



**AFFIDAVIT OF SYLVIA A. KRAININ**

County of Dade  
State of Florida

Before me, the undersigned authority, personally appeared SYLVIA A. KRAININ, who being first duly sworn, deposes and says and states as follows:

1. I am over the age of twenty-one and make this affidavit upon my own personal knowledge and/or a review of the file in this matter.
2. I have knowledge of all of the matters testified to in this affidavit.
3. On or about April 11, 1997 the undersigned joined the firm of Adorno & Zeder, P.A.
4. I am a Partner with Adorno & Zeder, P.A. Our physical address is 2601 S. Bayshore Dr., Suite 1600, Miami, FL 33133. My business telephone number is 305-858-5555.
5. Adorno & Zeder, P.A. is outside counsel to BellSouth Telecommunications in the State of Florida.
6. On August 30, 2001, the undersigned executed the Protective Agreement in Florida Public Service Commission Docket No. 010740-TP as a reviewing representative designated by BellSouth to review Confidential Information under Paragraph 3(a)(1) of the Protective Agreement.
7. On August 30, 2001, the undersigned was requested by BellSouth to interview various individuals whose names had been provided to BellSouth by IDS Telecom, L.L.C. (IDS) in their Supplemental Response to BellSouth's Interrogatory No. 18.
8. On or about August 30, 2001, the undersigned received IDS's Supplemental Response to BellSouth's Interrogatory No. 18 which was identified as Proprietary & Confidential.
9. Upon receipt of IDS's Supplemental Response to BellSouth's Interrogatory No. 18, the undersigned was requested by BellSouth to contact the End Users whose names and phone numbers were provided by IDS and interview them.

**PUBLIC DISCLOSURE  
DOCUMENT**



1 changed between telephone service providers. According to a BellSouth  
2 service technician had come out to on numerous occasions but she was  
3 not sure whether they ever advised her that IDS had instructed BellSouth to  
4 disconnect her service.

5 16. On September 7, 2001, I interviewed with  
6 at advised me that he could not recall calling  
7 BellSouth with a repair problem requiring a service appointment. advised  
8 that he did switch his telephone service to IDS however it was done over the  
9 telephone.

10 17. On September 7, 2001 I interviewed with  
11 at informed me that she was the Owner of this  
12 company. On or about June 28, 2001 advised me that a BellSouth service  
13 technician came to her place of business to switch her telephone service to IDS based  
14 upon her purported request that they do so. informed me that she had  
15 never switched providers, nor had her son, who was the only other  
16 authorized person at to authorize such a change.  
17 advised me that IDS told her they had a tape recording of her authorizing the switch  
18 but when she requested they play it, she was informed it was "misplaced".  
19 advised me that at no time did a BellSouth service technician ever inform her  
20 that IDS instructed BellSouth to disconnect her service.

21 18. On September 7, 2001 I interviewed financial secretary  
22 at informed me that earlier this  
23 year she had received a phone call from IDS offering competitive phone rates and so  
24 she changed from BellSouth to IDS. Shortly after switching service to IDS,  
25 received a promotional call from New South and requested IDS switch the  
26 service. advised me that because she was under the impression that the  
27 phone service was with New South, she contacted New South on or about  
28 June 21, 2001 to add a new phone line. She was advised that her service was still  
29 with IDS and had not been changed. on therefore informed me she  
30 contacted IDS and that a BellSouth service technician immediately came out for  
31 service. on advised that she encountered no problems with BellSouth, that  
32 there were no missed appointments by BellSouth and that at no time did the  
33 BellSouth technician ever inform her that IDS instructed BellSouth to disconnect her  
34 telephone service.

35 19. On September 7, 2001 I interviewed  
36 at . According to on or about June

1 15, 2001, an IDS representative contacted him at his residence and advised him that  
2 IDS could save him money on his business telephone lines. advised me  
3 that he told the IDS representative that he was not interested unless it involved  
4 BellSouth directly and was some type of a promotion that BellSouth was offering to  
5 its customers. According to the IDS representative assured him that IDS  
6 was an affiliate or subsidiary of BellSouth and that BellSouth would still be providing  
7 the telephone service. informed me that based upon these assurances, and  
8 the understanding that IDS was somehow affiliated with BellSouth, that he  
9 authorized IDS to change his phone service on his business line of  
10 However, advised me that not only did IDS change service to this one  
11 telephone line, but also to his main residential phone line and all other phone lines  
12 affiliated with faxes, computers, and/or the Internet at both his personal residence  
13 and business. stated he only authorized the change on one business line  
14 and that he authorized that change only because he had been led to believe that IDS  
15 was somehow affiliated with BellSouth. advised me that at no time did a  
16 BellSouth service or repair person ever come out to his premises. was  
17 unaware of BellSouth or a BellSouth service or repair person ever missing a service  
18 appointment. Finally, inform me that at no time did BellSouth or a  
19 BellSouth service or repair person ever inform him that IDS instructed BellSouth to  
20 disconnect his phone service.

21 20. On September 7, 2001 I interviewed  
22 at advised me that on or  
23 about June 18, 2001 he was having a problem with the phone line from which he  
24 operated his facsimile (fax) machine. therefore advised me that he  
25 contacted IDS, his phone service provider, about the problem. informed  
26 me that an appointment was made with IDS to have a service technician come out to  
27 his store and that a BellSouth service technician came to his business immediately to  
28 take a look at the problem he had encountered. advised that he was  
29 present when the BellSouth technician came to his business and he spoke with the  
30 technician. According to at no time did the BellSouth technician ever  
31 inform him that IDS instructed BellSouth to disconnect his phone service.  
32 advised me that he encountered no problems with BellSouth or the technician  
33 who was sent out to his store. Additionally, there were no missed service  
34 appointments by BellSouth in response to his request for service repair.

35 21. On September 13, 2001 I once again contacted  
36 and spoke with all five  
37 (5) of these individuals. I asked each individual whether I could prepare an affidavit  
38 for their review based upon my interview with them. Each of the five (5) individuals

1 authorized the undersigned to prepare an affidavit. I therefore prepared five (5)  
2 separate affidavits which were sent via facsimile on September 14, 2001 with a cover  
3 letter requesting the affiant's to review the proposed affidavit and advise if there were  
4 any changes they wanted made. Both \_\_\_\_\_ made some changes to  
5 their affidavits to reflect the proper name of \_\_\_\_\_  
6 residential phone number. These were faxed to me by the \_\_\_\_\_ and upon receipt I  
7 made the requested changes and faxed them back to the \_\_\_\_\_

8 22. The undersigned advised all affiants that their affidavits needed to be  
9 notarized and I requested that a copy of the notarized affidavit be faxed back to me  
10 that same day and the original sent via mail. As of 1:30 p.m. Eastern time on the  
11 date this affidavit is executed, however, I have not yet received any signed or  
12 notarized affidavits from those persons.

13 23. On September 14, 2001 I was able to reach \_\_\_\_\_  
14 \_\_\_\_\_ at \_\_\_\_\_ The  
15 advised me that on or about June 21, 2001 they received a phone call from IDS  
16 saying they were offering a 20% discount to try their "billing service". IDS informed  
17 \_\_\_\_\_ that the only thing that would change was their billing and that if they  
18 had a problem they should call IDS instead of BellSouth directly but that their  
19 telephone service would remain with BellSouth. \_\_\_\_\_ informed me she never  
20 received any type of confirmation from IDS of the change and that one day she  
21 picked up the phone and her line was dead. \_\_\_\_\_ called BellSouth and had  
22 been told her service was disconnected but they could not tell who had disconnected  
23 it. \_\_\_\_\_ advised BellSouth she needed this fixed right away, but was informed  
24 that BellSouth no longer owned her phone number and that another company had  
25 disconnected her phone line and taken over her phone number. After about five (5)  
26 days BellSouth was finally able to straighten out the problem. \_\_\_\_\_ advised  
27 that there were no missed service appointments by BellSouth as they did everything  
28 over the phone. \_\_\_\_\_ also informed me that at no time did a BellSouth service  
29 representative ever inform her that IDS instructed BellSouth to Disconnect her  
30 service. Both \_\_\_\_\_ indicated that they would agree to review and sign  
31 an affidavit if prepared based upon my interview. I was only able to reach the  
32 at approximately 5:00 p.m. on Friday September 14, 2001, however, and I was  
33 advised by the \_\_\_\_\_ that they did not have access to a notary. They advised me  
34 however that if arrangements could be made to have affidavits notarized that they  
35 would be happy to sign same. Due to the lateness in the day on Friday however it  
36 was impossible to make any arrangements for a notary.

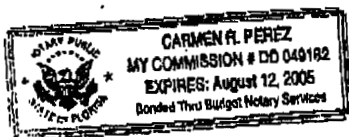
FURTHER AFFIANT SAYETH NOT.

  
SYLVIA A. KRAININ, ESQ.

The foregoing instrument was acknowledged before me this  
September 17, 2001, by SYLVIA A. KRAININ, who is personally known to me or  
who has produced \_\_\_\_\_ as identification and who did (did not) take an  
oath.



Signature



Print (Notary's Name)  
Notary Public, State of Florida  
Notary Stamp: