

REQUEST TO ESTABLISH DOCKET

(PLEASE TYPE)

Date April 9, 2001

Docket No. 010422-7

1. Division Name/Staff Name B. Keating

2. OPR Legal/Keating

3. OCR CAF
CMP

4. Suggested Docket Title Complaint by Lorenzar Brown against BellSouth Telecommunications, Inc. Regarding Transfer and Installation of Service

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

Lorenzar Brown
5646 Rock Island Road, Apartment 211
P.O. Box 190147
Fort Lauderdale, FL 33319

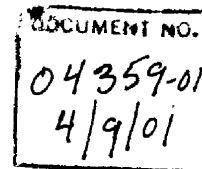
BellSouth Telecommunications, Inc.
Nancy Sims
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

2. Interested Persons and their representatives (if any)

Blank lines for interested persons and their representatives.

6. Check one:

- X Documentation is attached.
X Documentation will be provided with recommendation.



Request No. 307124T

Name BROWN , LORENZAR MR.

Business Name

Consumer Information

Name: LORENZAR BROWN

Business Name:

Svc Address: 5646 ROCK ISLAND ROAD

County: Broward

Phone: (954)-485-4912

City/Zip: Fort Lauderdale / 33319-

Account Number:

Caller's Name: LORENZAR BROWN

Mailing Address: P.O. BOX 190147

City/Zip: Fort Lauderdale , FL 33319-

Can Be Reached: (954)-260-3420

**Florida Public Service
Commission - Consumer Request
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
850-413-6100**

Utility Information

Company Code: TL720

Company: BELLSOUTH TELECOMMUNICATIONS,

Attn. Sherry Coxe307124T

Response Needed From Company? Y

Date Due: 03/09/2000

Fax:

Interim Report Received: / /

Reply Received: 03/01/2000

Reply Received Timely/Late: T

Informal Conf.: Y

PSC Information

Assigned To: ELLEN PLENDL

Entered By: DDURBIN

Date: 02/23/2000

Time: 13:20

Via: PHONE

(Phone/Mail/Fax/E-Mail)

Prelim Type: DELAY IN

PO:

Supmntl Rpt Req'd: / /

Certified Letter Sent: / /

Certified Letter Rec'd: / /

Closed by: MEP

Date: 03/04/2000

Closeout Type: GI-08

Apparent Rule Violation: N

Customer says he ordered service for (954)485-4912 and (954)485-2055 to be moved to his new address. He says the service was not connected as ordered. He says he called the PSC earlier today and we did a warm transfer call. He complains that the person he spoke to hung up on him. D. Durbin

2/29/2000 1:54p Customer called to file another complaint in regards to the same issues as this case. The customer states that the company has not contacted him. The customer wants to know when the company will contact him. I advised the customer that a response from the company is due on March 9, 2000. eakanbi.

03/01/2000 Received report with explanation. It appears that the company received a request to transfer service for telephone numbers (954) 485-4912 and (954) 485-2055 to 5646 Rock Island Road, Apartment 211 on February 21, 2000. BellSouth reports the following features were requested:

(954) 458-4912 - Primary Line

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1 Flat Rate Residential Line
FCC Charge for Network Access
Block Call Return
BellSouth Unrestricted Calling Card
Call Waiting
Local Number Portability Line Charge

BellSouth reports an appointment time between 8:00 a.m. and 1:00 p.m. on February 22, 2000 to provide service to (954) 458-2055, an additional line, with the following features:

1 Flat Rate residential Line
FCC Charge for Network Access for Additional Line
Listing Not in Directory or Directory Assistance at No Charge
Local Number Portability Line Charge

BellSouth reports that you advised the company you would not be at home and that you would provide the inside wiring for the additional line. It appears the service was connected on February 22, 2000. eplend1

03/06/2000 Closed by letter with a copy to BellSouth. eplend1

If the customer calls with any unresolved concerns and he wishes to pursue this matter further, he may request an informal conference. Please provide the request in writing to us within 30 days from the date of this letter, and direct that correspondence to:

Ms. Beverlee DeMello, Director, Division of Consumer Affairs
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

03/15/2000 Customer called to state that he has not received any letter from the PSC. I did inform him about the informal conference. Customer states that he just wants the letter that he was told he would be receiving. Customer gave me a mailing address of PO Box 190147, Fort Lauderdale, FL 33319. A Hashisho

04/11/2000 - Request for informal conference received and information forwarded to QA group.pjohnson
04/11/2000 I received the customer's request for an informal conference from Ms. Carmen Pena. Shirley Stokes

04/11/2000 FAXED TO CO. DUE TO THE CUSTOMER'S REQUEST FOR AN INFORMAL CONFERENCE, DO NOT TAKE ANY

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DISCONNECTION ACTION FOR ANY DISPUTED AMOUNT, IF APPLICABLE, PENDING THE OUTCOME OF THIS REQUEST. Shirley Stokes

04/11/2000 This case was entered in the informal conference system. Shirley Stokes

04/11/2000 I gave the request to Eyvonne to process an acknowledgment letter to the customer with a copy to the company. After that, she will give John Plescow a copy of the file for preconference negotiations with the customer and company. Shirley Stokes

04-13-2000 - I called the customer at about 11:15, A.M, and he requested I call him after 1:00, P.M.. I called the customer at approximately 1:10, P.M., and the customer refused to participate in the mediation process, until the PSC sent him the written policy stating that mediation was part of the process. When I requested to include some questions that I needed the customer to answer, the customer indicated that all he wanted to see was the written policy, and no questions should be included. The customer then said he wanted it know that he wanted to cooperate 100, percent./JPLESCOW

04-17-2000 - The customer called to confirm the mailing address. I provided the mailing address that we had on file. He said that he wanted to change the mailing address if that would not cause any problems. I explained I could note the file that he wanted all future correspondence send to a new address, and this would not be any trouble. He then changed his mind, and he said to mail the correspondence to the address that we already had on file./JPLESCOW

04-19-2000 - I called the company to check on the status of the customer's account. The customer will have to pay \$76.00, by 05-06-2000, and an additional. \$50.00, by 05-09.2000.

04-20-2000 - Two letters from customer received. The letters are requesting the information already requested on 04-13-2000./JPLESCOW

05-01-2000 - Mr. Brown called. He still will not state what is in dispute. He wants in writing the rule or policy stating he needs to participate in the mediation portion of the informal conference process. He said he wanted this information in writing, so he would not incriminate himself. He said he was concerned because it would be May 6, 20000, and his bill would be due. He said he did not want to pay for a service he was not receiving, but he would not say what service he was not receiving. I explained that Mr. Rasberry and Ms. Pena would follow-up with him today./JPLESCOW

05-04-2000 - The customer called, and he said he was expecting someone to respond to him today. He did not indicate he was having any problems. I said I would note the file, and I would notify Ms. Pena and Mr. Rasberry. /JPLESCOW

05-05-2000 - Mr. Brown called and said he would like Some one to follow-up with him regarding his case. I

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informed Ms. Pena. After discussing the matter, with Ms. Pena, I called Ms. Welling with BellSouth. I discussed the demarkation rule with Ms. Welling. We agreed to continue the discussion on 05-08-2000./JPLESCOW

05-08-2000 - I spoke to Ms Welling. We agree that the demarkation point for the second line would be the first jack, for the second line, in Mr. Brown's apartment. Additionally, The company can not charge the customer for the installation of the first jack for the second line. The company will contact the customer to make an appointment to go into the customer's apartment. Note, the customer will not get time out of service credits for the second line because he did not provide access to his apartment, so the company could install the second line to its demarcation point./JPLESCOW

05-10-2000 - BellSouth has gone to the customer's home. Ms. Welling told me that the customer was being difficult and argumentative. A written follow-up from BellSouth will be sent to me as soon as possible./JPLESCOW

05-18-2000 - Angie sent me the following e-mail.

John, Mr. Brown called for you. He did not want to leave a message nor gave me any information to pass along to you. Just a note to let you know he called. Angie/JPLESCOW

06-05-2000 - The customer called. He wants to know the status of his case. I explained that Ms. Pena had some additional questions for BellSouth, and once the questions had been answered the PSC would follow-up with him./JPLESCOW

06-06-2000 - I spoke to Bellsouth, and Ms. Welling is unwilling to provide any additional credits. I spoke to Ms. Pena, and she instructed me to turn the case over to Ms. Stokes for further handling./JPLESCOW

06-09-2000 - Mr. Brown called. He left 2 phone numbers (954)485-4912, and (954)260-3420. I left a message on the answering machine at (954)485-4912. I explained that the customer's case had been given to MS. Stokes for further handling. I explained that any future questions should be addressed to Ms. Stokes. Note, I also attempted to call the customer at (954)260-3420, but I received no answer./JPLESCOW

06-09-2000 Mr. John Plescow TRANSFERRED Mr. Brown's voice mail message to me. The message indicated that Mr. Brown called at 12:52 p.m. regarding the status of his informal conference request. Shirley Stokes

06-12-2000 I retrieved the file from my box. Shirley Stokes

06-12-2000 At 9:29 a.m., I called Mr. Mr. Brown's telephone number 954-485-4912 and left a message on his voice mail that I was returning his call regarding his informal conference request. At 9:30 a.m., I called his telephone number 954-260-3420 and reached Mr. Brown. I explained that due to the workload and vacation time, we cannot take any action on his complaint until August. I also explained that although customers have the option of requesting an informal conference, the request can be denied if it appears no rules or regulations were violated. For planning purposes, I asked him if he will be available on August 24 or 25 to

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have a telephone informal conference, if one is granted. He asked what are the options. I explained that there are other options, but I didn't elaborate. However, I emphasize again that informal conferences are not necessarily granted just because customers request one. I told him that we probably won't take action on his request until August. If earlier, we will let him know. Also, if the informal conference is denied, we will let him know. He also asked for a copy of the rules. It appears that Mr. Brown wants to be argumentative. He stated that he had previously asked for a copy of the rules. I promised him that I will mailed him a copy of the Customer Complaint Rules today. Mr. Brown also stated upon receipt, he will let me know. I mailed him a copy of the rules. Shirley Stokes

06-15-2000 At 9:50 a.m., I received Mr. Brown's call. He verified receipt of the Customer Complaint Rules. He stated that he will not call back and wait patiently until August or September. I explained that, as I promised, we will follow up with him. Shirley Stokes

06-23-2000 I sent BellSouth (Ms. Margarita Welling) an e-mail asking for additional information for clarification as follows:

BellSouth's May 10, 2000, report stated that the company installed an Inside Network Interface to activate Mr. Brown's service for the additional line, 954/485-2055. Please let me know if this installation can only be installed by BellSouth.

Additionally, for clarification, please refer to your March 1, 2000, report. The report stated that an appointment was set up between 8 a.m. and 1 p.m. on February 22, 2000. It also stated that the access information indicated "that the customer would not be home and that he would provide the inside wiring for the additional line."

1. Why was an appointment set up if the customer was not going to be home?
2. Was there a meter room connection in this case?
3. Please provide any additional information that will help clarify the above concerns.

If possible, please provide the additional information by June 28, 2000. Thanks.

06-27-2000 I found out that Ms. Welling is on vacation, so I forwarded a copy of the e-mail message to Ms. Pat Shields at BellSouth. I changed the supplemental report due to June 30, 2000. Shirley Stokes

07-05-2000 FAXED TO CO. I have not received the Supplemental Report requested above. Please expedite a written response to me ASAP and by July 7, 2000. Shirley Stokes

07-07-2000 Supplemental Report received, stating that when BellSouth representatives schedule appointments, customers are asked if they will be home if access to the premise is needed. In this case, the company reported that the customer did not request any inside work and indicated that he will not be at home. After the service was completed, the company tested the service, which indicated that the service was working to the meter room. Although BellSouth stated that this information was provided to me on June 29, 2000, I did not consider the verbal information from Ms. Pat Shields as an official response to this case. I had called her to verify receipt of my e-mail message, and she just provided general information and was going to confirm the particulars in this case. Shirley Stokes

07-07-2000 Report received via e-mail. VMcKay (This report is the same as noted above.) Shirley Stokes

07/18/00 CUSTOMER CALLED FOR A STATUS REPORT. THE CALL WAS TRANSFERRED TO ME BY T. MORGAN IN THE CALL CENTER. MR. BROWN STATED HE WANTED AN UPDATE ON THE STATUS OF HIS COMPLAINT. HE HAD BEEN TOLD THAT S. STOKES WAS OUT OF THE OFFICE. I ADVISED HIM THAT MS. STOKES HAD REQUESTED ADDITIONAL INFORMATION FROM THE COMPANY AND THAT THE COMMISSION WOULD BE GETTING BACK IN TOUCH WITH HIM. HE ASKED ME WHY I COULD NOT GIVE HIM ANY INFORMATION ON THE REPORT. I STATED THAT HIS MATTER APPEARED TO BE HANDLED BY JOHN PLESCOW AND SHIRLEY STOKES. SINCE IT HAD BEEN ESCALATED TO SHIRLEY AND JOHN BECAUSE OF HIS REQUEST FOR AN INFORMAL I WOULD TAKE HIS NUMBER AND ANY ADDITIONAL INFORMATION AND FORWARD IT TO THEM. HE SAID HE WANTED TO SPEAK TO MY SUPERVISOR SINCE I WAS NOT ABLE TO ASSIST HIM. HE STATED HE WANTED TO BE CONTACTED ASAP AT THE CONTACT NUMBER LISTED ON THE FORM. I INFORMED C. PENA OF THIS MATTER. C. BROOME

08/01/00 - Customer called requesting to speak with SStokes. Customer advised SStokes did not answer her extension, and I offered to transfer him to her voice mail; he refused and requested that I relay a message be SStokes. The message was sent to her e-mail. KBaldwin

08/01/00 I received Ms. Baldwin's e-mail message as follows regarding his telephone call today. Shirley Stokes

08/01/00 - Customer called requesting to speak with SStokes. Customer advised SStokes did not answer her extension, and I offered to transfer him to her voice mail; he refused and requested that I relay a message be SStokes. The message was sent to her e-mail. KBaldwin

Mr. Brown says he wants you to call his message line at 954-485-4912 and to leave a message. He also left his cellular phone number which is 954-460-3420. He says he'll be waiting for your call; but be sure to try and reach him on the message line first.

08/01/00 At 3:40 p.m., I returned Mr. Brown's call. I asked if he was following up with his informal conference request. I explained that during last last conversation with him, I promised to follow up with him this month regarding the outcome of his request. I explained that I just returned from vacation, but I

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Cc: Carmen Pena
Subject: RE: Update on Lorenzar Brown case - 307124T

Thanks Beth.

Carmen,

For the file.

-----Original Message-----

From: Beth Keating
Sent: Thursday, August 31, 2000 5:59 PM
To: Leroy Rasberry
Subject: Update on Lorenzar Brown case - 307124T

Clayton Lewis has sent BST a fax informing them they should not have charged Mr. Brown for service until the service was actually activated to the apartment. A response has been requested by Sept. 19.

10/9/00 Customer called and requested to speak with SStokes. SStokes was not available and customer left a message for a return call. Message forwarded to SStokes. NChester

10/09/00 - Customer called again to speak with Shirley Stokes. Customer informed that Mrs. Stokes would be out of the office for the entire week. Customer transferred to Leroy Raspberry. janderson

10/09/00 - Spoke with customer and explained that his matter has been referred to Legal for review. I gave customer Beth Keating's number in legal. LRasberry

10/16/00 Ms. Diana Caldwell, Legal, provided me bill copies from December 1999 through May 2000, with the exception of April bill. She also explained that she had tried to reach Mr. Brown. Shirley Stokes

10/17/00 Ms. Caldwell sent Mr. Clayton Lewis an e-mail to request copies of April and June bills ASAP from BellSouth. Shirley Stokes

10/19/00 I received a copy of Mr. Clayton Lew's e-mail to Ms. Diana Caldwell with a spreadsheet attached regarding the customer November 1999 through May 14, 2000, bills. Shirley Stokes

10/31/00 I received a copy of Legal Services Division's (Ms. Diana Caldwell) October 30, 2000, letter to Mr.

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Brown from Ms. Carmen Peña regarding Ms. Caldwell's telephone conversation with Mr. Brown on October 23, 2000. She explained that the PSC is not authorized to award damages, and told him that the civil court has authority to award damages. Ms. Caldwell also explained that the PSC's technical staff obtained copies of his bills as noted above, and it appears that he has been billed or received credits appropriately under the PSC's rules. "Therefore, it is my opinion that your file should be closed. My opinion is formed based upon a reading of Commission rules and my interpretation of the facts that have been provided to me. This opinion does not bind the Commission nor does it reflect any official action of the Commission." Ms. Caldwell also explained that staff will take a recommendation to the Commissioners on December 5, 2000, that his request should be denied. She also explained that since staff believes that the Commission cannot grant the relief he seeks, he may want to withdraw his informal conference request. Ms. Caldwell also provided him with documents that staff used to make the determination. Shirley Stokes

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STATE OF FLORIDA

Commissioners
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

October 30, 2000

Mr. Lorenzar Brown
P.O. Box 190147
Fort Lauderdale, FL 33319-0147

Re: Consumer Complaint No. 307124T

Dear Mr. Brown:

Your complaint No. 307124T was referred to me for review. As I explained during our telephone conversation on October 23, 2000, our technical staff obtained copies of your BellSouth telephone bills for your second line (number (954) 485-2055) dated November 14, 1999 to May 14, 2000. Based upon a review of these bills, it appears that you have been billed or received credits appropriately under the Florida Public Service Commission rules. Therefore, it is my opinion that your file should be closed. My opinion is formed based upon a reading of Commission rules and my interpretation of the facts that have been provided to me. This opinion does not bind the Commission nor does it reflect any official action of the Commission.

I also explained during our telephone conversation that this Commission is not authorized to award damages. As I understand your complaint, you are seeking damages from BellSouth above the refund that you have received. A civil court has jurisdiction to award damages.

You have also requested an informal conference with staff. Based upon the information above, staff will take a recommendation to the Commissioners that your request should be denied. Because staff believes that the Commission cannot grant the relief you seek since it cannot award damages, you may wish to withdraw your request for an informal conference. Otherwise, the Commission will make a decision at its December 5, 2000 agenda conference.

Per your request, I have attached a copy of the information staff used to make its determination. Please feel free to contact me if you have any further questions or need any further information.

Sincerely,

Diana W. Caldwell
Senior Attorney, Legal Services Division

DWC/dm
Enclosure
cc: Division of Consumer Affairs (Raspberry)