 Mr. Ray Kennedy - Competitive Services
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee FL 32399-0850

RE: Initiation of show cause proceedings against Verizon Florida Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff inquiries. Docket No. 010207-TL.

Dear Ms. DeMello and Mr. Kennedy:

In response to your request, this letter summarizes our March 2, 2001, meeting regarding Docket No. 010207-TL.

On February 12, 2001, Florida Public Service Commission (FPSC) Staff opened Docket No. 010207-TL to investigate the apparent failure of Verizon Florida Inc. (Verizon) to respond to certain Staff inquiries. Immediately after the docket was opened, Verizon began working with Staff to understand its concerns and to resolve any outstanding issues. Staff informed Verizon that the proceeding was prompted because of Verizon's apparent failure to timely respond to 24 Staff inquiries within the Commission's designated timeframe. After reviewing its records on each of these cases, Verizon concluded that, in most cases, Verizon had not failed to file timely responses. To this end, by the time the Docket was opened, Verizon had responded to 11 of the 24 cases identified by Staff. One additional inquiry was never received by Verizon, one case pertains to an individual who is not a Verizon customer, one case was a duplicate, and one case was closed by Competitive Services. Thus, there were only nine cases in which Verizon had apparently failed to submit timely responses.

On March 2, 2001, representatives from Verizon met with Commission Staff members from the Consumer Affairs, Competitive Services, and Legal Divisions.¹ Verizon acknowledged that responses to nine of the cases identified by Staff were, in fact,

¹ Representatives from another Verizon company, Verizon Select Services, Inc. (VSSI), also attended the meeting. Staff has opened a separate show cause docket concerning VSSI's responses to complaint inquiries. To avoid having to hold two separate meetings with Staff for each Verizon company, VSSI was invited to participate in this meeting in order to discuss its own docket. VSSI will provide follow-up comments in its own docket.

Ms. Beverlee DeMello
March 9, 2001
Page 2

outstanding and past due as of February 12, 2001. Verizon noted that as of March 1, 2001, its responses to these nine inquiries were provided to Staff. Verizon identified for Staff each case that should be removed from the docket. (The attached matrix summarizes Verizon's position on each of the 24 cases.)

Verizon stated that past-due responses to PSC inquiries are unacceptable and committed to ensure that, on a going-forward basis, all of its responses to Staff's inquiries concerning customer complaints will be provided in timely manner and in accordance with PSC rules. In addition to this commitment, Verizon shared with Staff its action plan for ensuring that every effort is made to maintain this commitment. The following summarizes Verizon's three-part action plan as shared with Staff on March 2, 2001:

A. TRAINING

Beginning March 15, 2001, Verizon's Regulatory Affairs Staff will implement appropriate training for each of the company's functional business units most commonly asked to respond to Commission inquiries concerning customer complaints. Training will include education about Commission rules and expectations, internal and external due date requirements, and information required when providing a response. The training will also define the nature of an interim response and discuss when such a response may be appropriate.

B. ESCALATION PROCEDURE

Effective immediately, new standards have been set for internal business units to respond to Verizon's Regulatory Affairs' inquiries prompted by Commission Staff. These new standards will provide Regulatory Affairs Staff enough time to work with internal business units to clarify or supplement a response, when necessary, and to forward the response to Staff within the required 15-day window. If internal due dates are not met, Verizon's new process calls for a rapid and high-level escalation in time to properly handle the matter internally and submit a timely response to Staff.

C. RECORDS RECONCILIATION

Effective immediately, Verizon will ensure that Commission Staff's complaint reports are promptly reviewed. Verizon will continue to work closely with Staff to quickly identify responses provided, but not identified on Staff's report. Doing so

Ms. Beverlee DeMello
March 9, 2001
Page 3

will minimize discrepancies between Verizon's and the Commission Staff's records.

As Verizon explained during the meeting, the complaint reports Staff provides are very useful in encouraging timely responses. Increased clarity and consistency in the reports (specifically, the "late report") will further enhance Verizon's ability to ensure consistency between its records and Staff's, so that future disputes will be minimized. To this end, Verizon understands that Staff intends to move to a "Complaint Activity" report that will be faxed to Verizon at the end of each month. In addition, Staff advised that the "Activity Report" would reflect all cases received by Staff during the month, as well as all of the responses Staff received from Verizon concerning each case.

While Staff seemed appreciative of and receptive to the information provided, it expressed concern regarding the 11 responses that Verizon provided prior to the initiation of this docket. Specifically, Staff requested proof that the responses were submitted prior to February 12, 2001; however, since multiple responses were sent in a single fax, Verizon could not produce fax receipts corresponding to each of these particular responses. Verizon committed to make every attempt to produce proof that these responses were filed prior to the initiation of this docket. In addition, Verizon reminded Staff that the company routinely works closely with Staff to resolve customer complaints and emphasized that it is committed to maintaining its positive working relationship with Staff. Verizon will continue to make every effort to fully and timely respond to all of Staff's inquiries (both formal and informal).

With this letter, Verizon respectfully requests that Staff remove from the docket each of the cases for which Verizon submitted responses prior to February 12, 2001, as reflected in the above mentioned attachment. In addition, given Verizon's stated action-plan (identified above), its renewed commitment to ensure timely responses to all of Staff's inquiries, and its long history of cooperating with Staff to ensure that customer complaints are effectively satisfied, Verizon asks the Commission to close this docket without any further action.

Further, in order to impose any fines or penalties upon Verizon, the Commission would have to find that Verizon willfully violated the Commission's Rule 25-4.043. Verizon submits that there is not evidence that its relatively few lapses in responding to Staff inquiries were deliberate or intentional Rule violations. In 2000 Verizon successfully worked with Staff and responded to approximately 600 Commission inquiries. As such, there is no basis for finding that Verizon has willfully violated Commission Rule 25-4.043, and no further Commission action is warranted.

Ms. Beverlee DeMello
March 9, 2001
Page 4

Again, thank you for taking time to meet with us last week. I look forward to hearing from you on this matter soon. If you have any questions or concerns, please feel free to contact me directly at 813-483-2526.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Robinson", with a long horizontal flourish extending to the right.

Michelle A. Robinson
Regulatory Affairs
Assistant Vice President

MAR:wjh
Attachment

Verizon Florida Show Cause – 010207-TL

Initiation of show cause proceedings against Verizon Florida Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Attachment - Verizon Florida's Case Summary	
Case Number	Disposition
292320 Florida News Channel	<ul style="list-style-type: none"> • Not a Consumer Affairs Case, it is a Communications Case • Received by Verizon Florida (VZFL) 12/99. • VZFL's initial response was sent to Staff on 5/00 and was past due, VZFL forwarded timely responses to subsequent inquiries on 6/00 and 11/00. • VZFL understood the case to be closed. • Staff made a new and <u>informal</u> inquiry on 12/17/00 and has not indicated when a response was expected. • Since VZFL responded to Staff's inquiry prior to the Show Cause and the case was closed, and since Staff's most recent inquiry is informal in nature, it is VZFL's position that this case should be removed from the docket.
314361 Debi Donnelly	<ul style="list-style-type: none"> • VZFL has advised Staff that Ms. Donnelly is not a VZFL customer. • It is VZFL's position that this case should be removed from this docket.
317676 Southeast Insurance	<ul style="list-style-type: none"> • VZFL acknowledges that its response was past due at the time the Show Cause was initiated. • VZFL has since sent its response to Staff on 2/28/01.
328064 Christopher Gallup	<ul style="list-style-type: none"> • VZFL acknowledges that its response was past due at the time the Show Cause was initiated. • VZFL has since sent its response to Staff on 2/27/01.
339436 Michael Reece	<ul style="list-style-type: none"> • VZFL responded to Staff's inquiry via case number 339119 • Per Staff, 339463 is a duplicate of 339119 and should be removed from this docket.
342217 Francis Connolly	<ul style="list-style-type: none"> • VZFL acknowledges that its response was past due at the time the Show Cause was initiated. • VZFL has since sent its response to Staff on 02/23/01.
343930 Ronald Reed	<ul style="list-style-type: none"> • VZFL acknowledges that its response was past due at the time the Show Cause was initiated. • VZFL has since sent its response to Staff on 02/22/01.
344412 Sarah Purcell	<ul style="list-style-type: none"> • VZFL acknowledges that its response was past due at the time the Show Cause was initiated. • VZFL has since sent its response to Staff on 02/22/01.

Case Number	Disposition
344978 David Ekardt	<ul style="list-style-type: none"> ● VZFL has no record of receiving this inquiry. ● On 2/19/01 VZFL requested a copy from Staff. ● VZFL received a copy of Staff's inquiry on 2/19/01 and sent its response on 02/21/01. ● It is VZFL's position that this case should be removed from the docket.
346079 Advance Financial	<ul style="list-style-type: none"> ● VZFL acknowledges that its response was past due at the time the Show Cause was initiated. ● VZFL has since sent its response to Staff on 2/22/01.
346784 Marty Chastain	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on the day it was due, 12/15/00. ● VZFL re-sent its response to Staff on 2/21/01. ● It is VZFL's position that this case should be removed from the docket.
348061 John Fenn / Evelyn Reaves	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on 12/15/00, in advance of the 12/22/00 due date. ● VZFL re-sent its response to Staff 2/21/01. ● It is VZFL's position that this case should be removed from the docket.
348077 Jeff Goodwin	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on 12/15/00, in advance of the 12/22/00 due date. ● VZFL re-sent its response to Staff 2/21/01. ● It is VZFL's position that this case should be removed from the docket.
349779 William Carter	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on 12/18/00, in advance of the 1/04/01 due date. ● VZFL re-sent its response to Staff on 2/21/01. ● It is VZFL's position that this case should be removed from the docket.
350237 Mary Whitney	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on 1/26/01, following the 1/8/01 due date. ● VZFL re-sent its response to Staff on 2/21/01. ● Since VZFL responded to Staff's request prior to the initiation of the Show Cause, it is VZFL's position that this case should be removed from the docket.
351220 Cook & Koch, P.A.	<ul style="list-style-type: none"> ● VZFL acknowledges that its response was past due at the time the Show Cause was initiated. ● VZFL sent its response to Staff on 2/26/01.
351554 Prime Signs & Awnings	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on 12/22/00, in advance of the 1/12/01 due date. ● VZFL re-sent its response to Staff on 2/21/01. ● It is VZFL's position that this case should be removed from the docket.

Case Number	Disposition
351629 Gulfshore Mortgage	<ul style="list-style-type: none"> ● VZFL responded to Staff (via fax) on 12/22/00, in advance of the 1/12/01 due date. ● VZFL re-sent (via fax) its responses to Staff on 02/06/01 and 2/13/01. ● Staff requested supplemental info and VZFL forwarded its timely response (via e-mail) on 2/14/01. ● Since VZFL responded to Staff's inquiry on time, it is the company's position that this case should be removed from the Show Cause.
352496 Southeast Eye	<ul style="list-style-type: none"> ● VZFL acknowledges that its response was past due at the time the Show Cause was initiated. ● VZFL has since sent its response to Staff on 3/1/01.
352964 New South	<ul style="list-style-type: none"> ● This case started with Consumer Affairs and was moved to Communications. ● VZFL acknowledges that its response to Consumer Affairs was past due at the time the Show Cause was initiated. ● VZFL received a subsequent inquiry from Communications with a 3/9/01 due date, and a timely response was provided on 3/1/01.
353245 Norma Kennedy	<ul style="list-style-type: none"> ● VZFL responded to Staff's inquiry on 01/25/01, one day following the 1/24/01 due date. ● VZFL re-sent its response to Staff on 2/21/01. ● Since VZFL responded to Staff's request prior to the initiation of the Show Cause, it is VZFL's position that this case should be removed from the docket.
353407 Roberta Jordan	<ul style="list-style-type: none"> ● VZFL responded to Staff's inquiry on 2/08/01, following the 1/25/01 due date. ● VZFL's records indicate that Staff closed this case on 2/13/01. ● Since Staff closed this case prior to the initiation of the Show Cause, it is VZFL's position that this case should be removed from the docket.
353457 Hi-Tech Trading	<ul style="list-style-type: none"> ● VZFL responded to Staff's inquiry (via fax) on 01/25/01, on the day the response was due. ● VZFL re-sent its response to Staff on 2/21/01. ● Since VZFL responded to Staff's inquiry on time, it is the company's position that this case should be removed from the docket.
353519 Creative Credit Solutions	<ul style="list-style-type: none"> ● VZFL responded to Staff's inquiry on 1/26/01, one day following the 1/25/01 due date. ● VZFL re-sent its response to Staff on 2/21/01. ● Since VZFL responded to Staff's request prior to the initiation of the Show Cause, it is VZFL's position that this case should be removed from the docket.