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(850) 413-6199

Public Service Commission

August 15, 2001

Jeffrey P. Flynn, Esquire  
AT&T  
Room 3236B2  
295 North Maple Avenue  
Basking Ridge, New Jersey 07920

STAFF'S FIRST  
DATA REQUESTS

Re: Complaint No. 368480T, Complaint of Timothy McGibbon against AT&T

Dear Mr. Flynn:

By this letter, the Commission staff requests that AT&T respond to staff's First Data Requests regarding the above referenced matter pursuant to Section 364. 183, Florida Statutes. Please provide written responses or documentation in response to the information requested below:

1. Please explain how a call that is connected to the customer's Internet Service Provider through local telephone number results in a toll charge to the Nation of Madagascar.
2. Please state at what point in the telephone call to Madagascar is AT&T first involved?
3. Please explain how AT&T is accessed by the computer modem?
4. Please explain how, and by whom, is the modem told to dial AT&T and an international telephone number?
5. If AT&T is accessed via a dial around number, please provide the access number that was used for this complaint.
6. Please state what notice is given, if any, to the customer that indicates the customer is about to incur the charges that were charged in this case?
7. Does AT&T have any contractual agreement with either the website provider or terminating telephone company in Madagascar? If so, please provide a copy of the contract.

DOCUMENT NUMBER-DATE  
10008 AUG 15 2001  
PSC-COMMISSION CLERK

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8. Does AT&T compensate the website provider directly or indirectly, please explain how AT&T compensates the website provider?
9. Please explain how and in what amount per call does AT&T compensate the terminating telephone company in Madagascar?
10. Has AT&T received complaints from other Florida consumers that the consumer has no knowledge of making calls to Madagascar or authorized this type of call through the consumer's computer? If so, how many since January 1, 2001?
11. Please stated what action has AT&T taken, if any, to prevent Florida consumers calls being completed via a computer modem, to foreign countries providing websites without the consumers knowledge?
12. Please explain, what action AT&T can take to prevent these types of calls from being completed?
13. Can AT&T determine the website address that was accessed in regard to this complaint? If so, how does AT&T obtain this information?
14. Does AT&T block access to websites found to be offering service through programs that are downloaded to the customer's computer that results in international calls being made totally unknown to the customer? If not, why?
15. In a response from AT&T to the complaint number 368480T, AT&T states that these calls were made from a telephone under the control and use of Mr. McGibbons and his family. If these calls were made by the computer modem that was not controlled by Mr. McGibbons or his family, but was under the control of a program downloaded from the website, is it AT&T's position that this line was still under the control of Mr. McGibbons? If so, please explain why.
16. Has AT&T worked with the Federal Trade Commission or the Federal Communications Commission to help solve this type of problem? If so, what were the results?
17. Please explain what action, if any, AT&T can take to prevent children under the age of eighteen from accessing a website that disconnects the local service provider and connects to AT&T's long distance service.
18. Please explain AT&T's position on whether a minor child can consent to disconnecting from the local service provider to connect with AT&T's long distance service.

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Please file the original and five copies of the requested information by **August 31, 2001**, with Ms. Blanca Bayo, Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Please feel free to call me at (850) 413-6220 if you have any questions.

Sincerely,



Patricia Christensen  
Senior Attorney

PAC:lw  
Enclosure

cc: Division of Competitive Services (Moses)  
Michael Twomey, Esquire

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